

SMITHFIELD TOWN COUNCIL MEETING

OPEN SESSION

TUESDAY
May 21, 2024



**SMITHFIELD TOWN COUNCIL MEETING
SMITHFIELD TOWN HALL
COUNCIL CHAMBERS
64 FARNUM PIKE
TUESDAY, MAY 21, 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)(2); Potential Litigation, Rhode Island General Laws, Section 42-46-5(a)(2) Collective Bargaining: Local 2050, International Association of Firefighters, AFL-CIO MOA, and Section 42-46-5(a)(1) Personnel; to consider, discuss, and act upon the Chief of Police employment agreement and to interview Elizabeth Leach and Greg Guertin for possible appointment to a Town board or commission.

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. Diversity, Equity, and Inclusion Task Force Recommendations Report.
 - B. Receipt of the Budget and Financial Review Board's Recommended Fiscal Year 2025 Budget.
- VI. Minutes:
 - A. Move that the minutes of the April 29, 2024 work session meeting be approved as recorded.
 - B. Move that the minutes of the May 7, 2024 executive session meeting held pursuant to consider, discuss, and act upon matters pursuant to Rhode Island General Laws Section 42-46-5(a)(2); Existing Litigation, Joseph Ricci and Custom Construction Services, LLC. v. Town of Smithfield, et al. be approved as recorded and sealed.

- C. Move that the minutes of the May 7, 2024 open session meeting be approved as recorded.
- VII. Consider, discuss and act upon the following possible appointments and reappointments: None.
- VIII. Public Hearings:
- A. Schedule a public hearing on June 18, 2024 on the proposed Fiscal Year 2025 Budget.
 - B. Schedule a public hearing on June 18, 2024 to consider and act upon amendments to the Code of Ordinances, Chapter 11 entitled “Boards and Commissions sponsored by Council Members Rachel S. Toppi and Michael P. Iannotti.
 - C. Schedule a public hearing on June 18, 2024 to consider and act upon Zoning Ordinance amendments to Article 2 entitled “Definitions”.
 - D. Schedule a public hearing on June 18, 2024 to consider and act upon Zoning Ordinance amendments to Article 3 entitled “Nonconformance”.
 - E. Schedule a public hearing on June 18, 2024 to consider and act upon Zoning Ordinance amendments to Article 4 entitled “Use Regulations”.
 - F. Schedule a public hearing on June 18, 2024 to consider and act upon Zoning Ordinance amendments to Article 6 entitled “Supplementary Regulations”.
 - G. Schedule a public hearing on June 18, 2024 to consider and act upon Zoning Ordinance amendments to Article 10 entitled “Administration, Enforcement and Relief”.
 - H. Conduct a public hearing to consider and act upon the approval of outdoor seating and bar service for The Orchard Grille, Inc. d/b/a “The Orchard Grille”, located at 132 Pleasant View Avenue, as applied, subject to compliance with all State regulations and local ordinances.
 - I. Conduct a Show Cause hearing to consider, discuss, and act upon the possible suspension, revocation, or other sanction regarding the listed Mobile Food Truck Licenses due to non-renewal or non-compliance with the conditions of renewal:
 - 1. Farm to Sandwich, LLC d/b/a “Farm to Sandwich”, 14 Abbott Street, Cranston
 - 2. On the Rhode Café, LLC d/b/a “On the Rhode Café”, 73B Gene Allen Road, Foster

- J. Conduct a Show Cause hearing to consider, discuss, and act upon the possible suspension, revocation, or other sanction regarding the listed Holiday Sales Licenses due to non-renewal or non-compliance with the conditions of renewal:
 - 1. The Sevingy Group, LLC d/b/a “Smithfield Fitness”, 970 Douglas Pike
 - 2. Speedway, LLC d/b/a “Speedway #02821”, 263 Putnam Pike

IX. Licenses:

- A. Consider, discuss, and act upon approving a new Victualling License for AJL, LLC d/b/a “New England Frozen Lemonade,” 3 Austin Avenue, Unit A, as applied, subject to compliance with all State regulations, local ordinances, and a Certificate of Occupancy from the Building/Zoning Official’s Office.
- B. Consider, discuss, and act upon approving the annual renewal of one (1) Massage Establishment License, as applied, subject to compliance with all State regulations and local ordinances.
 - 1. Rhonda Rohelia d/b/a “Soothing Touch Spa”, 180C Pleasant View Avenue
- C. Consider, discuss, and act upon approving the annual renewal of one (1) Massage Therapy License, as applied, subject to compliance with all State regulations and local ordinances.
 - 1. Rhonda Rohelia working at “Soothing Touch Spa”, 180C Pleasant View Avenue
- D. Consider, discuss, and act upon approving the annual renewal of two (2) Holiday Sales Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances.
 - 1. DK Convenience, LLC d/b/a “DK Convenience”, 200 Pleasant View Avenue, Unit 3
 - 2. Premium Brands Opco, LLC d/b/a “Loft #”, 371 Putnam Pike
- E. Consider, discuss, and act upon the annual renewal of one (1) Peddler’s License, as applied, subject to compliance with all State regulations and local ordinances
 - 1. A & W of Rhode Island, Inc. d/b/a “A & W”, to sell Christmas Trees, plants and flowers, 460 Putnam Pike
- F. Consider, discuss, and act upon approving a request for outdoor seating for CAVA Mezze Grille, LLC d/b/a “CAVA”, located at 473 Putnam Pike, Suite A2, subject to compliance with all State regulations, local ordinances and letter requesting outdoor seating.

G. Consider, discuss, and act upon approving the annual renewal of one (1) Mobile Food Truck License, as applied, subject to compliance with all State regulations and local ordinances.

1. Baby Duck, LLC d/b/a “Tacofied”, to sell tacos and homemade potato chips from a truck with RI Reg. # 85432, 38 Dean Avenue, Johnston, RI

H. Consider, discuss, and act upon approving one (1) One-Day Special Event License for Roots Heaven Farm, LLC for a “Yoga Event”, 540 Douglas Pike on the following date:

- Saturday, June 15 2024, Yoga Event to be held from 10:00 a.m. to 12:30 p.m., with a rain date of Saturday, June 22, 2024

All special event licenses for Roots Heaven Farm, LLC are subject to compliance with all State regulations, local ordinances and a final tent inspection by the Smithfield Fire Department.

I. Consider, discuss and act upon approving a new Victualling License for Early Eats, LLC d/b/a “Early Eats,” 345 Avenue, Unit B, as applied, subject to compliance with all State regulations, local ordinances, final approval from the RI Department of Health and a Certificate of Occupancy from the Building/Zoning Official’s Office.

X. Old Business: None

XI. New Business:

A. Consider, discuss, and act upon authorizing a request for proposals for Senior Center parking lot repairs.

B. Consider, discuss, and act upon authorizing a request for proposals for landscape services at three (3) school locations subject to Town Solicitor approval.

C. Consider, discuss, and act upon authorizing a request for proposals for roof replacement at the Department of Public Works Garage.

D. Consider, discuss, and act upon authorizing Change Order Requests #19, #20 and #21 to J.G. Edwards Construction for Phase 1B renovation work at the East Smithfield Neighborhood Center in an amount not to exceed five thousand, two hundred and seventy-three dollars and zero cents (\$5,273.00).

E. Consider, discuss, and act upon adopting a resolution to amend the Rules of Procedure for the Smithfield Town Council sponsored by Council Members Rachel S. Toppi and Michael P. Iannotti.

- F. Discussion concerning Greenville Library litigation and financial operations.
- XII. Public Comment.
- XIII. Adjournment.

AGENDA POSTED: May 17, 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.



Smithfield DEI Task Force Recommendation

Proposal

Form a standing Community Inclusion and Engagement Committee focused on promoting equity and inclusion for all individuals who live, work, study, worship in, or visit the Town of Smithfield. The mission and work of this Committee would extend to all areas of public life in Smithfield. As such the Committee would be available to support or partner as requested on issues related to but not limited to education, employment, public safety, housing, public accommodation, health, recreation, sports, and the arts.

The Committee would serve in an advisory role to the Town Council, but would also operate independently, establishing its own priorities, setting goals, and governing its own operations. The Committee would also be available as a resource to other Town entities interested in exploring, researching, or promoting issues of equity and inclusion.

On a regular basis, the Committee would report to the Town Council on its progress with activities, projects, and initiatives in which it is engaged.

Goals of the Committee

The work and goals of the Committee will center **promoting education, building awareness, and encouraging civic engagement**, as it relates to equity and inclusion in the Town of Smithfield. The Committee will pursue activities that seek to ensure Smithfield is a community where all residents feel included and enjoy equal opportunity to participate in town affairs and take advantage of all the town has to offer.

- Support and empower the Town Council to effectively understand, assess and address issues of equity and inclusion throughout the town.
- Promote an understanding of the diverse cultures and communities within the town and surrounding areas by working with governmental and non-governmental organizations through education, organization of community events, conferences, public speaking programs, educational panels, celebrations, and other community actions.
- Provide recommendations for town policies and programming that support diversity at all levels and promote inclusivity and equity.
- Develop and implement strategies that help promote inclusivity and equity in Smithfield.
- Encourage and support belonging through collaborative initiatives, advocacy, and outreach.

Potential Scope of Work

- **Assessment(s):** Conduct a community-wide equity audit, aimed at identifying issues of importance and relevance for town residents and business owners.
- **Partnerships:** Cultivate partnerships with local organizations that support the goals of the Committee. Understanding that the Committee will not have the level of knowledge or expertise necessary to independently achieve its goals, these partnerships would serve as a critical resource for the Committee – and by extension the Town Council and residents of Smithfield. Examples include:
 - East Smithfield and Greenville libraries
 - Bryant University Office of Institutional Diversity, Equity, and Inclusion
 - Smithfield Economic Development Commission
 - RI Commission on Prejudice and Bias
 - Tri-County
 - Equity and inclusion-focused organizations from other Towns
- **Events**
 - Facilitate educational workshops open to the public that promote inclusivity in our community.
 - Organize and participate in town-sponsored events or activities that help promote inclusivity and equity.
- **Develop Community Resources**
 - Provide Recommendations for inclusive and equitable practices and policies.
 - Encourage and Support belonging through collaborative initiatives, advocacy, and outreach.

Key Terms

- *Equity* refers to fairness, impartiality, and justice in the distribution of resources, services, and opportunities among the residents of the town, especially those who belong to historically underserved and marginalized groups. It involves ensuring that all individuals, regardless of their background or circumstances, have equal access. Achieving equity requires a commitment to identifying and addressing systemic inequalities, promoting inclusivity, and implementing policies and practices that promote fairness for all residents.
- *Inclusion* is about intentionally bringing people from diverse backgrounds and perspectives into conversations and decision-making processes. It allows Individuals and groups to feel safe, respected, engaged, motivated, and valued for who they are and for their contributions toward organizational and community goals.

Committee Structure

Core Committee Members

The core Committee would be composed of seven (7) community members, appointed by the Town Council from among registered voters of the town of Smithfield. Committee members will have voting privileges.

Initial Committee appointments shall be for staggered terms arranged to limit the number of concurrent vacancies on the Committee: Three (3) appointees shall serve a three-year term, two (2) shall serve a two-year term, and two (2) shall serve a one-year term. The length of members' initial terms shall be determined randomly, so all candidates should be prepared to accept a three-year appointment. After these initial terms, Committee members shall be appointed to serve three-year terms with no member serving more than 6 consecutive years.

The Committee shall organize annually electing from its voting members a Chair, Vice-Chair, and a Secretary. Additional roles could be assigned at the discretion of the Committee as it deems necessary to achieve its goals.

Four (4) voting members of the Committee shall constitute a quorum, and no vacancy in the membership shall impair the right of a quorum to exercise all the rights and perform all the duties of the Committee. Meetings of the Committee shall be conducted in accordance with the Rhode Island Open Meetings Act.

The Committee shall be advisory in nature. In the event that a Committee Member shall have missed three consecutive meetings without consent of the Chair, then their membership shall expire forthwith.

Adjunct Committee Members

The following recommended adjunct Committee roles will help ensure the Committee is reflective of the Smithfield community. As non-voting members, these individuals do not need to be Smithfield residents and will not be considered when determining quorum. The Core Committee can suggest additional adjunct committee members.

- At least one Youth member, 18 years of age or younger.
- At least one representative from the Smithfield business community.
- Designated town department liaisons. These roles would help connect the Committee to town resources as needed. They would not be required to attend regular meetings and would not have voting privileges. They could, however, serve on relevant subcommittees.

The Committee will hold regularly scheduled public meetings on a recurring basis as determined by the newly formed Committee.

Applicants and Qualifications

Per Town bylaws, interested parties should complete an online application form located on the Town of Smithfield website. Applicants would submit a current resume and letter of interest to the Town Manager's Office, expressing their interest in promoting equity and inclusion within the community and

highlighting any relevant experiences that qualify them to support the goals and work of the Committee. Preference should be given to individuals who have worked or volunteered in a similar capacity within the area of equity and inclusion.

After reviewing the applications and conducting interviews as needed, the Town Manager will make recommendations for consideration to the Town Council. The Council will make the final Committee appointments.

Committee Operating Principles

The principles would serve as a guide for how the Committee as a whole and its members would conduct their work. In doing so, the Committee will help ensure its credibility and its ability to establish and maintain a relationship of trust with the Town Council, other town governing entities and town members:

- **Transparency.** It will be important for this group to be “above board” with its efforts. While some of this is accomplished through open meeting laws, it will be important for this group to proactively communicate about efforts, goals and accomplishments of the Committee beyond what is required in the Towns by-laws.
- **Collective partnership.** Working collaboratively and in a spirit of cooperation with both local and outside groups will help further the mission of the Committee, and establish the Committee as a trustworthy partner working in the best interest of the town, its residents and business owners. This will require Committee members to abandon a zero-sum mindset (i.e. - that any one group’s gain is another group’s loss)
- **Accountability.** Setting clear, measurable goals for any initiatives the Committee undertakes.
- **Empathy,** to help ensure that the Committee is working in the best interest of all town residents.
- **Humility**

Dissolution of DEI Task Force

An agenda item seeking the creation of a new committee dedicated to promoting equity and inclusion should be included on the same night that an agenda item for the dissolution of the DEI Task Force is included.

Arguments/Justification for the Creation of the Standing Committee

The creation of a committee dedicated to the promotion of inclusion and equity demonstrates a level of commitment within the town to meeting the needs of all its residents. Conversely moving away from the commitment first signaled with the creation of the DEI Task Force, in the words of at least one resident sends a “weak” message.

- **Role of town government is to serve the needs of the community.**

The growth of and commitment to diversity requires the support of our town leaders who believe in the mission of making our town an even better community for all including but not limited to:

- Residents of all ages including the young and elderly
- Those with physical disabilities
- Those with mental illness
- Residents with intellectual disabilities
- People of color
- Different ethnicities
- Different faiths
- Different sexual orientations
- Different socio-economic levels

- **Community Values**

Boards, commissions, and committee are an important part of the Town's governance, as they focus on specific areas of interest that the residents want promoted and supported such as:

- Affordable Housing Commission
- Budget and Financial Review Board
- Camp Shepard Subcommittee
- Conservation Commission
- Dog Park Committee
- Historic Preservation Commission
- Land Trust
- Refuse and Recycling Subcommittee
- Traffic Safety Commission

- **Economic Development**

A town that supports equity and inclusion creates a climate that promotes economic development.

- **Long Term Commitment**

Supporting equity and inclusion is not easy or quick. It requires the support and access to town resources to effect meaningful improvements for town residents.

Rhode Island Towns and Cities that support DEI

- **City of Providence:** Mission "To meet the demands of an increasingly diverse city by leveraging varied perspectives. We strive to create a city that provides fair access to economic and educational opportunities and inspires an environment where employees and residents feel a sense of connection and ownership."

- [Barrington](#): Diversity, Equity, and Inclusion Committee
- **Narragansett**: Inclusion, Diversity, Equity and Awareness Committee: “The Inclusion, Diversity, Equity and Awareness Committee is an advisory body to the Town Council. It reaches out to residents and outside communities, providing opportunities for discussions, events and cultural exchange. The Committee researches best practices and provides recommendations to the Town Council in support of the Town of Narragansett’s commitment to create an authentic and intentionally inclusive community that promotes a culture of unity, tolerance, and empathy.”
- [Westerly](#): Multicultural Committee: “The Multicultural Committee is established by the Town Council dedicated to promoting diversity and linking the many different cultures in our community. The 10-member committee is comprised of representatives from various cultures and backgrounds who are currently living in Westerly. The overarching goal of the Committee would be to work together to raise awareness of diverse activities going on in the community, in which the general public can participate in order to increase knowledge, understanding, communication, and awareness.
- **Cranston**: Engaged with the Rhode Island Foundation Equity Leadership Initiative
- [North Kingstown](#): Diversity, Equity, and Inclusion Sub-Committee (of School Committee)
- Smithfield organizations
 - Bryant University
 - Fidelity
 - Neighborhood Health
- **Massachusetts** communities: Acton, Amherst, Boston, Bourne, Brookline, Chelmsford, Concord, Danvers, Groton, Lincoln, Lexington, Mansfield, Medford, Nantucket, Provincetown, Salem, Sharon, Shrewsbury, Tewksbury, Westford, Wayland, Wellesley, and more.

Resources

- [Massachusetts Municipal DEI Coalition: DEI Guide](#)
- [MAPC Scrutinizes Diversity, Inclusion and Equity in Local Towns](#)
- [Andover \(MA\) Diversity Audit and Assessment Report](#)
- [Wayland Will Conduct Town-Wide Equity Assessment](#)

BUDGET AND FINANCIAL REVIEW BOARD



Memorandum

DATE: May 15, 2024
TO: The Honorable Town Council
CC: Randy R. Rossi, Town Manager
RE: Budget & Financial Review Board's Recommended FY25 Budget

Overview

As required per the Town of Smithfield, RI Charter (Article V Financial Procedures, § C-5.06 Submission of Budget), this memo hereby constitutes the Budget and Financial Review Board ("BFRB") submission of the FY25 Budget to the Town Council for their consideration.

BFRB Budget Review Process and Timeline

Completed Tasks

- February 21st – BFRB Meeting to discuss the Budget Process and schedule Milestone Dates
- March 1st – Town Manager's Recommended FY25 Budget published
- March 15th – Initial Budget Questions sent to Department Heads
- March 20th – BFRB Meeting to discuss the Town Manager's Recommended FY25 Budget
- March 22nd – Responses for Initial Budget Questions received from Department Heads
- March 27th – BFRB completed a Public Hearing on Town Manager's Recommended Budget
- April 3rd – BFRB Meeting with Fire Department and Department of Public Works
- April 24th – BFRB Meeting with School Department
- May 1st – BFRB Meeting to Approve Department Budgets
- May 8th – BFRB Meeting to Adopt FY25 BFRB Recommended Budget
- May 15th – BFRB Budget Recommendation Memo to Town Council

Future Dates

- May 29th – Town Council/BFRB Work Session
- June 18th – Town Council to conduct Public Hearing on FY25 Budget

Budget and Financial Review Board
Budget & Financial Review Board's Recommended FY25 Budget
May 15, 2024

Budget Highlights

Revenues

The BFRB FY25 Recommended Budget includes a proposed budget increase to the General Fund of \$4,977,161 or 5.75%. The significant sources of funding for this increase are highlighted below and amount to \$4,514,601 or 91% of this total increase:

- \$1,045,916 would be funded through a proposed increase to the tax levy of 1.73%.
- \$1,045,182 would be funded through an expected increase in School State Aid.
- \$1,100,000 would be funded through an expected increase in School Housing Aid.
- \$1,273,503 would be funded through state reimbursement to offset the impact of new legislation for tangible property tax exemptions.
- \$50,000 would be funded from an increase in the draw from the Capital Reserve Fund.

Expenditures

The General Fund increase (\$4,977,161) will support the following significant expenditures, which amounts to \$4,717,493 or 94% of this total increase:

- \$1,487,493 increase in School Operating Budget
 - Only \$406,509 of this increase is funded by the Town Appropriation, while the remainder is funded by an increase in School State Aid.
- \$790,000 increase in Debt Service payments, primarily due to the School Department HVAC project.
 - This increase will be primarily funded by an increase in School Housing Aid.
- \$755,000 increase in Fire Department expenditures
 - \$417,000 increase in pension contributions (State, Local, Defined Contribution)
 - \$300,000 increase in firefighter salaries & wages and FICA/SS taxes (*contractual*)
 - The remaining increase is primarily due to inflation.
- \$547,000 increase in Police Department expenditures
 - \$460,000 increase in police officer salaries & wages and FICA/SS taxes (*contractual*)
 - \$65,000 addition for crossing guards
 - The remaining increase is primarily due to inflation.

Budget and Financial Review Board
Budget & Financial Review Board's Recommended FY25 Budget
May 15, 2024

- \$500,000 increase in Legislative & Policy Capital Projects:
 - \$290,000 increase in funding of the School Capital Reserve Fund
 - \$210,000 increase for Mountindale Road Culvert project

- \$440,000 increase in Public Works expenditures
 - \$300,000 increase in funding of highway resurfacing, drainage, and sidewalks
 - \$53,000 anticipated increase in refuse & recycling and sanitary landfill costs
 - The remaining increase is primarily due to inflation.

- \$145,000 increase in funding of System-Wide Municipal Obligations
 - \$75,000 increase in medical insurance premiums for retirees
 - \$30,000 increase in insurance premiums
 - \$25,000 increase in funding of OPEB
 - \$10,000 increase in funding of retirement payouts

- \$53,000 increase due to proposed part-time Chief of Staff position in the Town Manager's budget.
 - \$45,000 base salary plus FICA/SS taxes and DB/DC employer contributions

Proposed Tax Rates

As noted above, the FY25 BFRB Recommended Budget includes a proposed increase of 1.73% to the tax levy over the prior year, amounting to \$1,045,916. Due to this increase in the tax levy, the tax rates for residential and commercial property would increase by \$0.81 and \$1.13, respectively, or 5.90%.

The impact of any levy increase more heavily affects these property tax rates, because of the substantial residential properties with frozen taxes. The value of real estate with frozen tax assessments (net of exemptions) increased by \$26.8 million from 12/31/22 to 12/31/23. The current projected cost of the frozen tax assessments for FY25 is just under \$2 million and growing each year, which continues to put more of a burden on the unfrozen residential and commercial taxpayers each time the levy is increased.

Future considerations

In addition, due to new legislation in the State of RI, tangible property tax rates are now frozen along with a new exemption for the first \$50,000 of assessed value. While the State will provide a reimbursement for the exemption, the reimbursement will only be calculated once for FY25 and the annual reimbursement will be this same amount each year; therefore, the Town will need to absorb the cost of future exemptions and the impact of the frozen rate for future growth in tangible property values.

Budget and Financial Review Board
Budget & Financial Review Board's Recommended FY25 Budget
May 15, 2024

Summary

The FY25 BFRB Recommended Budget for the Town of Smithfield was developed through the time, effort, and thought of the various department heads, the Town Manager, and the members of the BFRB. This budget reflects the Town's commitment to providing quality services, while also beginning to address capital and infrastructure needs. The Town has made a great attempt in recent years to limit tax rate increases for the benefit of our taxpayers, however the cost of inflation continues to rise and is up almost 22% over the last 5 years alone. The members of the BFRB believe this budget to be a step in the right direction, not only to maintain the level of service that our constituents come to expect, but to also begin to address the many capital projects that are a part of the Town's recently approved 20-Year Capital Improvements Program.

We appreciate your consideration of this budget. The Board has invested significant time and effort to compile a fiscally-prudent budget to benefit the residents and businesses in Smithfield. We look forward to your questions and dialogue at the Budget Workshop later this month.

Town of Smithfield Rhode Island

2025 Operating Budget

BUDGET & FINANCIAL REVIEW BOARD'S APPROVED

May 8, 2024



Smithfield Town Hall

64 Farnum Pike

Smithfield, RI 02917

Phone: (401) 233-1000 ▪ Fax: (401) 233-1080

Hours: 8:30 am – 4:30 pm ▪ Monday through Friday

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Town of Smithfield
Fiscal Year 2024 - 2025
Budget & Financial Review Board - Adopted 5/8/2024
General Fund
 Budget Book Addendum for Tax Rate Computation

	Page #	FY 2025 Pre-Adoption Amount	FY 2025 B&FRB Amendments	FY 2025 B&FRB Adopted
<u>Revenue Adjustments:</u>				
State Tangible Exemptions	Exhibit-D	\$2,837,278	(1,563,775)	\$1,273,503
Local Taxes (Tax Levy)	Exhibit-D	\$59,697,108	1,905,775	\$61,602,883
Total Revenue Adjustment			<u>\$342,000</u>	
<u>Expenditure Adjustments:</u>				
Capital Improvement Projects - Fire Department	Exhibit - G	\$434,000		\$476,000
800 MHz Mobile Radios for Apparatus			18,000	
Stretcher Replacement - Stryker			24,000	
			<u>\$42,000</u>	
Capital Improvement Projects - Legislative and Policy Direction	Exhibit - G	\$595,000		\$895,000
School Capital Reserve Fund			300,000	
Capital Improvement Projects - Senior Center	Exhibit - G	\$92,000		\$0
Senior Van Replacement			(92,000)	
Greenville Public Library	Exhibit - H	\$953,152		\$941,850
Town Appropriation	Page 89		(11,302)	
Public Works	Exhibit - H	\$5,879,687		\$5,982,989
1-01-042-0584 Special Projects - Highway Resurfacing	Page 113		103,302	
Total Expenditure Adjustment			<u>\$342,000</u>	
Net Change to the Fiscal Year 2025 Budget			<u>\$0</u>	

EXHIBIT A**TAX RATE DISCLOSURE**

**Town of Smithfield
BUDGET ANALYSIS
FISCAL YEAR 2024-2025**

Current Year - Proposed (ESTIMATED)

	Gross Assessed Valuation	Exemptions	Net Assessed Valuation
Residential - Real Estate	2,055,796,481	(5,361,579)	2,050,434,902
Commercial - Real Estate	856,437,955	(47,794,496)	808,643,459
Real Estate - Frozen (Market Value)	678,306,380	(21,779,447)	656,526,933
Tangible Property	225,528,240	(95,611,649)	129,916,591

Tax Levy		Proposed Tax Rate	Prior Year Tax Rate	Increase \$	Increase %
Residential - Real Estate	29,792,819	14.53	13.72	0.81	5.90%
Commercial - Real Estate	16,442,574	20.33	19.20	1.13	5.90%
Real Estate - Frozen	7,606,272				
Tangible Property	7,761,217	59.74	59.74	0.00	0.00%
	<u>61,602,883</u>				

Tax Levies	
Proposed Year Tax Levy	61,602,883
Prior Year Tax Levy	60,556,967
Levy Increase - Amount	1,045,916
Levy Increase - %	1.73%

Budget Expenses	
GROSS Budget	\$ 91,601,143
TOTAL Revenues	29,998,260
NET Budget (Tax Levy)	<u>\$ 61,602,883</u>
Current Estimated Tax Levy	<u>\$ 61,602,883</u>

EXHIBIT B
Town of Smithfield
FISCAL YEAR 2025
TAX RATE INFORMATION SUMMARY

	TAX RATE RESIDENTIAL REAL ESTATE (1)	PERCENT RATE CHANGE	TAX RATE COMMERCIAL REAL ESTATE	PERCENT RATE CHANGE	TOTAL TAX LEVY	AMOUNT OF FUND BALANCE UTILIZED	AMOUNT FROM OTHER ESCROW FUNDS UTILIZED	TOTAL BUDGET
FY 2025	\$14.53	5.90%	\$20.33	5.90%	\$ 61,602,883	\$ 600,000	\$ 1,806,499	\$ 91,601,143
FY 2024	13.72	2.69%	19.20	2.67%	60,556,967	600,000	1,983,498	86,623,982
FY 2023 Revaluation	13.36	0.00%	18.70	0.00%	58,247,330	600,000	2,140,885	82,986,155
FY 2022	17.13	1.90%	19.20	4.63%	60,045,093	600,000	1,775,847	78,754,901
FY 2021	16.81	0.00%	18.35	0.00%	59,670,761	600,000	1,870,547	76,700,583
FY 2020 Revaluation	16.81	-4.27%	18.35	-0.27%	59,752,045	600,000	1,930,998	74,809,085
FY 2019	17.56	0.00%	18.40	0.00%	58,146,492	600,000	2,567,827	74,502,662
FY 2018	17.56	4.96%	18.40	4.96%	58,127,981	600,000	3,155,000	72,285,519
FY 2017 Revaluation	16.73	-4.78%	17.53		56,132,554	600,000	2,765,000	69,045,313
FY 2016	17.57	2.57%			55,094,768	600,000	2,253,300	67,028,007
FY 2015	17.13	-2.23%			53,767,983	550,000	2,230,000	64,785,731
FY 2014 Revaluation (3)	17.52	1.63%			51,713,919	550,000	2,679,182	64,224,223
FY 2013	16.02	1.07%			50,485,821	656,744	3,346,375	62,048,443
FY 2012	15.85	1.67%			49,357,184	450,000	4,661,500	61,942,487
FY 2011 Revaluation	15.59	11.52% (2)			48,233,106	850,000	3,818,674	60,619,089
FY 2010	13.98	2.19%			46,156,583	-	3,500,373	60,970,586
FY 2009	13.68	3.40%			44,064,149	-	3,820,444	61,538,789
FY 2008 Revaluation	13.23	5.19%			41,966,249	-	2,375,833	58,235,323
FY 2007	15.40	4.90%			39,873,408	-	2,217,704	54,947,763
FY 2006	14.68	5.23%			37,721,249	-	2,198,266	51,766,323
FY 2005 Revaluation	13.95	5.50%			35,369,460	-	2,334,444	49,264,872
FY 2004	21.40	8.74%			33,020,550	-	3,331,472	48,100,401
FY 2003	19.68	5.47%			32,372,871	-	1,647,627	44,336,416
FY 2002 Revaluation	18.66	0.00%			29,800,739	100,000	1,040,000	40,622,741
FY 2001	22.40	0.00%			27,891,542	-	1,314,000	38,183,918
FY 2000	22.40	9.75%			27,754,385	-	971,500	36,236,885
FY 1999	20.41	2.56%			25,521,694	1,220,000	1,413,334	34,374,592
FY 1998	19.90	0.00%			24,391,296	1,375,000	1,457,500	33,429,754

Notes:

The town has utilized \$11,151,744 in Fund Balance and \$64,801,130 in escrow funds in prior years budgetary procedures.

- 1) Percentage increase is calculated using the revaluation adjusted rate.
- 2) Percentage is based on rate increase, actual tax increase was a 4.5% increase due to revaluation.

Town of Smithfield
GENERAL FUND
SUMMARY OF REVENUES, TRANSFERS
AND EXPENDITURES ON *BUDGETARY BASIS*
FISCAL YEAR 2025

	FY 2022 ¹	FY 2023 ¹	Appropriated FY 2024	Projected FY 2024	Anticipated FY 2025
<u>REVENUE AND TRANSFERS:</u>					
School State Aid	\$ 6,966,851	\$ 7,215,401	\$ 8,742,214	\$ 8,742,214	\$ 9,787,396
School Receipts - Miscellaneous	601,843	607,179	586,548	586,548	622,400
Property Taxes	60,202,797	58,132,647	60,421,959	60,332,809	61,602,883
Intergovernmental Revenue	6,139,896	11,688,892	11,240,764	11,240,764	13,986,290
Licenses, Fees and Permits	1,276,283	1,133,911	975,000	1,121,463	975,000
Departmental Revenue	642,464	454,475	1,568,999	1,568,999	1,690,675
Miscellaneous	457,010	1,391,744	505,000	505,000	530,000
Other Financing Sources	3,862,834	2,799,123	600,000	600,000	600,000
Revenue for Capital Exp. and Operations	1,531,897	1,066,897	1,983,498	1,983,498	1,806,499
Total Revenue and Transfers	\$ 81,681,876	\$ 84,490,269	\$ 86,623,982	\$ 86,681,295	\$ 91,601,143
<u>EXPENDITURES:</u>					
General Government	\$ 3,586,511	\$ 3,731,096	\$ 4,056,999	\$ 3,994,370	\$ 4,259,339
Public Safety	20,596,990	21,422,702	21,206,104	21,178,601	22,600,674
Public Works	4,618,687	4,328,439	5,541,854	5,536,854	5,982,989
Public Health and Assistance	14,500	14,500	25,325	25,325	25,325
Recreation and Senior Center	1,222,941	1,308,154	1,522,581	1,533,081	1,560,921
Libraries	1,471,571	1,501,002	1,552,709	1,529,215	1,560,039
Education	40,418,021	40,979,602	43,200,372	43,346,835	44,687,865
Miscellaneous	2,568,534	2,785,666	3,198,151	3,237,127	3,345,162
Debt Service	2,979,560	4,443,687	4,717,388	4,717,388	5,508,389
Municipal Capital Improvements	1,393,032	1,171,827	1,602,499	1,582,499	2,070,440
Total Expenditures	\$ 78,870,347	\$ 81,686,677	\$ 86,623,982	\$ 86,681,295	\$ 91,601,143
EXCESS OF REVENUES AND TRANSFERS OVER EXPENDITURES INCLUDING RUBS ²	\$ 2,811,529	\$ 2,803,592	\$ (0)	\$ 0	\$ 0

Note: 1. FY 2022 and 2023 are audited amounts.
2. RUB = Reappropriated Unexpended Balance

Town of Smithfield
GENERAL FUND

ACTUAL AND ANTICIPATED REVENUES
FISCAL YEAR 2025

	FY 2022	FY 2023	Appropriated FY 2024	Projected FY 2024	Anticipated FY 2025
<u>MISCELLANEOUS STATE & LOCAL REVENUES</u>					
<u>School Aid</u>					
State Aid Schools	6,966,851	7,215,401	8,742,214	8,742,214	9,787,396
<u>State Revenues</u>					
School Housing Aid	267,750	2,003,330	1,561,250	1,561,250	2,661,250
Municipal Incentive Aid	-	40,000	-	-	-
Payment-in-lieu of Taxes - University/Airport	900,667	954,846	941,869	941,869	1,217,452
Telephone Tax	258,355	269,260	269,260	269,260	289,652
Hotel Tax / Meals Tax	1,153,398	1,322,762	1,369,691	1,369,691	1,445,739
Motor Vehicle Phase-out	3,559,726	7,098,694	7,098,694	7,098,694	7,098,694
State Tangible Exemptions	-	-	-	-	1,273,503
<u>Federal Aid</u>					
SAFER Grant	196,061	-	951,300	951,300	1,049,522
<u>Local - Non-Property Tax Revenue</u>					
School Miscellaneous	601,843	607,179	586,548	586,548	622,400
Departmental Revenue	446,403	454,475	617,699	617,699	641,153
Local Miscellaneous	123,649	106,251	200,000	200,000	200,000
Licenses, Fees and Permits	1,276,283	1,133,911	975,000	975,000	975,000
Impact Fees	75,000	645,975	-	-	-
Interest on Invested Funds	(12,464)	421,286	25,000	25,000	50,000
Interest on Taxes	270,825	218,232	280,000	280,000	280,000
<u>Revenue for Capital Exp. and Operations</u>					
Revenue for Capital Exp. and Operations	1,531,897	1,066,897	1,983,498	1,983,498	1,806,499
<u>Other Financing Sources</u>					
Lease Proceeds	146,537	-	-	-	-
Transfers from Fund Balance	3,716,297	2,799,123	600,000	600,000	600,000
Total Miscellaneous Revenue	21,479,078	26,357,622	26,202,023	26,202,023	29,998,260
<u>Local Property Tax Revenues</u>	60,202,797	58,132,647	60,421,959	60,332,809	61,602,883
TOTAL - ACTUAL AND ANTICIPATED REVENUES	\$ 81,681,876	\$ 84,490,269	\$ 86,623,982	\$ 86,534,832	\$ 91,601,143

Town of Smithfield

GENERAL FUND

REVENUE DETAIL SUMMARY FISCAL YEAR 2025

ANTICIPATED REVENUE - GENERAL FUND	FY 2024 - 2025
<u>Miscellaneous State & Local Revenue</u>	
<u>State Revenues</u>	
School Housing Aid	\$ 2,661,250
Payment-in-Lieu of Taxes - University & Airport	1,217,452
Telephone Tax	289,652
Hotel Tax / Meals Tax	1,445,739
Motor Vehicle Phase-out	7,098,694
State Tangible Exemption	1,273,503
Total - State Revenues:	13,986,290
 <u>Federal Aid</u>	
SAFER Grant	1,049,522
Total - Federal Revenues:	1,049,522
 <u>Local - Non-Property Tax Revenue</u>	
Local Miscellaneous - Town	1,316,660
Local Miscellaneous - School	622,400
Impact Fees	-
Indirect Cost Transfers from Enterprise Funds	499,493
Reserve for Future Tax Assessments	600,000
Interest on Invested Funds	50,000
Interest on Taxes	280,000
Total - Local Miscellaneous:	3,368,553
Total - State & Local Revenues	18,404,365
 <u>Revenue for Capital Expenditures and Operations</u>	
Rescue Billing Fund	1,100,000
Police Capital Equipment Escrow Fund	256,499
Capital Reserve Fund	450,000
Total - Capital Expenditures and Operations Revenues	1,806,499
 <u>School Revenues - State Aid</u>	
State Aid School	9,787,396
 <u>Local Property Tax Revenues</u>	
Local Taxes (Tax Levy)	61,602,883
TOTAL - ANTICIPATED REVENUE	\$ 91,601,143

Town of Smithfield
GENERAL FUND & ENTERPRISE FUNDS

EXPENDITURES - SUMMARY BY DEPARTMENT
FISCAL YEAR 2025

Dept #	Department	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2024 Projected	FY 2024-2025 Request	FY 2024-2025 Town Manager's	FY 2024-2025 B&FRB Budget
010	1 Building Official	462,524	472,515	527,864	486,478	532,101	507,751	507,751
008	2 Treasurer-Tax Collector	696,562	653,905	703,795	673,278	753,467	745,931	745,931
009	3 Tax Assessor	269,559	284,679	303,678	302,678	329,842	327,842	327,842
031	4 Fire Department	10,540,669	11,225,768	11,390,241	11,362,046	12,365,376	12,244,973	12,244,973
072	5 East Smithfield Library	575,849	587,365	610,859	587,365	731,212	618,189	618,189
071	6 Greenville Library	895,722	913,637	941,850	941,850	974,737	953,152	941,850
074	7 Senior Center Department	453,389	444,755	504,795	504,795	528,509	527,509	527,509
073	8 East Smithfield Neighborhood Center	-	-	6,465	6,465	6,465	6,465	6,465
007	9 Planning and Economic Development	211,491	212,927	234,121	234,121	241,840	242,740	242,740
032	10 Police Department	9,828,057	9,963,468	9,556,187	9,556,187	10,182,404	10,102,774	10,102,774
033	11 Animal Control	228,265	233,467	259,677	260,368	260,807	252,927	252,927
041-044	12 Public Works	4,618,687	4,328,439	5,541,854	5,536,854	6,922,835	5,879,687	5,982,989
048	13 Parks and Recreation	769,552	863,399	1,011,321	1,021,821	1,064,864	1,026,947	1,026,947
011	14 Town Engineer	325,237	339,622	396,557	382,280	418,355	415,855	415,855
070	15 School Department	40,418,021	40,979,602	43,200,372	43,346,835	45,636,271	44,687,865	44,687,865
006	16 Town Clerk	322,391	344,123	416,342	414,318	424,909	424,909	424,909
004	17 Town Manager	443,575	526,683	505,385	505,245	589,558	589,558	589,558
020	18 Town Hall	148,730	129,481	171,536	178,869	177,587	170,205	170,205
016	19 Human Services	-	-	10,825	10,825	10,825	10,825	10,825
034	20 Emergency Management Agency	102,752	105,849	120,496	120,496	122,483	122,483	122,483
001, 002	21 Legislative and Policy	563,524	572,817	570,819	590,627	601,384	601,384	601,384
081	22 Town-Aided Programs	60,350	61,300	63,850	63,850	64,100	64,100	64,100
060	23 Board of Assessment Review	135	300	250	300	300	300	300
053	24 Board of Canvassers	12,423	50,077	53,350	53,350	50,676	50,676	50,676
054	25 Conservation Commission	15,994	24,743	20,730	20,730	27,730	27,730	27,730
055	26 Economic Development Commission	1,530	2,250	2,750	2,400	2,400	2,400	2,400
049	27 Land Trust Commission	4,006	5,296	11,200	11,200	11,200	11,200	11,200
051	28 Planning Board	400	1,000	1,250	3,000	3,000	3,000	3,000
057	29 Soil Erosion Committee	250	300	875	500	875	875	875
058	30 Board of Affordable Housing	250	-	1,500	-	-	-	-
057	31 Zoning Board	4,925	4,531	8,500	8,500	8,500	8,500	8,500
052	32 Other Boards & Commissions	254	-	6,000	6,000	6,000	6,000	6,000
021	33 System-Wide Municipal Obligations	2,522,684	2,738,866	3,148,801	3,187,777	3,473,165	3,295,562	3,295,562
090	34 Municipal Debt Service	2,979,560	4,443,687	4,717,388	4,717,388	5,508,389	5,508,389	5,508,389
099	35 Municipal Capital Improvements	1,393,032	1,171,827	1,602,499	1,582,499	3,355,940	1,820,440	2,070,440
	Total General Fund Expenditures	78,870,347	81,686,677	86,623,982	86,681,295	95,388,103	91,259,143	91,601,143
	1 Smithfield Sewer Authority	3,604,381	3,767,764	4,079,711	3,988,711	4,013,668	4,022,142	4,022,142
	2 Smithfield Water Supply Board	1,768,072	1,782,818	2,240,925	2,240,925	2,301,025	2,303,337	2,303,337
	3 Smithfield Ice Rink	729,444	803,696	778,192	691,158	989,541	989,541	989,541
	Total Enterprise Fund Expenditures	6,101,897	6,354,279	7,098,828	6,920,794	7,304,234	7,315,020	7,315,020
	TOTAL EXPENDITURES	\$ 84,972,245	\$ 88,040,955	93,722,810	\$ 93,602,089	102,692,338	98,574,163	98,916,163

Town of Smithfield
GENERAL FUND
CAPITAL IMPROVEMENT PROJECTS
FISCAL YEAR 2025

FIRE DEPARTMENT

Protective Clothing	\$	50,000
New Fire Pumper - Engine 1 - Payment 1 of 4		120,000
Tower Ladder 1 - Payment 2 of 5		156,000
JAWS Replacement		45,000
Fire Hose Replacement		16,000
Roof Replacement		10,000
CO Meters		22,000
Station #1 Flooring		15,000
800 MHz Mobile Radios for Apparatus		18,000
Stretcher Replacement - Stryker		24,000
		476,000
<i>Total Fire Department</i>	\$	476,000

POLICE DEPARTMENT

Replace 4 aging Police Vehicles, Payment (1 of 4)	\$	60,000
Firearms Transition Program		55,000
New Variable Message Sign		18,000
4 - 2022 Cruisers, Payment (3 of 4)		67,918
4 - 2021 Cruisers, Payment (2 of 4)		43,581
Taser Replacement, Payment (3 of 5)		12,000
		256,499
<i>Total Police Department</i>	\$	256,499

PUBLIC WORKS DEPARTMENT

Lease Payment - Heavy Duty Fleet Vehicles (4 of 4)	\$	108,250
Lease Payment - Equipment Replacement (2 of 4)		121,500
Lease Payment - Fleet Replacement (1 of 4)		113,191
Wash Bay at DPW Facility (DEM Inspection) design and construction		100,000
		442,941
<i>Total Public Works Department</i>	\$	442,941

LEGISLATIVE AND POLICY

Mountindale Road Culvert Design (Payment 2)	\$	275,000
Spencer Street Drainage Bypass		55,000
Julien Street Culvert Replacement		65,000
School Capital Reserve Fund		400,000
Camp Sheppard Lease Payment (3 of 10)		100,000
		895,000
<i>Total Legislative and Policy</i>	\$	895,000

<i>PROPOSED CAPITAL IMPROVEMENT PROJECTS</i>		\$ 2,070,440
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LESS: REVENUE TOWARD PROJECTS

Police Department Equipment Account	\$	256,499
Fire Department - Rescue Billing		476,000
Capital Reserve Fund		450,000
		1,182,499
<i>Total Revenue/Grants Toward Projects</i>	\$	1,182,499

TOTAL TAX LEVY UTILIZED FOR PROPOSED CAPITAL IMPROVEMENT PROJECTS

LESS REVENUE TOWARDS PROJECTS		\$ 887,941
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Town of Smithfield
GENERAL FUND & ENTERPRISE FUNDS

OPERATING EXPENDITURES BY DEPARTMENT

FISCAL YEAR 2025

COMPARISON OF FY 2024 APPROPRIATED AND FY 2025 PROPOSED

	FY 2024	FY 2024	FY 2024-2025	FY 2024-2025	FY 2024-2025	Amount	Percentage
Department	Appropriation	Projected	Requested	Town Manager's	B&FRB Budget	Change	Change
1 Building Official	527,864	486,478	532,101	507,751	507,751	(20,113)	-3.81%
2 Treasurer-Tax Collector	703,795	673,278	753,467	745,931	745,931	42,136	5.99%
3 Tax Assessor	303,678	302,678	329,842	327,842	327,842	24,164	7.96%
4 Fire Department	11,390,241	11,362,046	12,365,376	12,244,973	12,244,973	854,733	7.50%
5 East Smithfield Library	610,859	587,365	731,212	618,189	618,189	7,329	1.20%
6 Greenville Library	941,850	941,850	974,737	953,152	941,850	-	0.00%
7 Senior Center Department	504,795	504,795	528,509	527,509	527,509	22,714	4.50%
8 East Smithfield Neighborhood Center	6,465	6,465	6,465	6,465	6,465	-	0.00%
9 Planning and Economic Development	234,121	234,121	241,840	242,740	242,740	8,619	3.68%
10 Police Department	9,556,187	9,556,187	10,182,404	10,102,774	10,102,774	546,587	5.72%
11 Animal Control	259,677	260,368	260,807	252,927	252,927	(6,750)	-2.60%
12 Public Works	5,541,854	5,536,854	6,922,835	5,879,687	5,982,989	441,135	7.96%
13 Parks and Recreation	1,011,321	1,021,821	1,064,864	1,026,947	1,026,947	15,626	1.55%
14 Town Engineer	396,557	382,280	418,355	415,855	415,855	19,298	4.87%
15 School Department	43,200,372	43,346,835	45,636,271	44,687,865	44,687,865	1,487,493	3.44%
16 Town Clerk	416,342	414,318	424,909	424,909	424,909	8,567	2.06%
17 Town Manager	505,385	505,245	589,558	589,558	589,558	84,173	16.66%
18 Town Hall	171,536	178,869	177,587	170,205	170,205	(1,332)	-0.78%
19 Human Services	10,825	10,825	10,825	10,825	10,825	0	0.00%
20 Emergency Management Agency	120,496	120,496	122,483	122,483	122,483	1,987	1.65%
21 Legislative and Policy	570,819	590,627	601,384	601,384	601,384	30,565	5.35%
22 Town-Aided Programs	63,850	63,850	64,100	64,100	64,100	250	0.39%
23 Board of Assessment Review	250	300	300	300	300	50	20.00%
23 Board of Canvassers	53,350	53,350	50,676	50,676	50,676	(2,674)	-5.01%
23 Conservation Commission	20,730	20,730	27,730	27,730	27,730	7,000	33.77%
23 Economic Development Commission	2,750	2,400	2,400	2,400	2,400	(350)	-12.73%
23 Land Trust Commission	11,200	11,200	11,200	11,200	11,200	-	0.00%
23 Planning Board	1,250	3,000	3,000	3,000	3,000	1,750	140.00%
29 Soil Erosion Committee	875	500	875	875	875	-	0.00%
30 Board of Affordable Housing	1,500	-	-	-	-	(1,500)	-100.00%
31 Zoning Board	8,500	8,500	8,500	8,500	8,500	-	0.00%
32 Other Boards & Commissions	6,000	6,000	6,000	6,000	6,000	-	0.00%
33 System-Wide Municipal Obligations	3,148,801	3,187,777	3,473,165	3,295,562	3,295,562	146,761	4.66%
34 Municipal Debt Service	4,717,388	4,717,388	5,508,389	5,508,389	5,508,389	791,001	16.77%
35 Municipal Capital Improvements	1,602,499	1,582,499	3,355,940	1,820,440	2,070,440	467,941	29.20%
Total General Fund Expenditures	86,623,982	86,681,295	95,388,103	91,259,143	91,601,143	4,977,161	5.75%
1 Smithfield Sewer Authority	4,079,711	3,988,711	4,013,668	4,022,142	4,022,142	(57,569)	-1.41%
2 Smithfield Water Supply Board	2,240,925	2,240,925	2,301,025	2,303,337	2,303,337	62,412	2.79%
3 Smithfield Ice Rink	778,192	691,158	989,541	989,541	989,541	211,349	27.16%
Total Enterprise Fund Expenditures	7,098,827	6,920,794	7,304,233	7,315,020	7,315,020	216,192	3.05%
TOTAL EXPENDITURES	\$ 93,722,809	\$ 93,602,089	102,692,337	\$ 98,574,163	\$ 98,916,163	5,193,353	5.54%

Town of Smithfield
GENERAL FUND
BALANCE SHEET
FISCAL YEAR ENDED JUNE 30, 2023

ASSETS

Cash, Investments, and cash equivalents	\$ 20,474,910
Property taxes receivable	1,629,325
Due from other funds, entities and intergovernmental receivable	<u>12,871,351</u>
TOTAL ASSETS	<u>\$ 34,975,586</u>

LIABILITIES, DEFERRED INFLOW, AND FUND BALANCE

Liabilities:

Accounts payable and accrued expenses	\$ 3,112,659
Due to other funds and intergovernmental payable	16,934,299
Other Liabilities	<u>468,436</u>
Total Liabilities	<u>20,515,394</u>

Deferred Inflow of Resources:

Unavailable tax and fee revenue	701,318
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Fund Balance:

Non-spendable	889,340
Committed	5,939,625
Unassigned	<u>6,929,909</u>
Total Fund Balance	<u>13,758,874</u>

**TOTAL LIABILITIES, DEFERRED INFLOW OF RESOURCES,
AND FUND BALANCE**

\$ 34,975,586

Town of Smithfield
Summary of Debt Service to General Fund Expenditures

(Gross of Outside Revenue)

Budget	Fiscal 2025	%	Fiscal 2024	%	\$ Change	%Change
Municipal Budget	\$ 41,404,889	45.2%	\$ 38,706,223	44.7%	\$ 2,698,666	6.97%
Debt Service	1,284,942	1.4%	1,565,297	1.8%	(280,355)	-17.91%
Total Municipal	<u>\$ 42,689,831</u>	<u>46.6%</u>	<u>\$ 40,271,520</u>	<u>46.5%</u>	<u>\$ 2,418,311</u>	<u>6.01%</u>
School Budget	\$ 44,687,865	48.8%	\$ 43,200,372	49.9%	\$ 1,487,493	3.44%
Debt Service	4,223,447	4.6%	3,152,091	3.6%	1,071,356	33.99%
Total School	<u>\$ 48,911,312</u>	<u>53.4%</u>	<u>\$ 46,352,463</u>	<u>53.5%</u>	<u>\$ 2,558,849</u>	<u>5.52%</u>
Operating Budget	\$ 86,092,754	94.0%	\$ 81,906,595	94.6%	\$ 4,186,159	5.11%
Debt Service	5,508,389	6.0%	4,717,388	5.4%	791,001	16.77%
Total Budget	<u>\$ 91,601,143</u>	<u>100.0%</u>	<u>\$ 86,623,983</u>	<u>100.0%</u>	<u>\$ 4,977,160</u>	<u>5.75%</u>

Town of Smithfield
Charter Amendment Balances
Fiscal Year 2025

Unassigned Fund Balance June 30, 2023 \$ 6,929,909

	<u>Land Trust</u>	<u>Capital Reserve Fund</u>
Fund Balance as of June 30, 2023	\$ 608,878	\$ 1,241,153
Fiscal Year '24 Designated Contributions	-	-
Fund Balance Available	<u>608,878</u>	<u>1,241,153</u>
Fiscal Year 2024 Expenditures	<u>-</u>	<u>(400,000)</u>
Estimated Cash Balance June 30, 2024	\$ 608,878	\$ 841,153
Fiscal Year Proposed 2025 Expenditures	<u>-</u>	<u>(450,000)</u>
Estimated Fund Balance June 30, 2025	<u><u>\$ 608,878</u></u>	<u><u>\$ 391,153</u></u>

Municipal Debt Service

7/1/2024 - 6/30/2025

	Payment Date	Principal	Interest	Total
Town				
\$4.355 GO 11/20 (Refunded 11A & 12B)	7/15/2024		1.029%	16,543
	1/15/2025	575,000	1.029%	16,543
				591,543
				608,087
\$2.050 GO 11/20 (Refunded 2011A)	7/15/2024		5.00%	34,725
	1/15/2025	205,000	5.00%	34,725
				239,725
				274,450
\$4.375 GO 12/15	11/15/2024		5.00%	72,563
	5/15/2025	300,000	5.00%	72,563
				372,563
				445,125
\$6.075 GO 9/16	9/1/2024	305,000	4.00%	51,753
	3/1/2025		4.00%	45,653
				45,653
				402,405
\$35.985 GO 9/21	11/15/2024		5.00%	626,000
	5/15/2025	1,270,000	5.00%	626,000
				1,896,000
				2,522,000
\$6.618 RIIB 12/22	9/1/2024	1,100,000	2.09%	84,733
	3/1/2025		2.09%	71,588
				71,588
				1,256,322
Total Debt Service		\$ 3,755,000	\$ 1,753,389	\$ 5,508,389
Sewer *				
\$560K RI Clean Water Finance Bonds	9/1/2024	37,007	1.03%	293
				37,300
				37,300
\$4.0 RI Clean Water Finance Bonds	9/1/2024	191,700	2.25%	28,947
	3/1/2025		2.25%	26,312
				26,312
				246,959
\$3.37 RI Clean Water Finance Bonds	9/1/2024	168,450	2.00%	24,206
	3/1/2025		2.00%	22,101
				22,101
				214,757
Total Sewer Debt Service		\$ 397,157	\$ 101,859	\$ 499,016
* Sewer Bonds are budgeted in Sewer Fund				
Water *				
\$3.00 Water System Revenue Bonds	9/1/2024	107,783	2.21%	41,839
	3/1/2025		2.21%	40,486
				40,486
				190,109
Total Water Debt Service		\$ 107,783	\$ 82,325	\$ 190,109
* Water Bonds are budgeted in Water Fund				
Total Municipal Debt Service		\$ 4,259,940	\$ 1,937,573	\$ 6,197,513

MINUTES OF SMITHFIELD TOWN COUNCIL WORK SESSION

Date: Monday, April 29, 2024

Place: Smithfield Town Hall

Time: 6:00 P.M.

Present:

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

Town Planner Michael Phillips
Project Manager for Weston & Sampson Ashley Sweet

A. Vice President Iannotti calls the Monday, April 29, 2024 Smithfield Town Council Work Session to order at 6:00 P.M.

B. Discussion Items:

A. Presentation and discussion of 2023 Land Use Legislative Amendments to the Zoning Ordinance by Weston & Sampson (

Project Manager for Weston & Sampson Ashley Sweet explains the following: They were hired to assist the Town with drafting updates to the Zoning Ordinance and Subdivision Regulations. Town Planner Phillips was able to secure funding through RI Housing to do this, therefore, there is no cost to the Town.

The changes that have been before the Planning Board will eventually be before the council at a public hearing, are a result of legislation in the 2023 session. There were approximately ten (10) bills that resulted in changes to the enabling legislation for both subdivisions and zoning, which will require changes on the local level. She has been working with the Planning Board and Zoning Board to update the local Subdivision Regulations and Zoning Ordinance to be compliant with the changes made to the state law.

Tonight there are a portion of the amendments that have been reviewed by the Planning Board and will be sent to the council for consideration at a public hearing.

Vice President Iannotti questions if there will be more amendments. Ms. Sweet states that there will be more amendments, and the way they have approached this is to break the amendments into two (2) tiers. Tonight she will be discussing Tier I. Ms. Sweet further states that the amendments have been sectioned off based on what the legislation was requiring and if there was any ability for the municipality to have any decision making within the parameters of what was to be implemented.

Ms. Sweet also states that those were taken first because when the Town could not rely on state law, she wanted to ensure, as quickly as possible, the Town had the local ordinance regulations that were compliant, and where there was to ability to make a decision, she wanted the Town to be able to do so.

Ms. Sweet explains that Tier 2 will finish the rest of the requirements and those are instances where there is no opportunity for the Town to make a decision or to deviate from the state law in any way. While those are not in the local code, there is no consequence to the municipality because state law will be relied on. Ms. Sweet further explains that because state law does not give the Town flexibility, it does not matter nearly as much if it is not in the local code.

Member Toppi questions if Ms. Sweet will know where the flexibility was. Ms. Sweet states that she will explain to the members where the flexibility is.

Vice President Iannotti states that he assumes that some or many of these amendments are inconsistent with the Town's Comprehensive Plan. Vice President Iannotti further states that he reviewed the state statute, which sounds very specific. Vice President Iannotti cites the following:

“A zoning ordinance, and all amendments to it, must be consistent with the city or town's comprehensive plan, as described in chapter 22.2 of this title, and provide for the implementation of the city or town comprehensive plan.

“A zoning ordinance adopted or amended during the pendency of the approval of a municipality's comprehensive plan must be consistent with that plan, until the zoning ordinance is brought into full compliance with the Comprehensive Plan”.

Vice President Iannotti questions if the Town is violating this statute by doing these amendments without first amending the Comprehensive Plan.

Ms. Sweet states that the state enabling legislation says that your Zoning Ordinance shall be consistent with the Comprehensive Plan, however, the state is mandating certain mandates under zoning that are inconsistent with municipalities' Comprehensive Plan. Ms. Sweet further states that the state empowers you to have zoning, and you cannot have zoning without them granting you the ability to have zoning.

Ms. Sweet explains that the General Assembly has created a situation where the enabling legislation will drive the Town's Comprehensive Plan and its content. Ms. Sweet further explains that in order to implement the zoning, which you must have, the Town would then have to go back and review where the inconsistencies are, and theoretically, change those inconsistencies.

Vice President Iannotti states that it is like “they are holding a gun to our head”, and it is in the best interest of the Town to adopt it or otherwise we will be at their mercy.

Vice President Iannotti questions if there is a plan to review the Comprehensive Plan once this is done. Ms. Sweet states that she does not know what the Planning Board is looking to do, as this is not under her mandate.

Member Tassoni questions if Ms. Sweet has heard “grumblings” about cities/towns filing law suits. Ms. Sweet states that there are “grumblings”, but she is not aware of any lawsuits.

Vice President Iannotti questions when the legislation is passed would Ms. Sweet's project be extended.

Ms. Sweet explains that what Planner Phillips applied for was the 2023 legislation, and the 2024 legislation would enact further amendments, in addition to amending some of 2023 legislation. Ms. Sweet further explains that will most likely be things that they have drafted that the Town will have to make amendments to.

Member Tassoni questions the grant amount that Planner Phillips applied for. Planner Phillips states the grant was for approximately \$70,000. Member Tassoni suggests adding this to the budget before it is approved in case this needs to be done again. Planner Phillips states the next set of changes are not as “sweeping”.

Member Tassoni states that if the Town is unable to get further funding from the RI Foundation, the Town will have to split the bill. It is Member Tassoni’s recommendation to put money aside in case it is needed.

Ms. Sweet reviews the following amendments with the members.

Nonconforming Lots – State Law

Requires that all dimensionally nonconforming lots are granted an automatic proportional reduction of the dimensional standard based on the amount of nonconformity by size.

Ms. Sweet explains the following: A nonconforming lot is a lot by dimension, which does not conform to the dimensional requirements of the zoning district in which it is located.

Example: 10,000 sf lot in a 20,000-sf minimum zoning district is granted a 50% reduction for the dimensional requirements and a 50% increase to the lot coverage minimum.

Inversely, the lot coverage is proportionally increased.

Member Toppi questions who this benefits. Ms. Sweet states that this would benefit property owners because they have nonconforming lots.

Vice President Iannotti questions what would happen if it goes right to the edge of a lot. Ms. Sweet states that there is no minimum, and the only thing that would institute a minimum would be the Building Code or Fire Code.

Member Toppi questions what the “con” to this legislation is. Ms. Sweet explains that in districts where there are many undersized lots, you will potentially get structures close to the property line.

Vice President Iannotti questions this amendment eliminating zoning. Planner Phillips explains that in these types of instances, it will reduce the number of applicants having to appear before the Zoning Board. Planner Phillips further explains that the approval can be done administratively.

Vice President Iannotti questions if someone would still need to apply if it can be approved administratively. Ms. Sweet states that someone would need to apply for a building permit, but would not need to appear before the Zoning Board.

Merger Provision

Requires that for all merger provisions there be a clause that lots shall not be required to be merged when the substandard lot of record has an area equal to or greater than the area of fifty percent of the lots within 200 feet of the subject lot.

Ms. Sweet explains the following: If there are two (2) lots that are nonconforming, and at least one (1) is undeveloped, and in the same ownership, the lots will merge for the purposes of zoning. The lot lines do not disappear, the land evidence records do not change, and the Tax Assessor still has two (2) lots. The lots cannot be used independently. This a provision placed in many zoning ordinances as a mechanism to move those lots to be more conforming when the same person owned two (2) or more lots in a district. They have changed the merger in the state law to say that you cannot merge those lots anymore if 50% of the lots within 200' of the subject lot are greater or equal to the size of the lot in question.

Member Toppi feels “packing in the houses” is where this is going. Ms. Sweet explains that you cannot do this anymore unless you can prove that less than 50% of those lots are not consistent with your lot size.

Member Toppi states this is essentially telling people what they can/cannot do with their own property. Ms. Sweet states this benefits the property owner, because the property owner that could not previously use those lots independently now have the opportunity to prove that they can if they are relatively consistent with the lot sizes of those located within 200'.

Ms. Sweet further states that there is a circumstance where it is not good for the property owner; it is those property owners that sold those lots to people who knew this bill was coming. Ms. Sweet also states this is retroactively putting those lots back in play as buildable lots.

Member Tassoni states that he did not think that you could not retro anything like that.

Ms. Sweet explains that typically you cannot retro, however, this is an awkward circumstance where you do not have to go back and physically do anything to undo those mergers. Ms. Sweet further explains that she is aware of some municipalities that are issuing building permits for lots that were previously merged.

Member Toppi questions if this benefiting the developer as well. Ms Sweet states that this does benefit the development because when there is ambiguity in the law, it is typically held in favor of the property owner.

Ms Sweet explains that there were questions about how this could be proven, therefore, a requirement has been added to the ordinance: The applicant must provide a survey that is stamped and signed by a registered engineer or land surveyor.

Member Toppi questions if this is the property owner’s responsibility. Ms. Sweet confirms that is the owner responsibility. Ms. Sweet reminds the members that this is not in the local law, however, it has been written into our local regulations, and the burden is on the property owner to prove the lots cannot be merged.

Adaptive Reuse

- Mandates adaptive reuse as a by right use in all zoning districts.
- Sets a minimum mandatory density for adaptive reuse projects

Ms. Sweet explains the following: There has been considerable conversations with the Planning Board about adaptive reuse. This is a change in the enabling legislation that mandates that what they are calling “adaptive reuse” is a use permitted “by right” in all zoning districts. Adaptive reuse is the conversion of any nonresidential structure into a structure that houses at least 50% of the floor area as residential units (shopping mall, strip mall, school, church, hospital). Anything that is not residentially used.

Member Toppi questions if this is the same as “mixed use”. Ms. Sweet states that it is not required to be mixed use if it were a school, 100% of the building could be converted. You cannot convert less than 50%, therefore, you do not have to have a commercial component.

Member Tassoni questions if this affects any building or planning that are currently in effect. Ms. Sweet states that she is not sure because the mandate does not set any kind of parameters around what “existing structure” means. Member Tassoni feels this will open up “Pandora’s Box”.

Vice President Iannotti questions if industrial activity is allowed in a residential area. Vice President Iannotti also questions if health/safety restrictions can be placed on this. Ms. Sweet states that to some degree yes, however, the Town would have to have a strong argument showing there was a negative impact. Ms. Sweet further states that the way this has been written, adaptive reuse project will go before the Planning Board, and the Planning Board has those health/safety/welfare requirements in their regulations already. The Planning Board must make “finding of fact” on those, therefore, if there is a legitimate issue and there is information supporting that position, the Planning Board could potentially deny a project.

Vice President Iannotti states that there is longer a Housing Advisory Board, and a single judge has been assigned to these cases.

Ms. Sweet reminds the members the decisions of the Administrative Officer used to the go the Zoning Board for an appeal but will now go directly to court.

Member Tassoni states that not only will this effect building, it will also effect the school system because there will be more families and more children.

Member Toppi questions what the Planning Board’s discerning power has been reduced to. Ms. Sweet explains that their standards are not changing in terms of what they are making their decisions based on, but there has been a significant shift in authority from the Planning Board, who used to hear subdivision applications. Ms. Sweet further explains that this responsibility has now shifted to the Administrative Officer. Ms. Sweet also explains that if roads are not being created, up to nine (9) lots can be approved administratively without a public meeting.

Member Tassoni questions who oversees the Administrative Officer. Ms. Sweet states that the Administrative Officer is overseen by the Town Manager.

Member Toppi states that the Planning Board’s responsibilities have been reduced. Ms. Sweet explains that it has both increased and decreased because some applications for development will now go to the Administrative Officer and the Zoning Board has lost control of Dimensional Variances and Special Use Permits that are tied to a development application. The Planning Board now issues Dimensional Variances and Special Use Permits.

Planning Board Member Michael Moan explains that the Speaker of the House says that the bar has been lowered for approval for many of these projects.

Planner Phillips states that Massachusetts, and other states, also gives the authority to the Administrative Officer if no roads are being created.

Vice President Iannotti states that with an administrative approval, there is no opportunity for public input because it will not go before any board.

Ms. Sweet states the following: It will be interesting to see what will happen because there is an appeal period. Under the old law public notice was given, a hearing was held and a decision was rendered. The decision was recorded and posted, therefore, people were aware. The law says you have twenty (20) days from the date of the posting to appeal. If this is happening administratively, no one will know it has happened. The twenty (20) days would lapse, a building permit will get issued, and no one will know what is happening.

Vice President Iannotti feels like they making our government more opaque and everything done in secret, and that is the purpose. Ms. Sweet states that the state is saying this is to produce housing.

Member Toppi questions if there is a way to create a system of open applications or is that an invasion of privacy. Vice President Iannotti states it is not privacy because if someone is filing an application it is public. Vice President Iannotti suggests putting the current applications on the Town's website. Member Toppi is in favor of this. Ms. Sweet states that once an application is filed, it becomes a public document.

Vice President Iannotti questions notifying abutters. Ms. Sweet advises the council to check with the solicitor, however, when there are requirements for notice, the notice is on the applicant. When there is no notice requirement, you cannot force an applicant to pay for the notice. There is nothing in the law that states the Town couldn't generate your own notice. Member Toppi and Vice President Iannotti are in favor of this.

Vice President Iannotti states that in the adaptive reuse ordinance proposal there is a provision that the density proposed for any adaptive reuse project shall be determined to meet all public health and safety standards. Vice President Iannotti further states that this seems to give the Planning Board the opportunity to deny an application if there are health/safety issues.

Member Toppi questions if there is a specific definition of health/safety issues within the state law. Ms. Sweet states she is not aware of a definition; it is on a case by case basis.

Ms. Sweet further states with some luck, the adaptive reuse the enabling law will change because the density provision makes no sense and is not well worded.

UDR, DPR, and LDP

- Requires Unified Development Review (UDR) (was previously optional)
- Changes how Development Plan Review (DPR) is conducted creating two types (administrative and formal)

- Created a standard definition for what qualifies as a Land Development Project (LDP) (previously up to the municipality)

Unified Development Review (UDR)

Ms. Sweet explains the following: Unified Development Review (UDR) was already on the books previously, and it was optional. Now this is mandatory. When you have a land development project that needs a Variance or Special use permit, you no longer go before the Zoning Board. The applicant would stay with the Zoning Board, and they give the applicant, either or both, a Variance or Special Use Permit as part of a Unified Development Review along with the approval for the land use project.

Member Toppi states that they use these terms to make it “sound like a good thing”.

Ms. Sweet states that there are benefits to (UDR), it replaces what was called “Precedence of Approval”. Ms. Sweet further states that “Precedence of Approval” was when an applicant went to the Planning Board for the first stage of approval, then before the Zoning Board to ask for a Variance or Special Use Permit. Ms. Sweet also states the applicant would then have to return to the Planning Board.

Ms. Sweet reminds the members that if the Zoning Board did not grant the application, the project was unable to go forward unless the applicant appealed the decision. Ms. Sweet feels that “bouncing back and forth” was not the most efficient way to do this.

Ms. Sweet explains that the challenge of UDR is you are now asking a Planning Board to “wear the hat” of a Zoning Board, and those boards operate differently, and there will be a learning curve.

Vice President Iannotti questions if there was an application submitted prior to January 1, 2024 would the applicant have the right to UDR if the application has not yet been heard. Ms. Sweet believes this will depend on at which point the Town considers an application vested. Ms. Sweet explains that if the application was vested under the old language, the applicant could withdraw and resubmit. Ms. Sweet further explains if the application is not vested, the applicant would have the benefit of UDR.

Development Plan Review (DPR)

Ms. Sweet explains the following: Development Plan Review (DPR) was given to the Town because one (1) of the accidental drafting sections was that it made DPR mandatory under the Zoning Ordinance. The Zoning Enabling Act used to say “may” implement. The Subdivision Enabling Act still says “may implement”. These were changed accidentally; the Zoning Enabling Act says “shall have DPR”. It has changed DPR significantly and was loosely defined in state law. Anyone that did have it, everyone did it differently. The state changed DPR to make it consistent with everywhere that wanted to have it, however, they have made it almost identical to minor land development.

It is her understanding the “shall” in the Enabling Act will be changed back to “may”. Other minor changes will be made to help differentiate DPR from the minor land development process.

The only benefit to DPR is that it can be assigned to formal development plan review, which can be assigned to the Planning Board.

Currently there are two (2) types of DPR: Administrative, which goes to the Administrative Officer (one-step process) and formal which can go to the Planning Board or the Technical Review Committee (two-step process that identically mirrors minor land development).

Land Development Project (LDP)

Ms. Sweet explains the following: Land Development Project (LDP) existed before, was either minor or major, and it was determined by the municipality what triggers minor/major for land development only. In that a minor land development could not be residential in nature. A minor land development has a list of approximately seven (7) items that classify what a minor land development is. A minor land development is 7,500 sq. ft. or less of commercial, 2,500 sq. ft. of commercial and six (6) residential units. All of the items go to the Administrative Officer for review and approval, as long as a Variance, Special Use Permit or street creation is not needed. If either of those is needed, the application must go to the Planning Board. Street creation is mostly associated with subdivisions.

The most important change coming from the definition is that the Town will have commercial applications of 7,500 sq. ft. or less that will only go to the Administrative Officer. These applications will no longer go before the Planning Board and not be decided at a public meeting.

All three (3) of these have been enabled in the Zoning Ordinance. A section was created that enables UDR, DPR, and LDP and sends the user of any of these processes into the subdivision regulations for how the process works and what the standards are.

Member Tassoni questions if the council should take action on what is in front of them today or wait until the “gauntlet” falls again in June 2024.

Ms. Sweet states that other municipalities have grappled with this question as they are in the middle of getting the 2023 items done, now that we know enough about it, we know what is coming our way. Ms. Sweet further states this is a policy decision for the Town to make because if you do not implement what is in front of you, the Town will be somewhat exposed because those local regulations won’t exist. Ms. Sweet also states that the Town would have to argue that something already in the Zoning Ordinance applies although it does not specifically states that it applies. Ms. Sweet is fairly certain that some of this will be changed.

Member Tassoni asks Attorney Ursillo for his legal opinion. Attorney Ursillo states that the Town needs to make some of these adoptions now to limit that exposure.

Member Tassoni questions if the Town should “tackle” all of it or just some that Attorney Ursillo suggests. Attorney Ursillo states that the Town could adopt just certain items. Attorney Ursillo suggests adopting all changes to cover the Town. Attorney Ursillo states that the items can be “tweaked” and language can be added, but you do not want to leave the Town exposed by an application falling through a legal crack.

Ms. Sweet states that the Town would have to look at the time and energy of going through a public hearing.

Member Tassoni states that the general public will not be aware of what is happening, and he is in favor of a public hearing.

Vice President Iannotti reminds the members that there must be a public hearing to hear the amendments.

Member Tassoni states that he is aware of a public hearing for the amendments, however, he is in favor of a public hearing for projects.

Vice President Iannotti states that unless it states we cannot have a public hearing, we want to have public notice.

Ms. Sweet reminds the members that there is a distinction between a public hearing and public notice. Ms. Sweet states the Town is leading themselves into dangerous territory if they are requiring a public hearing when they have no authority to do so, however, if the Town wants to take it upon itself to put out a public notice, you should probably be okay. Ms. Sweet further states that if the Town decides to publicize their applications that are pending, it is within your purview to do that.

Vice President Iannotti questions if there was language stating that a public hearing was only held at the Master Plan stage, then the Preliminary Stage. Vice President Iannotti states that there was notice that was going out, however, there was no public hearing.

Ms. Sweet explains the following: There were two (2) changes related to that, and those changes are in the subdivision regulations. There was a change to the Comprehensive Permit law that eliminated Master Plan. On a regular, conventional application, the public hearing at the Preliminary Plan stage. There were two (2) types of meetings, a public information meeting at the Master Plan stage, which is not a public hearing, and a public hearing at the Preliminary Plan stage. A public information meeting is no longer a type of meeting. The public hearing happens at the Master Plan stage. For a Comprehensive Permit for the development of low/moderate income housing, there is no Master Plan.

Member Toppi questions if the Chair of the Planning Board wanted to allow someone to make a comment, and it is not a public hearing, this would be at his discretion. Ms. Sweet states that she has never seen a Planning Board deny the audience the ability to speak on an application.

Vice President Iannotti questions the presenting of witnesses or evidence. Ms. Sweet explains that there is nothing saying that they cannot.

Planning Board Chair James D'Ambra states that if someone gives their opinion, that is not considered evidence. Member D'Ambra further states that evidence is more concrete that can be used in the decision-making process.

Member Toppi feels that this seems subjective. Ms. Sweet states that we are all doing our best to interpret the language that was written and then writing the local regulations. Ms. Sweet further states the following: sometimes with controversial developments a neighborhood group that organizes themselves, hire an attorney, and expert witnesses, to come in during Preliminary Plan. Once the project is engineered, and they have a good idea of what is happening, they present testimony through expert witnesses and an attorney. You have now taken that public hearing stage and moved it from the place in which you have "hard engineering and design" to a conceptual level. The witness is testifying on a concept not hard engineering.

Member Toppi states that, essentially, there are ways around it.

Vice President Iannotti states that if the Planning Board requires a Traffic Report, the Master Plan stage is approved with conditions, because the Traffic Report is presented during the Preliminary Plan stage. Vice President Iannotti further states, that for example, the Traffic Report states that only one (1) car per year can go down this road, no one is able to bring in evidence to contest that. Ms. Sweet does not know that exact answer to that, however, she feels it will present a problem.

Member Toppi states that no one can stop someone from emailing a Planning Board member with evidence beforehand. Ms. Sweet states that the Planning Board is supposed to weigh the evidence according to how that evidence comes to them, and the weight of that evidence can be altered depending on who says it.

Ms. Sweet further states that she was told that the logic in moving the public hearing from the Preliminary Plan stage to the Master Plan stage was to get public input earlier.

Vice President Iannotti feels that it makes these projects almost impossible to contest, and the state law sets out a process for abutters to contest these projects, yet they have no due process or proceeding to create a record to go to the Superior Court.

Vice President Iannotti questions if there could be constitutional issues with this. Vice President Iannotti thinks that maybe a community should let people testify and present evidence, the developer will challenge it leading to Superior Court. Vice President Iannotti feels that a court would have the opportunity to say this is not due process that people are entitled to.

Ms. Sweet thinks the legal fallout from this will be circling for a couple of years before there are answers to many of these questions.

Vice President Iannotti suggests adding to our ordinance, and have someone challenge it. Ms. Sweet states that this is an approach she has seen.

Vice President Iannotti feels that as elected officials, they should not be voting to approve ordinances that are taking people's rights away. Member Toppi agrees with this.

Vice President Iannotti reminds the members that we have a Constitution and a State Constitution that supersedes what the General Assembly does.

Member Toppi feels that the council has to "put their foot down" somewhere.

Vice President Iannotti states that the council is put in a position and is being forced for things that they oppose.

Modifications:

Ms. Sweet explains the following: The Zoning Enforcement Officer is to grant reductions to the dimensional requirements. This is a provision that the Town has in its ordinance already. This was optional previously. The law mandates that the Town 15%, and the ordinance permits 25%. The 25% has been retained. The comment process had to be reduced from thirty (30) to fourteen (14) days as a result in the change in the law.

The standards that the Zoning Enforcement Officer makes his decision on has changed slightly, and permits a modification of 5% or less without a public notice. The process now is if a modification is needed over 5%, but less than 25% of the dimensional standard, the applicant goes to the Zoning Official, and there is a mailing that is sent to abutters notifying them of the request for a dimensional variance. The abutters have fourteen (14) days to comment. If no comments are received, the Zoning Official can grant the modification based on the standards in the law. If there is a response to the notice, it will automatically “kick” the application to the Zoning Board. With respect to the process, there is no change. Modifications are now mandatory at 15%. It has reduced the comment period from thirty (30) days to fourteen (14) days, and slightly altered the decision-making parameters for the Zoning Official. At 5% or less, no notices to abutters are required.

Vice President Iannotti states that the prior reading of the ordinance was that the official had to find that the modification requested was in harmony with the purpose and intent of the Comprehensive Plan and Zoning Ordinance. Ms. Sweet states that can be taken out.

Vice President Iannotti further states the adopting of this is another violation of the other RI General Laws regarding consistency with the Comprehensive Plan.

Member Toppi questions what 5% looks like. Planner Phillips states that is a dimensional setback.

Ms. Sweet explains that the modification applies to anything that is dimensional in nature (side, front, rear setbacks, height, and lot coverage). Ms. Sweet reminds the members that if a lot is already undersized, the applicant will get an automatic reduction, therefore, a modification may not be needed. Ms. Sweet also reminds the members that if a nonconforming lot reduction still does not get the applicant to what is needed, then a modification can be requested.

Member Toppi questions each one of these plays off of each other by giving an advantage to another. Ms. Sweet states that is certainly true with the modifications and the nonconforming lots because they are connected.

Member Toppi questions who benefits the most with these changes. Ms. Sweet explains the changes benefit the property owner or developer, and in some cases, both depending on the situation.

Vice President Iannotti questions the objective criteria that goes into the Special Use Permits, and if the Town will be doing that in the future. Planner Phillips explains that time will be needed to review this because some may be considered permitted uses and affecting some of the Town’s growth areas. Planner Phillips questions if the council will be proceeding with the public hearing for these amendments.

Vice President Iannotti states that he would like to see, if the members agree, adding a public hearing requirement in the Preliminary Plan stage although state law does not allow for it. Vice President Iannotti feels there may be constitutional issues by not giving people the opportunity to give a record. Ms. Sweet states that would be added to the subdivision regulations, and that is the purview of the Planning Board because they adopt their own regulations.

Chair D’Ambra states that he does not have a problem adding that language, however, he would like an opinion from the solicitor.

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Town Council Work Session – Land Use Amendments

April 29, 2024

Vice President Iannotti states that he thinks this would be overturned in Superior Court, and there is no record, the court will not be able to rule/decide if there is no record.

Vice President Iannotti states that he would like the amendments to be broken down in a logical manner to not have one (1) vote on everything, and this will allow for the public to voice their concerns for specific sections, and the council can address them individually. Vice President Iannotti suggests separate agenda items, however, he is not opposed to having one (1) advertisement with all amendments listed.

Member Toppi feels this is good practice in general.

Motion to adjourn is made by Member Tassoni, seconded by Member Toppi, to adjourn the work session. *Motion is approved by a unanimous 3/0 vote.*

Meeting adjourns at 7:35 p.m.

Town Clerk

PLEASE SEE EXECUTIVE
SESSION ENVELOPE

MINUTES OF SMITHFIELD TOWN COUNCIL MEETING

Date: Tuesday, May 7, 2024

Place: Smithfield Town Hall

Time: 05:45 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

I. President Lawton calls the Tuesday, April 2, 2024 Smithfield Town Council Meeting to order at 7:00 p.m.

At 5:45 p.m., a motion was made by Vice President Iannotti, seconded by Member Toppi, to convene into executive session to consider, discuss, and act upon matters pursuant to Rhode Island General Laws Section 42-46-5(a)(2); Existing Litigation, 1:20-cv-00543-MSM-PAS; Joseph Ricci and Custom Construction Services, LLC. v. Town of Smithfield, et al.

President Lawton reports that one vote was taken in executive session with a vote of 5/0 in favor to authorize DeSisto Law to reach an agreement with Joseph Ricci and Custom Construction Services in case 1:20-cv-00543-MSM-PAS.

II. President Lawton offers a prayer.

III. Salute to the flag.

IV. Emergency Evacuation and Health Notification

V. Presentations:

A. Smithfield Youth Council

The Smithfield Youth Council updates the Town Council on their past and present events/fundraisers (see attached documentation).

B. Special Recognition - Adel Cabral

Member Tassoni explains the following: Mr. Cabral has provided thirty-five years of teaching math, outstanding service, and enthusiastic leadership to the Smithfield High School students. Mr. Cabral the prestigious Amedeo “Mack” DeRobbio Lifetime Contribution Award by the State of Rhode Island and the Rhode Island Mathematics Teachers Association. Mr. Cabral is presented with a Certificate of Recognition from the Town Council.

VI. Minutes:

- A. Move that the minutes of the April 2, 2024 executive session meeting held pursuant to Rhode Island General Laws Section 42-46-5(a)(2); Potential Litigation be approved as recorded and sealed.**

Motion is made by Member Tassoni, seconded by Vice President Iannotti, that the minutes of the April 2, 2024 executive session meeting minutes be approved as recorded and sealed.

- B. Move that the minutes of the April 2, 2024 open session meeting be approved as recorded.**

Motion is made by Member Tassoni, seconded by Vice President Iannotti, that the minutes of the April 2, 2024 open session be approved as recorded. **Motion is approved by a 5/0 vote.**

VII. Consider, discuss and act upon the following possible appointments and reappointments: None

VIII. Public Hearings:

- A. Schedule a public hearing on June 4, 2024 to consider and act upon amendments to the Code of Ordinances, Chapter 11 entitled “Boards and Commissions sponsored by Council Members Rachel S. Toppi and Michael P. Iannotti.**

Member Toppi explains the following: This ordinance came about after seeing a post on social media from another councilwoman in another RI city who posted that she was proposing this ordinance. She felt it was a great idea and in line with her beliefs on open government, transparency, and accountability. Naturally she wanted to bring it to the council here, and she asked Vice President Iannotti to co-sponsor it with her.

This amendment requires that all Town boards/commissions, including the Town Council, allow public comment whether the comment is regarding docketed or un-docketed matters as long as it is within the jurisdiction of whatever board they are speaking to. The Chairs of each board are permitted to set reasonable limits on speaking if they wish.

Member Toppi reads the purpose: “The purpose of this section is to promote government transparency and accountability by encouraging residents to participate in public meetings, thereby providing a forum for them to provide input including the expression of any concerns they may have regarding the Town government”.

Member Toppi states the following: This is important because we have President Lawton and Chairs of boards/commission who would allow individuals from the public to speak at meetings if they so desire. Member Toppi further states that is important to set the stage for the future by protecting the public’s ability to hold their government accountable, especially with the way the world is going these days. We do not know if there may be a Council President or Chair of a

specific board who will not allow people to speak for whatever reason. It is important to solidify this in an official capacity.

Vice President Iannotti feels that it is important that participation be meaningful, and it is a great thing here in Smithfield we allow people to speak even though we don't have a formal hearing and inform us of what their opinions on pretty much everything the council does. Vice President Iannotti thinks this ordinance is a great idea reflective of how we look at government in Smithfield.

Motion is made by Member Toppi, seconded by Vice President Iannotti, that the Smithfield Town Council hereby schedules a public hearing on June 4, 2024 to consider and act upon amendments to the Code of Ordinances, Chapter 11 entitled "Boards and Commissions". **Motion is approved by a unanimous 5/0 vote.**

- B. Consider scheduling a Show Cause Hearing on Tuesday, May 21, 2024 to consider, discuss and act upon the possible suspension, revocation, or other sanction regarding the listed Mobile Food Truck Licenses due to non-renewal or non-compliance with the conditions of renewal:**

- 1. Baby Duck, LLC d/b/a "Tacofied", 38 Dean Avenue, Johnston**
- 2. Farm to Sandwich, LLC d/b/a "Farm to Sandwich", 14 Abbott Street, Cranston**
- 3. On the Rhode Café, LLC d/b/a "On the Rhode Café", 73B Gene Allen Road, Foster**

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby schedules a show cause hearing on Tuesday, May 21, 2024 to consider, discuss and act upon the possible suspension, revocation, or other sanction regarding the listed Mobile Food Truck Licenses due to non-renewal or non-compliance with the conditions of renewal:

1. Baby Duck, LLC d/b/a "Tacofied", 38 Dean Avenue, Johnston
2. Farm to Sandwich, LLC d/b/a "Farm to Sandwich", 14 Abbott Street, Cranston
3. On the Rhode Café, LLC d/b/a "On the Rhode Café", 73B Gene Allen Road, Foster

Motion is approved by a unanimous 5/0 vote.

- C. Consider scheduling a Show Cause Hearing on Tuesday, May 21, 2024 to consider, discuss and act upon the possible suspension, revocation, or other sanction regarding the listed Holiday Sales Licenses due to non-renewal or non-compliance with the conditions of renewal:**

- 1. DK Convenience, LLC d/b/a "DK Convenience", 200 Pleasant View Avenue, Unit 3**
- 2. Premium Brands Opco, LLC d/b/a "Loft #734", 371 Putnam Pike**
- 3. The Sevingy Group, LLC d/b/a "Smithfield Fitness", 970 Douglas Pike**

4. Speedway, LLC d/b/a “Speedway #02821”, 263 Putnam Pike

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby schedules a show cause hearing on Tuesday, May 21, 2024 to consider, discuss and act upon the possible suspension, revocation, or other sanction regarding the listed Holiday Sales Licenses due to non-renewal or non-compliance with the conditions of renewal:

1. DK Convenience, LLC d/b/a “DK Convenience”, 200 Pleasant View Avenue, Unit 3
2. Premium Brands Opco, LLC d/b/a “Loft #734”, 371 Putnam Pike
3. The Sevingy Group, LLC d/b/a “Smithfield Fitness”, 970 Douglas Pike
4. Speedway, LLC d/b/a “Speedway #02821”, 263 Putnam Pike

Motion is approved by a unanimous 5/0 vote.

XI. Licenses:

- A. Consider, discuss, and act upon approving two (2) One-Day Special Event Licenses for Wat Lao Buddhovath of RI, Inc. for Lao New Year celebration, 88 Limerock Road on the following dates:**

- **Saturday, May 18, 2024 from 12:00 p.m. to 6:00 p.m.**
- **Sunday, May 19, 2024 from 12:00 p.m. to 6:00 p.m.**

All Special Event Licenses for Wat Lao Buddhovath of RI, Inc. are 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 approves two (2) One-Day Special Event Licenses for Wat Lao Buddhovath of RI, Inc. for Lao New Year celebration, 88 Limerock Road on the following dates:

- **Saturday, May 18, 2024 from 12:00 p.m. to 6:00 p.m.**
- **Sunday, May 19, 2024 from 12:00 p.m. to 6:00 p.m.**

All Special Event Licenses for Wat Lao Buddhovath of RI, Inc. are subject to compliance with all State regulations and local ordinances.

Motion is approved by a unanimous 5/0 vote.

- B. Consider, discuss, and act upon approving the annual renewal of thirteen (13) Holiday Sales Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances.**

1. Cellco Partnership d/b/a “Verizon Wireless #161132”, 371 Putnam Pike
2. Claire’s Boutique, Inc. d/b/a “Claire’s #5041”, 371 Putnam Pike
3. Dick’s Sporting Goods d/b/a “Dick’s Sporting Goods”, 371 Putnam Pike, Suite 300
4. Dollar Tree Stores, Inc. d/b/a “Dollar Tree #4432”, 446 Putnam Pike
5. Grams Girls, Inc. d/b/a “Cardsmart Smithfield”, 445 Putnam Pike
6. Marylou’s News, Inc. d/b/a “Marylou’s Coffee”, 368 Putnam Pike
7. Office Superstore East, LLC d/b/a “Staples the Office Superstore”, 371 Putnam Pike, Suite 230
8. Quicket’s Inc. d/b/a “Quicket’s”, 285 George Washington Highway
9. Riptide Fitness, LLC d/b/a “Planet Fitness”, 445 Putnam Pike
10. Sterling, Inc. d/b/a “Kay Jewelers #2608”, 371 Putnam Pike, Unit 325
11. Tan Sons Enterprises, Inc. d/b/a “Shop N Go”, 105 Pleasant View Avenue, Unit C
12. Target Corporation d/b/a “Target Store T-1404”, 371 Putnam Pike
13. The Barre and Yoga Experience, LLC d/b/a “The Barre and Yoga Experience”, 259 Putnam Pike, Unit 2

Motion is made by Vice President Iannotti, seconded by Member Kilduff, that the Smithfield Town Council approve the annual renewal of thirteen (13) Holiday Sales Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances.

1. Cellco Partnership d/b/a “Verizon Wireless #161132”, 371 Putnam Pike
2. Claire’s Boutique, Inc. d/b/a “Claire’s #5041”, 371 Putnam Pike
3. Dick’s Sporting Goods d/b/a “Dick’s Sporting Goods”, 371 Putnam Pike, Suite 300
4. Dollar Tree Stores, Inc. d/b/a “Dollar Tree #4432”, 446 Putnam Pike
5. Grams Girls, Inc. d/b/a “Cardsmart Smithfield”, 445 Putnam Pike
6. Marylou’s News, Inc. d/b/a “Marylou’s Coffee”, 368 Putnam Pike
7. Office Superstore East, LLC d/b/a “Staples the Office Superstore”, 371 Putnam Pike, Suite 230
8. Quicket’s Inc. d/b/a “Quicket’s”, 285 George Washington Highway
9. Riptide Fitness, LLC d/b/a “Planet Fitness”, 445 Putnam Pike
10. Sterling, Inc. d/b/a “Kay Jewelers #2608”, 371 Putnam Pike, Unit 325
11. Tan Sons Enterprises, Inc. d/b/a “Shop N Go”, 105 Pleasant View Avenue, Unit C
12. Target Corporation d/b/a “Target Store T-1404”, 371 Putnam Pike
13. The Barre and Yoga Experience, LLC d/b/a “The Barre and Yoga Experience”, 259 Putnam Pike, Unit 2

Motion is approved by a unanimous 5/0 vote.

C. Consider, discuss, and act upon approving the annual renewal of two (2) Bingo Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances.

- 1. Esmond Village Tenants Association, 3 Village Drive, Apt. 112 (fee waived)**
- 2. Old County Road School PTA, 200 Old County Road (fee waived)**

Motion is made by Member Tassoni, seconded by Member Toppi, that the Smithfield Town Council approve the annual renewal of (2) Bingo Licenses for Esmond Village Tenants Association, located at 3 Village Drive, Apt. 112 and Old County Road School PTA, located at 200 Old County Road, as listed, as applied, subject to compliance with all State regulations and local ordinances. Fee waived. **Motion is approved by a 5/0 unanimous vote.**

D. Consider, discuss, and act upon approving the annual renewal of four (4) Massage Establishment Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances.

- 1. Enliven Massage Therapy, LLC d/b/a “Enliven Massage Therapy”, 600 Putnam Pike, Suite 202**
- 2. Fox Wellness, LLC d/b/a “Body Grateful Day Spa”, 405 Douglas Pike**
- 3. Kimberly A. LaPierre d/b/a “Apple Valley Wellness Center”, 47A Cedar Swamp Road**
- 4. Limary M. Morel Brown d/b/a “Massage by Mari”, 359 Putnam Pike**

Motion is made by Member Tassoni, seconded by Vice President Iannotti, Smithfield Town Council approve the annual renewal of four (4) Massage Establishment Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances:

1. Enliven Massage Therapy, LLC d/b/a “Enliven Massage Therapy”, 600 Putnam Pike, Suite 202
2. Fox Wellness, LLC d/b/a “Body Grateful Day Spa”, 405 Douglas Pike
3. Kimberly A. LaPierre d/b/a “Apple Valley Wellness Center”, 47A Cedar Swamp Road
4. Limary M. Morel Brown d/b/a “Massage by Mari”, 359 Putnam Pike

Motion is approved by a unanimous 5/0 vote.

E. Consider, discuss, and act upon approving the annual renewal of five (5) Massage Therapy Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances.

- 1. Holly Bynum working at “Enliven Massage Therapy”, 600 Putnam Pike, Suite 202**
- 2. Katelynn Volpigno working at “Body Grateful Day Spa”, 405 Douglas Pike**

3. **Limary M. Morel Brown working at “Massage by Mari”, 359 Putnam Pike**
4. **Robin Tanguay working at “Radiance MFR”, 6 Battey Drive**

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

1. Holly Bynum working at “Enliven Massage Therapy”, 600 Putnam Pike, Suite 202
2. Katelynn Volpigno working at “Body Grateful Day Spa”, 405 Douglas Pike
3. Kimberly A. LaPierre working at “Apple Valley Wellness Center”, 47A Cedar Swamp Road
4. Limary M. Morel Brown working at “Massage by Mari”, 359 Putnam Pike
5. Robin Tanguay working at “Radiance MFR”, 6 Battey Drive

Motion is approved by a unanimous 5/0 vote.

- F. Consider, discuss, and act upon approving one (1) One-Day Special Event License for the Smithfield Parks and Recreation Department for a “Food Truck Event”, 1 William J. Hawkins, Jr. Trail on the following date:**

- **Thursday, May 16, 2024, Food Truck event to be held from 4:00 p.m. to 8:00 p.m.**

All Special Event Licenses for the Smithfield Parks and Recreation Department are subject to compliance with all State regulations and local ordinances.

Motion is made by Member Tassoni, seconded by Member Toppi, that the Smithfield Town Council approve one (1) One-Day Special Event License for the Smithfield Parks and Recreation Department for a “Food Truck Event”, 1 William J. Hawkins, Jr., Trail on the following date:

- Thursday, May 16, 2024 Food Truck Event to be held from 4:00 p.m. to 8:00 p.m. All Special Event Licenses for the Smithfield Parks and Recreation are subject to compliance with all State regulations and local ordinances.

Motion is approved by a unanimous 5/0 vote.

- G. Consider, discuss, and act upon approving one (1) One-Day Beer/Wine License for the Smithfield Senior Center as follows:**

- **“Super Ages” Wine and Cheese Event to be held on Thursday, May 16, 2024 from 1:00 p.m. to 3:00 p.m.**

The party will take place at the Smithfield Senior Center, 1 William J. Hawkins, Jr. Trail from 1:00 p.m. to 3:00 p.m., as applied, subject to all State regulations and local ordinances.

Motion is made by Member Tassoni, seconded by Member Toppi, the Smithfield Town Council approve one (1) One-Day Beer/Wine License as follows:

- “Super Ages” Wine and Cheese Event to be held on Thursday, May 16, 2024 from 1:00 p.m. to 3:00 p.m.

The party will take place at the Smithfield Senior Center, One William J. Hawkins, Jr. Trail from 1:00 p.m. to 3:00 p.m., as applied, subject to compliance with all State regulations and local ordinances.

Motion is approved by a unanimous 5/0 vote.

H. Consider, discuss, and act upon the annual renewal of five (5) Peddler’s Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances.

1. CALM Enterprises, Inc. d/b/a “Del’s of Smithfield”, to sell only frozen lemonade from trucks with RI Reg. #'s 25833, 126485 and 51697, 115 Pleasant View Avenue
2. CALM Enterprises, Inc. d/b/a “Del’s of Smithfield”, to sell only frozen lemonade and frozen treats from a pushcart with RI Reg. #55218, 115 Pleasant View Avenue
3. Marshall E. Gorden d/b/a “Wolfe Novelties”, to sell only balloons and souvenirs from a truck with RI Reg. #UN-98, 140 Vancouver Avenue, Warwick
4. NEFL, Inc. d/b/a “New England Frozen Lemonade”, to sell only frozen lemonade from a truck with RI Reg. #'s 186765, 15 Indian Head Trail
5. Palagi 2000, Inc. d/b/a “Palagis Ice Cream”, to sell only frozen treats from a truck with RI Reg. # 109950, 55 Bacon Street, Pawtucket

Motion is made by Member Tassoni, seconded by Vice President Iannotti, that the Smithfield Town Council approve the annual renewal of five (5) Peddler’s Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances.

1. CALM Enterprises, Inc. d/b/a “Del’s of Smithfield”, to sell only frozen lemonade from a truck with RI Reg. #'s 25833, 126485 and 51697, 115 Pleasant View Avenue
2. CALM Enterprises, Inc. d/b/a “Del’s of Smithfield”, to sell only frozen lemonade and frozen treats from a pushcart with RI Reg. #55218, 115 Pleasant View Avenue
3. Marshall E. Gorden d/b/a “Wolfe Novelties”, to sell only balloons and souvenirs from a truck with RI Reg. #UN-98, 140 Vancouver Avenue, Warwick
4. NEFL, Inc. d/b/a “New England Frozen Lemonade”, to sell only frozen lemonade from a truck with RI Reg. # 186765, 15 Indian Head Trail
5. Palagi 2000, Inc. d/b/a “Palagis Ice Cream”, to sell only frozen treats from a truck with RI Reg. #109950, 55 Bacon Street, Pawtucket

Motion is approved by a unanimous 5/0 vote

- I. Consider, discuss, and act upon approving two (2) new Mobile Food Truck Licenses for Del’s Lemonade and Refreshments, Inc. d/b/a “Del’s Lemonade”, 1260 Oaklawn Avenue, Cranston RI with a RI Reg. # 51922 on both pushcarts, as applied, subject to compliance with all State regulations and local ordinances.**

Motion is made by Member Tassoni, seconded by Vice President Iannotti, that the Smithfield Town Council consider, discuss and act upon approving two (2) new Mobile Food Truck Licenses, as listed, as applied, subject to compliance with all State regulations and local ordinances.

1. Del’s Lemonade and Refreshments, Inc. d/b/a “Del’s Lemonade”, to sell frozen lemonade and frozen treats from a pushcart with RI Reg. #51922
2. Del’s Lemonade and Refreshments, Inc. d/b/a “Del’s Lemonade”, to sell frozen lemonade and frozen treats from a pushcart with RI Reg. #51922

Motion is approved by a unanimous 5/0 vote.

- J. Consider, discuss, and act upon approving a Mobile Food Truck License for Castle Pascetta, LLC d/b/a “Lobstah Cart RI”, 15 Redwood Drive, North Providence with a RI Reg. number 1PP551, as applied, subject to compliance with all State regulations and local ordinances.**

Motion is made by Member Tassoni, seconded by Member Toppi, that the Smithfield Town Council approve a new Mobile Food Truck License, as applied, subject to compliance with all State regulations and local ordinances.

1. Castle Pascetta, LLC d/b/a “Lobstah Cart RI”, to sell lobster rolls, krabby cakes, quahogs, lobster bisque and chowder from a truck with RI Reg. #1PP551

Motion is approved by a unanimous 5/0 vote.

X. Old Business: None

XI. New Business:

- A. Consider, discuss, and act upon authorizing a request for proposals to furnish and replace a defogger unit at the Smithfield Ice Rink subject to review by the Town Solicitor.**

Ice Rink Manager Thomas Tullie explains the following: This is a piece of equipment that was installed in 1994, therefore, it has seen its useful life. The contractors looked at it, and they are unable to find parts for it. He is asking the council to authorize an RFP for a defogger, which is a thermal plus unit and the accompanying equipment. Member Toppi questions what a defogger is typically priced at. Manager Tullie explains that the price he received from the contractor was \$55,000.

Manager Tullie states that it is basically a dehumidifier unit, and this one is important to the rink because it is over the Zamboni garage door which opens out into the outside especially in the warmer months.

Thomas Hodgkins, 200 Farnum Pike, questions the proposed source of funding. Manager Tullie states that the funding would be from the Ice Rink Capital Reserve Fund.

Mr. Hodgkins questions if this item was in the Capital Improvement Plan Budget. Manager Tullie states that it was budgeted for, however, not this particular unit. Manager Tullie further states that the unit budgeted for was more elaborate and would service the entire building, however, the unit being requested would serve their needs right now.

Town Manager Rossi questions if Manager Tullie had something of a larger magnitude, and this is going to accomplish what is needed. Manager Tullie states this will accomplish what they need.

Member Toppi questions what was budgeted for is more than this unit may cost. Manager Tullie states what was placed in the CIP was a more expensive allocation for the building, and he had priced it previously and it was over six figures.

Mr. Hodgkins expresses his concerns about a piece of equipment from 1994 that is not in the CIP, therefore, it is an additional expense. Mr. Hodgkins wonders why it is not in the CIP. Mr. Hodgkins states that the CIP for the ice rink between now and 2030, which approximately \$10M if no more, and there is clearly not enough in the fund to pay for that. Mr. Hodgkins further states he does not understand how that money will be raised.

Manager Tullie explains the following: This particular unit is not in the CIP because it was expected that the unit would last. Manager Tullie further explains parts cannot be found, and it broke down. The unit is inspected on an annual basis, and the issue is the compressor. This will be an improvement for the building as it will be using an EPA approved refrigerate. The ice rink would forgo the other system if we are going to invest in this particular unit.

Vice President Iannotti states that the funds come from the ice rink revenues. Manager Tullie states that the funds come from the ice rink revenues.

Vice President Iannotti questions the larger unit in the CIP and if that will be purchased as well or have this unit instead. Manager Tullie states that he would invest in that unit if this one is being replaced.

Member Toppi states that the Town is saving money.

Motion is made by Member Tassoni, seconded by Vice President Iannotti, that the Town Solicitor review, the Smithfield Town Council hereby authorizes the Purchasing Agent to advertise on behalf of the Municipal Ice Rink, RFP 240328 to furnish and install a new defogger unit. **Motion is approved by a unanimous 5/0 vote.**

- B. Consider, discuss, and act upon authorizing the purchase of one (1) 2023 Chevy Tahoe, through the Greater Boston Police Council, in the amount of fifty-eight thousand, eight hundred nineteen dollars and fifty-nine cents (\$58,819.59) to be funded through the Police Equipment Fund.**

Police Chief St. Sauveur explains the following: The department lost a cruiser to a collision, and

whenever the department loses a cruiser it has a ripple effect on the entire fleet. The department is looking to replace that 2016 Ford Interceptor with a 2023 Chevy Tahoe. There was a check from the insurance company for the other vehicle in the amount of \$6,238, therefore, the total cost for the Tahoe will be \$58,819.59. This Tahoe is immediately available. He was in touch with the dealership today, and they are waiting for the council's approval to move forward. He anticipates having this vehicle, fully equipped by Friday.

Vice President Iannotti questions when there is an unexpected event like this how it is handled because the budget is already in place.

Chief St. Sauveur explains that the department has a Police Equipment Fund that was established in the late 80's by the council to assist them with the purchase of police equipment such as cruisers. Chief St. Sauveur further explains that this fund is funded by ticket revenues, and that is where the funding comes from.

Vice President Iannotti questions if this is what was budgeted for in the 2023-2024 budget. Chief St. Sauveur explains this would be the replacement of an existing vehicle so it is a vehicle the department did not anticipate having to purchase. Chief St. Sauveur further explains that if the department does not purchase this vehicle and wait until after July 1, 2024, this particular vehicle will cost an additional \$15, 000.

Member Toppi questions if not replacing this vehicle with an Interceptor is because the Tahoe is available or for another reason. Chief St. Sauveur states that there are two reasons: the Tahoe is available, and there is a trend to move away from Ford Interceptors and move in the direction of Tahoe's, which are less expensive.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council authorize the police department to purchase one (1) fully equipped 2023 Chevy Tahoe in the amount of \$65,057.59 less insurance reimbursement of \$6,238 through the Greater Boston Police Council Bid with funds available through the Police Equipment Fund. Motion is approved by a unanimous 5/0 vote. **Motion is approved by a unanimous 5/0 vote.**

C. Consider, discuss, and act upon authorizing construction of a disc golf course at Deerfield Park.

John Snavely explains the following: Deerfield Park has been the center of Smithfield recreation since 1997. He hopes that disc golf will be the next recreation made available at Deerfield Park.

Mr. Snavely gives a presentation (see attached documentation) explaining what disc golf is, how it is played, locations, and its impacts on the environment.

Member Toppi suggests tabling this item and explains the following reasons: The council does not have an official plan or proposal. She feels that there should be a public hearing. After doing research it looks like several Town Councils across the country have held public hearings. She feels that getting the public involved would be a good idea. As it stands right now, she is neither for nor against disc golf at Deerfield Park in general. She is favorable to the idea of recreation and being outside, however, she tries to look at the pros/cons of everything before her. She has received a few unfavorable comments from the public about various items including safety and noise concerns, views that oppose adding more structures to the park, and views that oppose having sponsorship signs all over the park as it would make the area look more commercialized.

She feels it is a little premature, however, she is not against it, but she feels the members need more information and a public hearing should be held. She asks her fellow council members to consider this.

Motion is made by Member Toppi, seconded Vice President Iannotti, that the Smithfield Town Council table this item, until the council has an official plan/proposal and to schedule a public hearing.

Member Kilduff states that he attended a Land Trust meeting, and believes Mr. Snavelly was there and this was discussed. Mr. Snavelly states that he was a member of the Land Trust from 2022-2023, and this has been an ongoing conversation for the last four (4) years.

Mr. Snavelly states that an official proposal has been submitted in budgetary numbers and in a plan for the course that he believes has been given to the members.

Vice President Iannotti states that what the council received was the project budget, breakdown of the items and an estimate of the source of funding. Vice President Iannotti questions the cost of \$120,000. Mr. Snavelly states that the cost is under \$20,000.

Vice President Iannotti states that he would like to see a formal agreement between the Town and the club setting forth what everybody is supposed to do before voting on and approving this. Vice President Iannotti further states that way there can be no misunderstandings as to the role of the public body and the private body. Vice President Iannotti questions the course being overseen by the Recreation Department. Town Manager Rossi states that the course will be overseen by the Recreation Department.

Mr. Snavelly explains that this will be the Town's property, and the club is simply volunteering their time to maintain so that there is no extra weight placed on the Town or Parks and Recreation budgets.

Member Tassoni questions the club having insurance if they will have a policy that covers the Town. Solicitor Gallone explains that activities managed by the Town are covered under our own policy.

Member Tassoni questions if the Town is "on the hook" should someone get hurt. Town Manager Rossi explains that this course would be the Town's property, and the club is volunteering to help us get this completed. Town Manager Rossi further explains that this is a Town project and an added Town activity for recreation. Town Manager Rossi also explains that the club is helping to get the "seed" money and volunteering with the labor.

Mr. Snavelly states that this is no different than any other activity at Deerfield Park, where it has its inherited risks. Member Tassoni states that he is in favor of this, however, he wants to ensure the Town is not held liable if someone gets hurt. Member Tassoni reminds the members that the little league and soccer have a field there and carry their own insurance. Town Manager Rossi explains that they are separate entities that are operating on our field, and this group is not actually operating.

Member Toppi states this is not specifically laid out in terms of what the volunteers are doing and what the Town is doing. Member Toppi further states that this is another issue that she has, although she is not opposed to this, she needs more details and the public's input as well because she has received unfavorable comments, and she feels it is only right to do so.

Mr. Snavelly states that this is considered “passive recreation” which is why it is done in Land Trusts and other areas in New England. Mr. Snavelly questions if this would be considered different liability wise from a tennis/basketball court or playground being open.

Vice President Iannotti questions if the “baskets” would be up all year round. Mr. Snavelly states this is a year-long activity that can be played all year.

Vice President Iannotti questions if any trees would need to be cut down to put in this course. Mr. Snavelly explains that he walked the property with Town Manager Rossi, Planner Michael Phillips, and a few others, and they notice a great deal of dead debris on the ground and some small patches of pine trees that are thick that need to be cleared. Mr. Snavelly further explains other than that, a great deal of the space being used is open space with minimal work done in the woods.

Vice President Iannotti questions the part of the course that goes through the cross country trail and if the course would interfere with that. Mr. Snavelly states that it would not interfere with the cross country trail, they walked the area with those involved with the cross country to ensure that the course would not interfere with what they were doing and to get their input. Mr. Snavelly further states they were in favor of this and it would not be an interference. Mr. Snavelly also states that the course would not interfere with the passive walker walking on a daily basis.

Vice President Iannotti explains that he is leaning in favor of this, however, he does not like to vote on something without seeing laid out in writing. Vice President Iannotti further explains it does need to be a formal agreement, however, it needs to be clear that it is being run by Parks & Recreation, and the council can vote on it at the next meeting. President Iannotti is not sure how far the members want to go with advertising to the public, but the public can come to the meeting.

President Lawton states that this is just a disc golf course, and it is detailed enough for him, therefore, he is in favor of it.

Vice President Iannotti questions holding a public hearing which is a “term of art”. Vice President Iannotti also questions advertising the public hearing or having on the agenda where the public talks. Member Toppi states she is open, and after having researched it, that is the general trend.

Member Kilduff questions what a public hearing means to Member Toppi. Member Toppi explains that it would be a normal public hearing that is advertised in the paper.

President Lawton states that if people are upset about this project, they will come to meeting anyway.

Member Toppi states that this was just a suggestion after having done her research.

Member Tassoni states that he did not receive any calls, and he is okay with the explanation.

Member Toppi states if the consensus is to not schedule a public hearing, at least have something in writing.

Motion is made by Member Toppi, seconded Vice President Iannotti, that the Smithfield Town Council table this item, until the council has received an official plan/proposal and to schedule a public hearing. **Motion fails 2/3. Member Tassoni, Member Kilduff, and President Lawton vote nay.**

Motion is made by Member Kilduff, seconded by Member Tassoni, that the Smithfield Town Council hereby authorizes construction of a disc golf course at Deerfield Park pending a detailed description about who is performing duties at Deerfield Park. **Motion is approved by a unanimous 5/0 vote.**

D. Consider, discuss, and act upon authorizing construction of a shed for the Smithfield Little League at Deerfield Park.

Shanyn Turner, 133 Farnum Pike, explains the following: the Smithfield Little League is requesting to have a shed built at Deerfield Park. The bottom level would be to house the equipment and the second story would allow for calling the game. Smithfield Little League will be paying for the construction and make repairs as needed.

Member Toppi questions if the request is for a shed or a shed with a press box. Ms. Turner states it is a two-story shed, with the top being used as a press box.

Town Manager Rossi states that he and Ms. Turner spoke about this before and the request was for a shed like the soccer league has, which was a dropped shed and could be purchased on Rt. 6. Town Manger Rossi further states that he was completely shocked when he saw a shed with a press box above it and which is a permanent structure, and a completely “different animal” leading to the questions yesterday.

Ms. Turner explains that the little league asked for the shed, and when they were at opening day, they discussed a shed with two (2) floors. Ms. Turner further explains that a shed with two (2) floors can be purchased at Home Depot, therefore, it can still be dropped. Ms. Turner further explains that the little league was going to build it themselves because there are contractors that are part of their board, and it would be cheaper. Ms. Turner also explains that they would go through the permit process and would ensure that everything was being done based on the Town’s specifications.

President Lawton questions where the shed would be located. Ms. Turner states that there are two (2) places because it was two (2) ideas: if there is a press box, it will be behind home plate and will have a window looking over the field. If there is no press box it will be at the opposite end with the entrance opening into the shed.

Vice President Iannotti questions if Town funds will be involved in the construction. Ms. Turner states that no Town funds will be used.

Vice President Iannotti questions who else uses this field. Ms. Turner states she is unaware of anyone else using the field, and the little league season is from Spring to Fall.

Vice President Iannotti feels that with this project a Memorandum of Understanding is needed. Vice President Iannotti feels that there are many issues that could arise because equipment will be stored there, and should someone steal the equipment, there will be a question of liability.

Ms. Turner states that the equipment is in the concession stand currently, however, the concession stand cannot be used if the equipment is housed there. Ms. Turner further states that these players have made a name for themselves and are nationally known, therefore, it is not fair that they have a subpar field.

President Lawton questions if electrical permits will be needed and if there is water. Ms. Turner states that no water is needed because there is water at the concession stand, however, they will need electricity. Ms. Turner assures the members that they will go through the permitting process.

Motion is made by Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby authorizes construction of a shed for the Smithfield Little League to be located at Deerfield Park, provided that they give the Building Official a drawing of what will be there and accepted by the Town of Smithfield.

Vice President Iannotti feels this project needs a Memorandum of Understanding especially if there will be a press box. Vice President Iannotti questions what would happen if someone should fall out of the press box. Ms. Turner questions what if someone were to fall out of the press box at Whipple. Ms. Turner states that Smithfield Little League has insurance.

Member Toppi states that this is another situation where the members do not have a plan. Ms. Toppi further states that she is not privy to what the soccer structure looks like, but she does not know the dimensions or if trees need to be cut. Member Toppi further states that she does not have a plan in front of her, and she does not feel it is proper procedure to approve something without a plan. Member Toppi is in agreement with the Memorandum of Understanding because there will be two (2) parties involved, a private organization and the Town. Member Toppi also states that the council wants to be safe and cover their bases, however, she not opposed to it, but she needs to know/understand what she is approving.

Ms. Turner questions what is meant by having a plan in place because, as a homeowner building a shed the Town would approve that to their standards, and this is very similar. Ms. Turner assures the members that they will be going through the proper channels to make sure the structure is as needed to be. Ms. Turner is unsure about what the difference is.

Member Toppi states that the difference is that she is in front of the council for approval and not in front of the Building Official. Member Toppi further states that she is approving something she wants to know what she is approving, and she likes to be informed. Member Toppi also states that she is not opposed to it.

Vice President Iannotti states especially where we are talking about a permanent structure, and some of the structures they are talking about are not permanent and can be easily removed. Vice President Iannotti further states that perhaps an agreement is needed and perhaps the insurer needs to approve it.

Solicitor Gallone explains that this would be a building added to the insurance policy. Ms. Turner states that the little league has their own insurance, however, if this needed to be unassembled for any reason, it can be taken apart.

President Lawton questions the dimensions. Ms. Turner states that the shed would have a concrete slab and its dimensions would be 12' x 12'.

Member Toppi thanks Ms. Turner for answering her questions, however, it would be nice to have that information. Member Toppi questions who the volunteers are that would be constructing the shed. Ms. Toppi reiterates that she has questions in front of her that she needs answers to in order to make a decision.

Ms. Turner states that those constructing the shed would have to be licensed contractors per the Town ordinance, and there are licensed contractors on their board.

Ms. Turner further states that they will be volunteering their time.

Member Toppi states that going forward, it would be nice to have all that information in order to make an educated decision.

Thomas Hodgkins, 200 Farnum Pike, questions if the Town has written policies/procedures for the use of public fields by nonprofit groups and for profit groups. Mr. Hodgkins states that after hearing this about this agenda item and the last agenda item, it would put everybody on a level playing field by having policies/procedures in place for nonprofit and for profit groups using the fields. Mr. Hodgkins further states it would put everyone on notice about what they would need, and everyone would be treated fairly. Mr. Hodgkins feels that if there is nothing in place, it would be worth considering.

Town Manager Rossi explains that the Parks & Recreation Department is completing that per what was discovered as part of the performance audit. Town Manager Rossi further explains that one of the items was to develop a detailed policy as well as the fee structure for each of those organizations, and this is in the process right now. Town Manager Rossi hopes to have this go before the council in the coming weeks. Town Manager Rossi states that this will “break that out” and specifically name ones that are permitted through the Town now so that it is made clear.

Fire Chief Robert Seltzer suggests adding “follow the proper plan review and permitting process of the Town” to the motion.

Motion is made by Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby authorizes construction of a shed for the Smithfield Little League to be located at Deerfield Park, provided that they follow the proper plan review and permitting process of the Town and having a Memorandum of Understanding (MOU). **Motion is approved by a unanimous 5/0 vote.**

Member Toppi question Solicitor Gallone’s opinion about having an MOU. Solicitor Gallone states that there should be some delineation who is going to manage it and put it in writing so everyone knows what their responsibility is.

Member Tassoni states that the Town has the same thing at Whipple Field. Ms. Turner states there is a press box at Whipple Field.

Member Toppi questions if this is used by multiple people. Member Tassoni states this is used by multiple people.

Vice President Iannotti questions if there is a difference between what is being done and the way it should be done. Solicitor Gallone explains that it is up to this council to set a policy, and there should be a formal agreement as to who will be taking caring of what.

Ms. Turner questions if a simple email would be fine, because this is mentioned in her original request. Solicitor Gallone states that this does not need to be complicated, and because it will be a Town building, it will be added to its insurance policy. Solicitor Gallone suggests ensuring that any structures in the park are covered by insurance policy.

Vice President Iannotti does not think approvals should be made based on emails, and he would like proposals to be outlined properly, an MOU if needed, and if anything that needs to be reviewed by the Town Solicitor gets reviewed. Vice President Iannotti states that is the proper way to do things.

E. Consider, discuss, and act upon a pole petition from RI Energy Co. to install one new pole on Appian Way.

DPW Director Gene Allen states that he forwarded correspondence that he is fine with the location of this pole.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council approve pole petition WR 30841836 from RI Energy Co. to install one new pole #4-50 on Appian Way as described in the attached petition. **Motion is approved by a unanimous 5/0 vote.**

F. Sitting as the Smithfield Water Supply Board, consider, discuss, and act upon authorizing amendment #1 with Beta Group in the amount of fifty-seven thousand dollars and zero cents (\$57,000.00) for additional design costs relating to the Route 116 water main interconnection to the Greenville Water District.

DPW Director and Water Commissioner Gene Allen explains the following: He was previously before the council to approve the design contract for Beta Group to do the interconnection with Greenville Water from Appian Way to Rt. 116 connecting into the existing viaduct coming over to Farnum Pike. At that point, we are looking to go up through the back of the condominium complex and coming out onto Rt. 116. As part of that contract they wanted to do an evaluation of potential routes. At the time they were going to look at two routes, and they looked at a third route which is documented for the members. This is to ensure they are doing their due diligence, spending money wisely and have the best route available. Director Allen reviews the routes with the members.

The Town has almost \$2M worth of grants from Congressionally Directed Spending and Community Project Funding. Both are administered by the EPA, an Environmental Assessment must be performed and cannot be done on a "phase" of a project. He believes that they would qualify for a categorical exclusion, and to do that presentation would cost approximately \$9,000. If denied the exclusion, it would be approximately another \$10,000 to perform the full Environmental Assessment, however, the \$9,000 spent now will be a part of this, therefore, not a waste of money.

Motion is made by Member Tassoni, seconded by Member Toppi, that the Smithfield Town Council, sitting as the Smithfield Water Supply Board, award Amendment #1, in the amount not to exceed \$57,000.00, for the additional design costs for the selected route and the categorical exclusion submission to the USEPA, to Beta Group, Inc. of 701 George Washington Highway, Lincoln, RI 02865. **Motion is approved by a 5/0 vote.**

G. Consider, discuss, and act upon authorizing the purchase and associated costs of a used ambulance from Greenwood Emergency Vehicles in the amount of thirty thousand dollars (\$30,000) to be funded from the Capital Reserve Fund.

Fire Chief Robert Seltzer explains the following: Rescue 3 that was due this June, will be delayed another year which he found out in February. The current truck has 200,000 miles. The requested vehicle is a Block Island rescue and has only 9,900 miles on it.

The plan is to use this vehicle in place of rescue 3, and when rescue 3 becomes available, this vehicle will be placed in reserve.

President Lawton questions the vehicle's exposure to salt water and coating the undercarriage. Chief Seltzer explains that he does not think it needs it because someone checked it, in addition, it was housed all the time and well kept. Chief Seltzer further explains that he will have someone double check.

Vice President Iannotti states that this was unexpected. Chief Seltzer states the rescue was due in June, however, Ford has delayed the production of chassis.

Vice President Iannotti questions the rescue being budgeted in this year's budget because it was expected in June. Chief Seltzer explains that he put it off because it is not due until the next budgeting year. Chief Seltzer reviews the payments with the members.

Town Manager Rossi states that the \$30,000 is available to fund that from other savings that they had.

Motion is made by Member Tassoni, second by Member Kilduff, to purchase one (1) 2014 Chevy Ambulance from Greenwood Emergency Vehicles for a price of \$25,000 and further appropriate an additional \$5,000 to put the truck in service. Purchase appropriation to come from the Capital Reserve Fund. **Motion is approved by a unanimous 5/0 vote.**

H. Consider, discuss, and act upon authorizing a request for proposals for Emergency Medical Services billing.

Chief Seltzer explains the following: The Purchasing Agent put this together, and it was reviewed by the Solicitor. This has not been done for a while. The current vendor charges 6% on the revenue they take in, and having checking with other communities, he is expecting to come in close to 4%.

Motion is made by Member Tassoni, seconded by Vice President Iannotti, that the Smithfield Town Council approves the SFD – Emergency Medical Billing Services Billing Vendor RFP as presented. **Motion is approved by a unanimous 5/0 vote.**

I. Consider, discuss, and act upon authorizing the purchase of a new Ford Superduty F550 4x4 diesel chassis for Fire Department Rescue 5 in the amount of two hundred ninety-nine thousand, eight hundred forty dollars and zero cents (\$299,840.00) from New England Fire Equipment & Apparatus Corporation to be funded through the Smithfield Capital Lease Fund.

Chief Seltzer explains the following: It has taken three (3) years to get ambulances, and the department is due to replace rescue 1 in the 2026 budget. This is going to take approximately one

year and a half. A new rescue at today's prices is \$425,000. This box is in good shape and includes a new chassis, and they replaced the lighting, upholstery, flooring, and repainted it. It looks like a brand new truck. With the amount of runs being made, these are "throw away trucks". In a five (5) year time period 200,000 miles are put on these trucks.

Member Tassoni questions the average runs per week. Chief Seltzer states that the department was doing 390-400 runs per month, and the last two (2) months the department has made over 450 runs per month. Chief Seltzer further states that the department is doing approximately 110-115 runs per week, and the majority is 80% EMS runs.

Motion is made by Member Tassoni, seconded by Vice President Iannotti, to purchase a new Ford Superduty F550 4x4 diesel chassis to remount rescue 5, to include complete patient compartment box refurbishment, from New England Fire Equipment & Apparatus Corporation, for a price of \$299,840 to be funded through Smithfield's Capital Lease Fund. **Motion is approved by a 4/0 vote. Member Kilduff abstains.**

J. Consider, discuss, and act upon authorizing a resolution to finance the purchase of a Ford Superduty F550 4x4 diesel chassis through the Smithfield Capital Lease Fund.

Chief Seltzer explains the following: The resolution before the council this evening is the same resolution used for all of the department's apparatus.

Motion is made by Member Tassoni, seconded by Member Toppi, to approve the resolution that the remount of an ambulance (Rescue 5) be financed through the Town of Smithfield's Capital Lease Fund. **Motion is approved by a 4/0 vote. Member Kilduff abstains.**

K. Consider, discuss, and act upon authorizing Change Order #1 for RGB Architects in an amount not to exceed \$50,000 to extend Owner's Project Management services for the Boyle Athletic Complex through July 31, 2024.

Town Manager Rossi explains the following: This item was approved prior to by the Boyle Athletic Committee, and on the School Committee agenda for approval last evening. This item was included in what our budget is in available funds. It "fell through the cracks" with respect to the timing of when it was to be approved, and luckily the Town has an OPM that continues to work without getting paid. The OPM is definitely owned money. This Change Order is a "not to exceed" \$50,000.

Thomas Hodgkins, 200 Farnum Pike, states the following: The original contract was \$57,700.00, and this Change Order almost doubles the amount of the contract. This is for the concession stand, bidding, and a contract extension through July 2024. On February 20, 2024 there is an extensive agenda item pertaining to the concession stand and the price was \$750,000, and during that meeting, no one brought up that there was going to be an additional \$50,000 of OPM costs (bid prep costs for the concession stand). At that meeting the council committed that there would be no taxpayer dollars used for the concession stand. Mr. Hodgkins questions if that is still the case.

Town Manager Rossi states the following: For the actual concession stand yes, however, the other services have been going on since November, and the concession stand is one (1) piece of that. They have been working since November on different aspects of this project which is included in the overall project budget for the entire Boyle Athletic Complex. The reason for the timing (until July 2024) is all of the closeout paperwork needed for the reimbursement to take place.

Mr. Hodgkins questions how much outside funding the Town has received for the concession stand to date. Town Manager Rossi states the Town has received no funds to date.

Mr. Hodgkins questions how much money the Town has spent on the concession stand to date. Town Manager Rossi states the Town has not spent anything on the concession stand to date.

Mr. Hodgkins questions that money being due once the Town gets a requisition on the concession stand when it is completed. Town Manager Rossi states that this is correct.

Mr. Hodgkins questions if the Town will have \$750,000 by the end of June. Town Manager Rossi states that the Town will not have \$750,000 by the end of June.

Mr. Hodgkins states that Town funds will be used to pay for that. Town Manager Rossi states that Town funds are not going to be used, cash is going to be spent in order to pay for it. Town Manager Rossi further states that all of the funds as discussed at that meeting, are going to be replenished by those funds.

Mr. Hodgkins questions if the council was aware of this \$50,000 at the meeting held on February 20, 2024.

Vice President Iannotti states that this memo is dated March 7, 2024 and states that the “requested Change Order #1 is subject to approval by the Town Council at their March 19, 2024 meeting”.

Member Toppi states that, additionally, the document was signed February 8, 2024. Member Toppi is confused as to why the council is getting this now.

Mr. Hodgkins states the following: A couple of weeks before the February 20, 2024 meeting on the concession stand, the Town was issued a Change Order date February 8, 2024. The meeting comes up and the council is not told about the \$50,000, however, the council is told that it is critical that they vote on the concession stand that night because the work needed to be completed by June 30, 2024. Then there is the Change Order from two (2) weeks before which already envisions that the work is not going to be finished by June 30, 2024 because it is extending the OPM services to July 31, 2024. This seems to be important information for the council to have at the February 20, 2024 meeting before voting on a \$750,000 Change Order.

With respect to fundraising, the issue was brought up on February 20, 2024, and it is his understanding that the School Committee voted to move forward with that fundraising, however, it will be only for maintenance. Mr. Hodgkins questions if there is a plan in place to raise the \$750,000 to build the concession stand.

Vice President Iannotti questions this being handled by the Boyle Athletic Committee.

Town Manager Rossi confirms this, however, the policy is before the School Committee, and he needs them to answer that question.

Mr. Hodgkins states following: The Change Order that has been presented to the council for \$50,000 has no invoices, billing statements or work description. The contract called for additional work to be billed hourly. Mr. Hodgkins questions if the Town has received invoices or billing statements for this \$50,000 Change Order.

Director of Buildings and Grounds Angelo Mencucci explains the following: The OPM is a crucial part of the project, and the Town would not receive RIDE funding without an OPM on the project. In reference to the timing of this Change Order, the School Department goes through a proper channel. It goes before the Boyle Committee, then before the School Committee, and finally, the Town Council. The OPM has been working “at risk” since that time period. When this was brought to their attention, the School Department asked for a contract from them showing a “not to exceed”. That was received and the proper channels were followed. The OPM started in April 2022, and he helped select the architect for the program.

Member Toppi states that she would like to point something out that she just realized; the memo is to the School Committee, and the motion is for the School Committee. Member Toppi feels this is a problem in itself.

Director Menucci states that the Purchasing Agent did send one to the council. Town Manager Rossi questions if there was a different memo from the Purchasing Agent that did not get to him and the council. Director Mencucci believes so. Town Manager Rossi questions the dates because that could be the clarification.

Member Toppi questions what the repercussions would be if this agenda item were “pushed off”. Director Mencucci suggests moving passage, and let him know what he needs to rectify this in order to get before the solicitor.

Member Toppi questions if “legally” the council can pass this agenda item because it is addressed to a different committee.

Finance Director for the School Department Melissa Devine explains the following: The memo the council has before them was her memo to the School Committee, and once the School Committee voted on it, she forwarded it to the council. She believes that the Purchasing Agent puts together his memo, and she thought that that memo had gone forward. The Purchasing Agent typically takes their memo and creates one for the council.

Member Toppi states that this is the third item that the council needs to modify.

Director Devine states that the School Committee did already vote on this item and this date is when she created her memo. Director Devine believes it was right before the meeting was cancelled in April, therefore, it was the previous School Committee meeting. Director Devine questions if this item will be eliminated because the memo is not directed to the council.

Solicitor Gallone explains that this item is listed appropriately on the agenda, however, the council did not have the benefit of backup information. Solicitor Gallone further explains the questions are: Is the project over budget, where is the money coming from, is the \$50,000 in addition to the \$750,000.

Director Devine states the following: This is all part of the budget, and she has met with the Town Manager. The \$50,000 is in the budget and has nothing to do with the \$745,000. There were other savings, however, the OPM is required to be on staff in order for the entire project to be submitted for RIDE approval. The OPM worked at their own risk to continue keeping the project going. In addition to the OPM being required as part of RIDE's process, it is also required that the project is substantially complete by June 30, 2024. His contract goes to July 30, 2024 because punch list items are normally done. Director Devine reminds the members that if those two (2) things do not happen, there will be no reimbursement by RIDE.

Town Manager Rossi offers his apologies, and ensures the members that those individuals responsible for completing the end of the additional memo are addressed in the morning.

Mr. Hodgkins questions if the School Committee or the Town received billing invoices/statements for this \$50,000. Town Manager Rossi states that the Town has not.

Director Devine states that the invoices have been sent over and emailed within the last three (3) – four (4) weeks because the School Department let them know they did not have approval to pay, and the OPM stated he would work at his own risk because he knew how important it was for the project to move forward and meet the deadlines. Director Devine further states that they have invoices being held that will need to be brought forward to the proper governing boards for approval.

Motion is made by Vice President Iannotti, seconded by Member Toppi, to table this agenda item pending the receipt from the Purchasing Agent of a memo. **Motion fails with a vote of 2/3. Members Tassoni, Kilduff, and President Lawton vote nay.**

President Lawton questions if this will slow the project down. Director Devine states it would be up to the OPM if he is going to continue to work at risk.

Director Mencucci states as a point of clarification, the School Department every "letter of the law", the paperwork was submitted on time, it was brought before the proper committees, and the OPM has been working at risk for quite some time. Director Mencucci wants to ensure that the School Department did not make a mistake. Director Mencucci asks the council to take all of this into consideration. Director Mencucci further stands that the grandstands are being installed tomorrow, and he is needed onsite.

Member Toppi states that it puts the council in a "bad spot". Member Toppi further states that it is almost insulting that the council continues to get these things and they are not complete. Member Toppi is in agreement to table this agenda item.

Mr. Hodgkins states that when this comes back to the council, the contract called for additional work to be billed hourly, and the council is being asked to approve an amount for work that has

not been done yet and has not been built yet. Mr. Hodgkins does not feel this complies with the contract to approve some amount for work that is not done yet. Mr. Hodgkins further states the council should be presented with the number that has been built to date, and then billed at a later time again.

Town Manager Rossi states the following: He agrees with the memo not being correct, however, the legal document included in the council packet is legitimate, has been reviewed by the solicitor, and been approved by both the Boyle Athletic Committee and School Committee. Town Manager Rossi reminds the members that this individual has continued to work without getting paid the entire time.

Member Toppi questions they are at risk of. President Lawton explains that if the OPM walks, the project will not be completed in time. Member Toppi questions the worst case scenario. Solicitor Gallone states that if the OPM is not getting paid, he could leave, and reimbursement is risked down the road.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield School Department is seeking approval of change order amendment #1 for RGB Architects in an amount not to exceed fifty thousand dollars (\$50,000) and contract extension date through July 2024. **Motion is approved by a unanimous 3/0 vote. *President Lawton did not ask if anyone was opposed after this motion was made. Vice President Iannotti and Member Toppi wanted to be on the record as voting nay.**

L. Consider, discuss, and act upon authorizing a request for proposals for the purchase of one (1) truck for the School Department.

Member Tassoni states that a nice job was done cleaning out the showers, lockers, and turning off the water.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby authorizes the advertisement of this RFP for the purchase of one (1) 2024 Ford F-350 4x4 Super Cab Pickup XL 148" WB with an 8' Fisher HD2 plow package (supplied and installed), as specified in the RFP. **Motion is approved by a unanimous 5/0 vote.**

M. Consider, discuss, and act upon authorizing a request for proposals for workers' compensation and employers' liability insurance for the School Department.

Director Devine explains the following: This RFP is for workers' compensation and employers' liability insurance for the School Department, and is contractual. This is going to bid from the General Operating Budget.

Member Tassoni questions if this is every three (3) years. Director Devine confirms this is every three (3) years.

Motion is made by Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby authorize the advertisement of (RFP) 24319 for Workers' Compensation Insurance &

Employers' Liability Insurance with a one (1) year term from July 1, 2024 through June 30, 2025, with an option for two (2) additional one (1) year terms, at the sole discretion of the Town and Town and School Committee. **Motion is approved by a unanimous 5/0 vote.**

N. Consider, discuss, and act upon authorizing a request for proposals for group life insurance for the School Department.

Director Devine states this is the same as the last agenda item, however, it is for life insurance. Director Devine further states that this is also contractual and will be bid from the General Operating Budget.

Member Tassoni questions if this is also three (3) years. Director Devine confirms this is three (3) years.

Vice President Iannotti questions group life insurance already being in place, therefore, this would be for a new insurance. Director Devine explains that you can enter into an agreement for up to three (3) years, and the School Department is in its third year which will expire on June 30, 2024.

Vice President Iannotti questions if the employees pay a part of this. Director Devine states that the employees do not pay a part of this.

Vice President Iannotti also questions if this is under contract with the teacher's union. Director Devine explains that this is with all of the bargaining agreements that are placed with the School Department as well as the individual contractual agreements.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby authorize the advertisement of the RFP for Group Life Insurance. **Motion is approved by a unanimous 5/0 vote.**

O. Consider, discuss, and act upon authorizing a request for proposals for the purchase of two (2) mowers for the Parks and Recreation Department subject to review by the Town Solicitor.

Parks & Recreation Director Robert Caine explains the following: This item is to go out for proposals to replace two (2) mowers that the department has had for almost fifteen (15) years. One mower is a 2008 model and the other is a 2012 model. Both have over 5,000 hours on them

Motion is made by Member Tassoni, seconded by Member Kilduff, that subject to Town Solicitor approval, the Smithfield Town Council hereby authorizes the Purchasing Agent to advertise an RFQ on behalf of the Parks & Recreation Department for the purchase of two (2) Zero Turn mowers, including fit-ups or equivalent. **Motion is approved by a unanimous 5/0 vote.**

P. Consider, discuss, and act upon authorizing a request for proposals for financial audit services for Fiscal Year 2024.

Finance Director Caitlyn Choiniere explains the following: She is requesting authorization of an RFQ for financial audit services with two (2) one (1) year extensions.

Vice President Iannotti questions if the School Department is billed separately for audit services. Director Choiniere states they are not billed separately. Town Manager Rossi states that we are all billed under same, and the Town pays for the whole thing.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby authorizes the advertisement of an RFP for Financial Audit Services and Agreed Upon Procedures (including School Department) for Fiscal Year Ending June 30, 2024, with two, one year extensions for Fiscal Years Ending June 30, 2025 and June 30, 2026. **Motion is approved by a unanimous 5/0 vote.**

Q. Consider, discuss, and act upon authorizing a request for proposals for the East Smithfield Neighborhood Center Phase 2 rehabilitation and renovations subject to review by the Town Solicitor.

Town Manager Rossi explains the following: This coincides with the grant the Town received for the ESNC. Phase 2 will do the complete buildout for the center to get it fully operational.

Vice President Iannotti questions if there are detailed plans as to what the job is. Town Manager Rossi explains that there is an electronic system, and the bidders will be downloading the information.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby authorizes the advertisement of the Request for Proposals for the East Smithfield Neighborhood Center Rehabilitation & renovations – **Phase 2** as outlined in the attached documents. Subject to architects final review and Town Solicitor approval. **Motion is approved by a unanimous 5/0 vote.**

R. Consider, discuss, and act upon authorizing a request for proposals to furnish and install vape detector/sensors in two (2) school buildings subject to review by the Town Solicitor.

Director Mencucci explains the following: This a for a vape detection system for bid, and the funding source will be Title 4 grants. These systems will be installed in the middle and high school in various lavatory locations. In Attachment A this is broken out because they would like to save money by seeing what the vendor comes forward with for costs associated with the purchase of the Halo system. If the School Department is looking to purchase the Halo system themselves, and supply that to the vendor to install, this will save with costs associated with this project.

Member Toppi questions if there are any other school systems in RI that use these. Director Mencucci explains that they had a site visit in South Kingstown, and the Halo system is the most used and most reliable under the conditions found in a school environment.

Member Toppi questions why a bathroom monitor is not sufficient and why are they needed. Director Mencucci explains that a bathroom monitor is located outside of a lavatory, and vaping is very hard to detect because it has very little odor, however, it has a moisture barrier that surrounds it.

Member Toppi states that she looked at the website which stated that schools can also use the sensor as an anti-bullying tool by programming the device to monitor for certain spoken words, aggressive behavior, device tampering, and gunshots.

Member Kilduff states that there are three (3) different kinds of systems because he also looked it up, and they are only buying the one for vape.

Member Toppi states that the system appears to have different capabilities. Director Mencucci states not the one that they are purchasing, however, HALO makes sensors for just about anything. Director Mencucci further states that all this sensor will do is give an electronic signal to a cellphone or a designated person, and proper response to an incident.

Member Toppi states that this system did not have super favorable reviews, and in general, she is not favorable to this kind of surveillance stuff.

Vice President Iannotti questions the funding for this coming solely from grants and not from school funding. Director Mencucci states there is a Title 4 grant that is earmarked for this and the grant has already been received.

Member Kilduff assumes they will be mounted on the ceiling, and he questions if there is any fear they will be ripped off the ceiling. Director Mencucci states that there is concern about them being ripped off the ceiling. Director Mencucci further states that there are heat monitors that are also in the lavatories, and there has not been much vandalism.

Member Kilduff questions who the alert is sent to when the alarms go off. Director Mencucci states that the alert is sent to central administration in the building itself.

Member Toppi states that one review called them “useless and false/positive driving us mad at the school. Kids spray deodorant and it goes off”. Director Mencucci states that is factual.

Vice President Iannotti questions if these could be more trouble than they are worth. Director Mencucci states he does not know that yet, however, he believes that moving forward in a positive direction to try to curve this issue, is the right direction to go, and he hopes to find those answers in the future.

Member Tassoni states this is a problem in every school district even in Catholic schools, and if they are not installed, we are inviting this to keep on going.

Adel Cabral, 15 Stony Lane, states that he is a hall monitor two periods every seven (7) days, and he cannot physically go into the stalls. Mr. Cabral further states that this is a deterrent for students, and it is a “try” that will not cost any money.

Member Kilduff questions if the advertisement is for the grants. Town Manager Rossi explains that this RFP is for actual specifications to get bidders to come up with the amount funded by the grant.

Director Mencucci states that he is only expecting a 3C device, cannot say what capabilities it will do, however, they would not initiate such a thing; this is just to trace vaping in the lavatories.

Member Toppi does not feel she is getting a clear answer. Member Toppi wants confirmation that the School Department is getting one that does not have those capabilities because if those capabilities can be implemented in the future, she is definitely against that. Director Mencucci states that may be considered an invasion of privacy.

Superintendent Dawn Bartz explains the following: The School Department has different mechanisms for bullying. This is not for bullying, this is a deterrent for vaping and there is a health safety issue. They have federal grants that can be applied for the installation of these in two (2) of the schools. She feels they are absolutely necessary, and they need to move forward with this.

Member Toppi questions if these have the capabilities. Superintendent Bartz states that she is not aware of them having this capability, and it is the first she is hearing of this. Superintendent Bartz further states that the grant is directly for vaping in bathrooms.

Vice President Iannotti questions what happens when one (1) of devices goes off. Superintendent Bartz explains the following: It is programmed, via an application, on the principal's phone. Vaping would typically take place in between classes, and administrators are already out, and teachers are getting ready to go back into their classrooms. It is easy to determine which bathroom, and easy to intercede and find out. There are three (3) administrators for seven hundred and fifty (750) students, and this will allow them to exactly pinpoint where it is and to be in that location because a vape detector has gone off on their phone.

Superintendent Bartz reminds the members that vaping can be used for different things including drug use. Superintendent Bartz also reminds the members this is for student safety and could also avert a tragedy.

Motion is made by Member Kilduff, seconded by Member Tassoni, that the Smithfield Town Council hereby authorizes the advertisement of the RFP #240430 to furnish and install vape detector/sensors in two (2) schools buildings. Subject to Town Solicitor approval. **Motion is approved by a 4/0 vote. Member Toppi abstains.**

S. Consider, discuss, and act upon authorizing a bid award for 2024 Statistical Revaluation Services.

Tax Assessor Christopher Celeste explains the following: A bid from Vision Appraisal was the only bid received, who has been doing the revaluations for many cycles. A letter was received from Tyler Technology stating they would not be bidding at this time. He reviewed the proposals, and he has worked with Vision in the past.

Motion is made by Member Tassoni, seconded by Vice President Iannotti, that the Smithfield Town Council hereby award the revaluation of real property contract, to the only qualified bidder, Vision Government Solutions with a cost not to exceed one hundred-sixteen thousand dollars (\$116,000). **Motion is approved by a unanimous 5/0 vote.**

T. Consider, discuss, and act upon a bid award for one (1) truck for the School Department.

Director Menucci explains the following: This is for the food truck, with 67% of the funding coming from the food service program. The bidder does have a truck and chassis in stock, which is rare. They would just have to wait for the box to be installed. They would most likely have this vehicle by the end of September.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Yown Council hereby award the School Department purchase on one (1) 2024 Ford F-650, 16ft. box truck with stow away lift gate for an amount not to exceed eighty-nine thousand, six hundred and ninety-five dollars (\$89,695.00). Subject to School Committee approval at the May 6, 2024 meeting. **Motion is approved by a unanimous 5/0 vote.**

U. Consider, discuss, and act upon a bid award for boiler cleaning for the School Department.

Member Tassoni questions if the boilers are gas or oil. Director Menucci explains that these are gas fired condensing boilers that are very high efficiency, and the reason why they are only doing the three (3) elementary schools is because previously they were under warranty and the cleaning was covered. Director Menucci further explains now that new vessels have been installed in the high school and middle school, only the elementary schools and the administration building will need cleaning (the administration building is an oil fired vessel).

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby award the contract for boiler cleaning services at four (4) school building locations for the period of July 1, 2024 to June 30, 2025 for an amount not to exceed fourteen thousand six-hundred and nine dollars and seventy-four cents (\$14,609.74). Subject to School Committee approval at their May 6, 2024 meeting. **Motion is approved by a unanimous 5/0 vote.**

V. Consider, discuss, and act upon a bid award for concession services at Deerfield Park.

Director Caine explains the following: They have gone out to bid a couple of times for this concession stand in an attempt to open concession stand for a longer period of time. Only one (1) bid was received, and they are also the company that serve the ice rink.

Member Tassoni questions the cost. Director Caine states that the cost is \$2,800 per year.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby approve the concession services at the Play for All Pavilion/concession stand at Deerfield Park contract, to the only qualified bidder, Cagney Food Services, located at 212 Andrews Ave., West Warwick, RI for the first year (April 2024 to October 2024) at an amount to the Town of two thousand, eight hundred, dollars (\$2,800.00), paid quarterly and optional two year extension (April 2025 to October 2026) at an amount for the Town of six thousand, three hundred dollars (\$6,300.00) also paid quarterly. **Motion is approved by a unanimous 5/0 vote.**

W. Consider, discuss, and act upon a short-term contract renewal with Veolia Water for operation and maintenance of wastewater treatment facilities.

Town Manager Rossi explains the following: This is the last small extension for the sewer treatment plant. This will allow the Town to stay with Veolia Water through June 30, 2024. The full, long-term contract will be finalized and before the council in anticipation of that.

Vice President Iannotti questions the reference made to the 2013 contract. Town Manager Rossi states this is based on the current one that is existing because the new contract has not been finalized.

Motion is made by Member Tassoni, seconded by Member Kilduff, that the Smithfield Town Council hereby authorizes a short-term contract renewal agreement until June 30, 2024, as proposed by Veolia Water, NA for operation & maintenance services at the wastewater treatment facilities. **Motion is approved by a unanimous 5/0 vote.**

XII. Public Comment:

Thomas Hodgkins, 200 Farnum Pike, states the following: He sent a letter to the council this morning addressing a few issues. One of those being recent meetings held by the Greenville Library. On their agenda of April 25, 2024, they convened into executive session to discuss litigation. This is not a description that complies with the Open Meetings Act. There are two (2) options, they violated that Act, and they discussed one (1) of the two (2) ongoing litigations that they we know about. Maybe it was potential litigation, and they left off the word “potential” or threatened litigation. He thinks the Town should have an answer for that for the budget hearing which is why he is asking the council now to get an answer as to what was meant by that agenda item. He thinks the response will be it was about the old stuff, there is potential litigation or they say they are not going to tell you because they don’t have to. Any of the answers will be informative for the budget process before the council votes on the budget in June.

Edward DeMayo, 75 Whipple Road, states that he is agreement with Member Toppi with respect to the vaping sensors, and if it goes into another phase, it would be in writing that they are uninstalled. Mr. DeMayo questions if there is a rental fee. Mr. DeMayo thinks if this is being funded by grants, it is a win/win.

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 9:08 p.m.

Town Clerk

Recommended Motion:

That the Smithfield Town Council hereby schedules a public hearing on June 18, 2024 on the proposed Fiscal Year 2025 budget.

This advertisement will appear in the Providence Journal: **6/5/2024**

This advertisement will appear in the Observer: **6/6/2024**

NOTICE OF PROPOSED PROPERTY TAX RATE CHANGE

The Town of Smithfield proposes to increase its property tax levy to \$61,602,883 in the 2024-2025 budget year; the property tax levy this year is \$60,556,967. **THIS IS A PROPOSED INCREASE OF 1.73%**

An increase in the proposed tax levy will result in a property tax rate of **\$14.53** for residential real estate per \$1,000 of assessed valuation, as compared to the current property tax rate of \$13.72 per \$1,000 of assessed valuation, and **\$20.33** per \$1,000 of assessed valuation for commercial and industrial, as compared to the current property tax rate of \$19.20 per \$1,000 of assessed valuation. Tangible personal property will result in a property tax rate of **\$59.74** per \$1,000 of assessed valuation as compared to the current rate of \$59.74.

A property tax rate of \$14.96 for residential real estate, \$20.94 for commercial real estate and \$59.74 for tangible personal property would be needed in the coming budget year to raise the maximum levy authorized by section 44-5-2 of the general laws.

The Town of Smithfield's budget for fiscal year 2025 will be considered at a Town Council Meeting on Tuesday, June 18, 2024 at 7:00 PM in the Town Council Chambers of Town Hall, 64 Farnum Pike Smithfield, RI 02917.

The above property tax estimates have been computed in a manner approved by the Rhode Island Department of Revenue.

T. Michael Lawton
Town Council President

REPORT TO TAXPAYERS ON CURRENT AND PROPOSED BUDGET

Expenditures - Function or Purpose	Amounts Actually	
	Budgeted for	
	Current Year	Proposed Budget Year
	Operations/Capital 2023-2024	Operations/Capital 2024-2025
1. Education	\$ 43,200,372	\$ 44,687,865
2. General Financial Administration	1,007,473	1,073,773
3. Public Works	3,834,511	4,222,108
4. Police Protection and Animal Control	9,815,864	10,355,701
5. Fire Protection	11,390,241	12,244,973
6. Sewerage	1,100	1,200
7. Other Sanitation	1,707,343	1,760,881
8. Parks, Recreation and Neighborhood Center	1,017,786	1,033,412
9. Interest on General Debt	1,872,388	1,753,389
10. Principal on General Debt	2,845,000	3,755,000
11. General Government	3,522,590	3,677,319
12. Town-Wide Obligations	3,082,701	3,229,362
13. Libraries	1,552,709	1,560,039
14. Revaluation	65,000	65,000
15. Boards & Commissions	106,405	110,681
16. Municipal Capital Improvements	1,602,499	2,070,440
Total Expenditures	\$ 86,623,982	\$ 91,601,143
 Revenues		
1. Local Property Taxes	\$ 60,421,959	\$ 61,602,883
2. State		
Municipal State Aid	11,240,764	13,986,290
School State Aid	8,742,214	9,787,396
3. Federal	951,300	1,049,522
4. Local (Non-Property)		
Miscellaneous Revenue and Interest	2,684,247	2,768,553
Fund Balance Transfers	600,000	600,000
Capital Expenditures and Operations Funds	1,983,498	1,806,499
Total Revenues	\$ 86,623,982	\$ 91,601,143

Certification: This is to certify that data contained in this report is accurate to the best of my knowledge.

Date: May 13, 2023

T. Michael Lawton
Town Council President

Town of Smithfield Rhode Island

2025 Operating Budget

BUDGET & FINANCIAL REVIEW BOARD'S APPROVED

May 8, 2024



Smithfield Town Hall

64 Farnum Pike

Smithfield, RI 02917

Phone: (401) 233-1000 ▪ Fax: (401) 233-1080

Hours: 8:30 am – 4:30 pm ▪ Monday through Friday

SMITHFIELDRI.GOV

Town of Smithfield
Fiscal Year 2024 - 2025
Budget & Financial Review Board - Adopted 5/8/2024
General Fund
 Budget Book Addendum for Tax Rate Computation

	Page #	FY 2025 Pre-Adoption Amount	FY 2025 B&FRB Amendments	FY 2025 B&FRB Adopted
<u>Revenue Adjustments:</u>				
State Tangible Exemptions	Exhibit-D	\$2,837,278	(1,563,775)	\$1,273,503
Local Taxes (Tax Levy)	Exhibit-D	\$59,697,108	1,905,775	\$61,602,883
Total Revenue Adjustment			<u>\$342,000</u>	
<u>Expenditure Adjustments:</u>				
Capital Improvement Projects - Fire Department	Exhibit - G	\$434,000		\$476,000
800 MHz Mobile Radios for Apparatus			18,000	
Stretcher Replacement - Stryker			24,000	
			<u>\$42,000</u>	
Capital Improvement Projects - Legislative and Policy Direction	Exhibit - G	\$595,000		\$895,000
School Capital Reserve Fund			300,000	
Capital Improvement Projects - Senior Center	Exhibit - G	\$92,000		\$0
Senior Van Replacement			(92,000)	
Greenville Public Library	Exhibit - H	\$953,152		\$941,850
Town Appropriation	Page 89		(11,302)	
Public Works	Exhibit - H	\$5,879,687		\$5,982,989
1-01-042-0584 Special Projects - Highway Resurfacing	Page 113		103,302	
Total Expenditure Adjustment			<u>\$342,000</u>	
Net Change to the Fiscal Year 2025 Budget			<u>\$0</u>	

EXHIBIT A**TAX RATE DISCLOSURE**

**Town of Smithfield
BUDGET ANALYSIS
FISCAL YEAR 2024-2025**

Current Year - Proposed (ESTIMATED)

	Gross Assessed Valuation	Exemptions	Net Assessed Valuation
Residential - Real Estate	2,055,796,481	(5,361,579)	2,050,434,902
Commercial - Real Estate	856,437,955	(47,794,496)	808,643,459
Real Estate - Frozen (Market Value)	678,306,380	(21,779,447)	656,526,933
Tangible Property	225,528,240	(95,611,649)	129,916,591

Tax Levy		Proposed Tax Rate	Prior Year Tax Rate	Increase \$	Increase %
Residential - Real Estate	29,792,819	14.53	13.72	0.81	5.90%
Commercial - Real Estate	16,442,574	20.33	19.20	1.13	5.90%
Real Estate - Frozen	7,606,272				
Tangible Property	7,761,217	59.74	59.74	0.00	0.00%
	<u>61,602,883</u>				

Tax Levies	
Proposed Year Tax Levy	61,602,883
Prior Year Tax Levy	60,556,967
Levy Increase - Amount	1,045,916
Levy Increase - %	1.73%

Budget Expenses	
GROSS Budget	\$ 91,601,143
TOTAL Revenues	29,998,260
NET Budget (Tax Levy)	<u>\$ 61,602,883</u>
Current Estimated Tax Levy	<u>\$ 61,602,883</u>

EXHIBIT B
Town of Smithfield
FISCAL YEAR 2025
TAX RATE INFORMATION SUMMARY

	TAX RATE		PERCENT		TAX RATE		PERCENT		TOTAL		AMOUNT OF		AMOUNT FROM OTHER		TOTAL BUDGET
	RESIDENTIAL REAL ESTATE (1)	REAL ESTATE (1)	COMMERCIAL REAL ESTATE	CHANGE	CHANGE	CHANGE	CHANGE	TAX LEVY	FUND BALANCE UTILIZED	TAX LEVY	FUND BALANCE UTILIZED	ESCROW FUNDS UTILIZED	ESCROW FUNDS UTILIZED		
FY 2025	\$14.53		\$20.33	5.90%	5.90%		\$ 61,602,883	\$ 600,000	\$ 1,806,499	\$ 91,601,143					
FY 2024	13.72		19.20	2.69%	2.67%		60,556,967	600,000	1,983,498	86,623,982					
FY 2023 Revaluation	13.36		18.70	0.00%	0.00%		58,247,330	600,000	2,140,885	82,986,155					
FY 2022	17.13		19.20	1.90%	4.63%		60,045,093	600,000	1,775,847	78,754,901					
FY 2021	16.81		18.35	0.00%	0.00%		59,670,761	600,000	1,870,547	76,700,583					
FY 2020 Revaluation	16.81		18.35	-4.27%	-0.27%		59,752,045	600,000	1,930,998	74,809,085					
FY 2019	17.56		18.40	0.00%	0.00%		58,146,492	600,000	2,567,827	74,502,662					
FY 2018	17.56		18.40	4.96%	4.96%		58,127,981	600,000	3,155,000	72,285,519					
FY 2017 Revaluation	16.73		17.53	-4.78%			56,132,554	600,000	2,765,000	69,045,313					
FY 2016	17.57			2.57%			55,094,768	600,000	2,253,300	67,028,007					
FY 2015	17.13			-2.23%			53,767,983	550,000	2,230,000	64,785,731					
FY 2014 Revaluation (3)	17.52			1.63%			51,713,919	550,000	2,679,182	64,224,223					
FY 2013	16.02			1.07%			50,485,821	656,744	3,346,375	62,048,443					
FY 2012	15.85			1.67%			49,357,184	450,000	4,661,500	61,942,487					
FY 2011 Revaluation	15.59			11.52% (2)			48,233,106	850,000	3,818,674	60,619,089					
FY 2010	13.98			2.19%			46,156,583	-	3,500,373	60,970,586					
FY 2009	13.68			3.40%			44,064,149	-	3,820,444	61,538,789					
FY 2008 Revaluation	13.23			5.19%			41,966,249	-	2,375,833	58,235,323					
FY 2007	15.40			4.90%			39,873,408	-	2,217,704	54,947,763					
FY 2006	14.68			5.23%			37,721,249	-	2,198,266	51,766,323					
FY 2005 Revaluation	13.95			5.50%			35,369,460	-	2,334,444	49,264,872					
FY 2004	21.40			8.74%			33,020,550	-	3,331,472	48,100,401					
FY 2003	19.68			5.47%			32,372,871	-	1,647,627	44,336,416					
FY 2002 Revaluation	18.66			0.00%			29,800,739	100,000	1,040,000	40,622,741					
FY 2001	22.40			0.00%			27,891,542	-	1,314,000	38,183,918					
FY 2000	22.40			9.75%			27,754,385	-	971,500	36,236,885					
FY 1999	20.41			2.56%			25,521,694	1,220,000	1,413,334	34,374,592					
FY 1998	19.90			0.00%			24,391,296	1,375,000	1,457,500	33,429,754					

Notes:

- The town has utilized \$11,151,744 in Fund Balance and \$64,801,130 in escrow funds in prior years budgetary procedures.
- 1) Percentage increase is calculated using the revaluation adjusted rate.
- 2) Percentage is based on rate increase, actual tax increase was a 4.5% increase due to revaluation.

Town of Smithfield
GENERAL FUND
SUMMARY OF REVENUES, TRANSFERS
AND EXPENDITURES ON *BUDGETARY BASIS*
FISCAL YEAR 2025

	FY 2022¹	FY 2023¹	Appropriated FY 2024	Projected FY 2024	Anticipated FY 2025
<u>REVENUE AND TRANSFERS:</u>					
School State Aid	\$ 6,966,851	\$ 7,215,401	\$ 8,742,214	\$ 8,742,214	\$ 9,787,396
School Receipts - Miscellaneous	601,843	607,179	586,548	586,548	622,400
Property Taxes	60,202,797	58,132,647	60,421,959	60,332,809	61,602,883
Intergovernmental Revenue	6,139,896	11,688,892	11,240,764	11,240,764	13,986,290
Licenses, Fees and Permits	1,276,283	1,133,911	975,000	1,121,463	975,000
Departmental Revenue	642,464	454,475	1,568,999	1,568,999	1,690,675
Miscellaneous	457,010	1,391,744	505,000	505,000	530,000
Other Financing Sources	3,862,834	2,799,123	600,000	600,000	600,000
Revenue for Capital Exp. and Operations	1,531,897	1,066,897	1,983,498	1,983,498	1,806,499
Total Revenue and Transfers	\$ 81,681,876	\$ 84,490,269	\$ 86,623,982	\$ 86,681,295	\$ 91,601,143
<u>EXPENDITURES:</u>					
General Government	\$ 3,586,511	\$ 3,731,096	\$ 4,056,999	\$ 3,994,370	\$ 4,259,339
Public Safety	20,596,990	21,422,702	21,206,104	21,178,601	22,600,674
Public Works	4,618,687	4,328,439	5,541,854	5,536,854	5,982,989
Public Health and Assistance	14,500	14,500	25,325	25,325	25,325
Recreation and Senior Center	1,222,941	1,308,154	1,522,581	1,533,081	1,560,921
Libraries	1,471,571	1,501,002	1,552,709	1,529,215	1,560,039
Education	40,418,021	40,979,602	43,200,372	43,346,835	44,687,865
Miscellaneous	2,568,534	2,785,666	3,198,151	3,237,127	3,345,162
Debt Service	2,979,560	4,443,687	4,717,388	4,717,388	5,508,389
Municipal Capital Improvements	1,393,032	1,171,827	1,602,499	1,582,499	2,070,440
Total Expenditures	\$ 78,870,347	\$ 81,686,677	\$ 86,623,982	\$ 86,681,295	\$ 91,601,143
EXCESS OF REVENUES AND TRANSFERS OVER EXPENDITURES INCLUDING RUBS ²	\$ 2,811,529	\$ 2,803,592	\$ (0)	\$ 0	\$ 0

Note: 1. FY 2022 and 2023 are audited amounts.
2. RUB = Reappropriated Unexpended Balance

Town of Smithfield
GENERAL FUND

ACTUAL AND ANTICIPATED REVENUES
FISCAL YEAR 2025

	FY 2022	FY 2023	Appropriated FY 2024	Projected FY 2024	Anticipated FY 2025
<u>MISCELLANEOUS STATE & LOCAL REVENUES</u>					
<u>School Aid</u>					
State Aid Schools	6,966,851	7,215,401	8,742,214	8,742,214	9,787,396
<u>State Revenues</u>					
School Housing Aid	267,750	2,003,330	1,561,250	1,561,250	2,661,250
Municipal Incentive Aid	-	40,000	-	-	-
Payment-in-lieu of Taxes - University/Airport	900,667	954,846	941,869	941,869	1,217,452
Telephone Tax	258,355	269,260	269,260	269,260	289,652
Hotel Tax / Meals Tax	1,153,398	1,322,762	1,369,691	1,369,691	1,445,739
Motor Vehicle Phase-out	3,559,726	7,098,694	7,098,694	7,098,694	7,098,694
State Tangible Exemptions	-	-	-	-	1,273,503
<u>Federal Aid</u>					
SAFER Grant	196,061	-	951,300	951,300	1,049,522
<u>Local - Non-Property Tax Revenue</u>					
School Miscellaneous	601,843	607,179	586,548	586,548	622,400
Departmental Revenue	446,403	454,475	617,699	617,699	641,153
Local Miscellaneous	123,649	106,251	200,000	200,000	200,000
Licenses, Fees and Permits	1,276,283	1,133,911	975,000	975,000	975,000
Impact Fees	75,000	645,975	-	-	-
Interest on Invested Funds	(12,464)	421,286	25,000	25,000	50,000
Interest on Taxes	270,825	218,232	280,000	280,000	280,000
<u>Revenue for Capital Exp. and Operations</u>					
Revenue for Capital Exp. and Operations	1,531,897	1,066,897	1,983,498	1,983,498	1,806,499
<u>Other Financing Sources</u>					
Lease Proceeds	146,537	-	-	-	-
Transfers from Fund Balance	3,716,297	2,799,123	600,000	600,000	600,000
Total Miscellaneous Revenue	21,479,078	26,357,622	26,202,023	26,202,023	29,998,260
<u>Local Property Tax Revenues</u>	60,202,797	58,132,647	60,421,959	60,332,809	61,602,883
TOTAL - ACTUAL AND ANTICIPATED REVENUES	\$ 81,681,876	\$ 84,490,269	\$ 86,623,982	\$ 86,534,832	\$ 91,601,143

Town of Smithfield

GENERAL FUND

REVENUE DETAIL SUMMARY FISCAL YEAR 2025

ANTICIPATED REVENUE - GENERAL FUND	FY 2024 - 2025
<u>Miscellaneous State & Local Revenue</u>	
<u>State Revenues</u>	
School Housing Aid	\$ 2,661,250
Payment-in-Lieu of Taxes - University & Airport	1,217,452
Telephone Tax	289,652
Hotel Tax / Meals Tax	1,445,739
Motor Vehicle Phase-out	7,098,694
State Tangible Exemption	1,273,503
Total - State Revenues:	13,986,290
 <u>Federal Aid</u>	
SAFER Grant	1,049,522
Total - Federal Revenues:	1,049,522
 <u>Local - Non-Property Tax Revenue</u>	
Local Miscellaneous - Town	1,316,660
Local Miscellaneous - School	622,400
Impact Fees	-
Indirect Cost Transfers from Enterprise Funds	499,493
Reserve for Future Tax Assessments	600,000
Interest on Invested Funds	50,000
Interest on Taxes	280,000
Total - Local Miscellaneous:	3,368,553
Total - State & Local Revenues	18,404,365
 <u>Revenue for Capital Expenditures and Operations</u>	
Rescue Billing Fund	1,100,000
Police Capital Equipment Escrow Fund	256,499
Capital Reserve Fund	450,000
Total - Capital Expenditures and Operations Revenues	1,806,499
 <u>School Revenues - State Aid</u>	
State Aid School	9,787,396
 <u>Local Property Tax Revenues</u>	
Local Taxes (Tax Levy)	61,602,883
TOTAL - ANTICIPATED REVENUE	\$ 91,601,143

Town of Smithfield
GENERAL FUND & ENTERPRISE FUNDS

EXPENDITURES - SUMMARY BY DEPARTMENT
FISCAL YEAR 2025

Dept #	Department	FY 2022 Actual	FY 2023 Actual	FY 2024 Appropriation	FY 2024 Projected	FY 2024-2025 Request	FY 2024-2025 Town Manager's	FY 2024-2025 B&FRB Budget
010	1 Building Official	462,524	472,515	527,864	486,478	532,101	507,751	507,751
008	2 Treasurer-Tax Collector	696,562	653,905	703,795	673,278	753,467	745,931	745,931
009	3 Tax Assessor	269,559	284,679	303,678	302,678	329,842	327,842	327,842
031	4 Fire Department	10,540,669	11,225,768	11,390,241	11,362,046	12,365,376	12,244,973	12,244,973
072	5 East Smithfield Library	575,849	587,365	610,859	587,365	731,212	618,189	618,189
071	6 Greenville Library	895,722	913,637	941,850	941,850	974,737	953,152	941,850
074	7 Senior Center Department	453,389	444,755	504,795	504,795	528,509	527,509	527,509
073	8 East Smithfield Neighborhood Center	-	-	6,465	6,465	6,465	6,465	6,465
007	9 Planning and Economic Development	211,491	212,927	234,121	234,121	241,840	242,740	242,740
032	10 Police Department	9,828,057	9,963,468	9,556,187	9,556,187	10,182,404	10,102,774	10,102,774
033	11 Animal Control	228,265	233,467	259,677	260,368	260,807	252,927	252,927
041-044	12 Public Works	4,618,687	4,328,439	5,541,854	5,536,854	6,922,835	5,879,687	5,982,989
048	13 Parks and Recreation	769,552	863,399	1,011,321	1,021,821	1,064,864	1,026,947	1,026,947
011	14 Town Engineer	325,237	339,622	396,557	382,280	418,355	415,855	415,855
070	15 School Department	40,418,021	40,979,602	43,200,372	43,346,835	45,636,271	44,687,865	44,687,865
006	16 Town Clerk	322,391	344,123	416,342	414,318	424,909	424,909	424,909
004	17 Town Manager	443,575	526,683	505,385	505,245	589,558	589,558	589,558
020	18 Town Hall	148,730	129,481	171,536	178,869	177,587	170,205	170,205
016	19 Human Services	-	-	10,825	10,825	10,825	10,825	10,825
034	20 Emergency Management Agency	102,752	105,849	120,496	120,496	122,483	122,483	122,483
001, 002	21 Legislative and Policy	563,524	572,817	570,819	590,627	601,384	601,384	601,384
081	22 Town-Aided Programs	60,350	61,300	63,850	63,850	64,100	64,100	64,100
060	23 Board of Assessment Review	135	300	250	300	300	300	300
053	24 Board of Canvassers	12,423	50,077	53,350	53,350	50,676	50,676	50,676
054	25 Conservation Commission	15,994	24,743	20,730	20,730	27,730	27,730	27,730
055	26 Economic Development Commission	1,530	2,250	2,750	2,400	2,400	2,400	2,400
049	27 Land Trust Commission	4,006	5,296	11,200	11,200	11,200	11,200	11,200
051	28 Planning Board	400	1,000	1,250	3,000	3,000	3,000	3,000
057	29 Soil Erosion Committee	250	300	875	500	875	875	875
058	30 Board of Affordable Housing	250	-	1,500	-	-	-	-
057	31 Zoning Board	4,925	4,531	8,500	8,500	8,500	8,500	8,500
052	32 Other Boards & Commissions	254	-	6,000	6,000	6,000	6,000	6,000
021	33 System-Wide Municipal Obligations	2,522,684	2,738,866	3,148,801	3,187,777	3,473,165	3,295,562	3,295,562
090	34 Municipal Debt Service	2,979,560	4,443,687	4,717,388	4,717,388	5,508,389	5,508,389	5,508,389
099	35 Municipal Capital Improvements	1,393,032	1,171,827	1,602,499	1,582,499	3,355,940	1,820,440	2,070,440
	Total General Fund Expenditures	78,870,347	81,686,677	86,623,982	86,681,295	95,388,103	91,259,143	91,601,143
	1 Smithfield Sewer Authority	3,604,381	3,767,764	4,079,711	3,988,711	4,013,668	4,022,142	4,022,142
	2 Smithfield Water Supply Board	1,768,072	1,782,818	2,240,925	2,240,925	2,301,025	2,303,337	2,303,337
	3 Smithfield Ice Rink	729,444	803,696	778,192	691,158	989,541	989,541	989,541
	Total Enterprise Fund Expenditures	6,101,897	6,354,279	7,098,828	6,920,794	7,304,234	7,315,020	7,315,020
	TOTAL EXPENDITURES	\$ 84,972,245	\$ 88,040,955	93,722,810	\$ 93,602,089	102,692,338	98,574,163	98,916,163

Town of Smithfield
GENERAL FUND
CAPITAL IMPROVEMENT PROJECTS
FISCAL YEAR 2025

FIRE DEPARTMENT

Protective Clothing	\$	50,000
New Fire Pumper - Engine 1 - Payment 1 of 4		120,000
Tower Ladder 1 - Payment 2 of 5		156,000
JAWS Replacement		45,000
Fire Hose Replacement		16,000
Roof Replacement		10,000
CO Meters		22,000
Station #1 Flooring		15,000
800 MHz Mobile Radios for Apparatus		18,000
Stretcher Replacement - Stryker		24,000
		476,000
<i>Total Fire Department</i>	\$	476,000

POLICE DEPARTMENT

Replace 4 aging Police Vehicles, Payment (1 of 4)	\$	60,000
Firearms Transition Program		55,000
New Variable Message Sign		18,000
4 - 2022 Cruisers, Payment (3 of 4)		67,918
4 - 2021 Cruisers, Payment (2 of 4)		43,581
Taser Replacement, Payment (3 of 5)		12,000
		256,499
<i>Total Police Department</i>	\$	256,499

PUBLIC WORKS DEPARTMENT

Lease Payment - Heavy Duty Fleet Vehicles (4 of 4)	\$	108,250
Lease Payment - Equipment Replacement (2 of 4)		121,500
Lease Payment - Fleet Replacement (1 of 4)		113,191
Wash Bay at DPW Facility (DEM Inspection) design and construction		100,000
		442,941
<i>Total Public Works Department</i>	\$	442,941

LEGISLATIVE AND POLICY

Mountindale Road Culvert Design (Payment 2)	\$	275,000
Spencer Street Drainage Bypass		55,000
Julien Street Culvert Replacement		65,000
School Capital Reserve Fund		400,000
Camp Sheppard Lease Payment (3 of 10)		100,000
		895,000
<i>Total Legislative and Policy</i>	\$	895,000

<i>PROPOSED CAPITAL IMPROVEMENT PROJECTS</i>		\$ 2,070,440
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LESS: REVENUE TOWARD PROJECTS

Police Department Equipment Account	\$	256,499
Fire Department - Rescue Billing		476,000
Capital Reserve Fund		450,000
		1,182,499
<i>Total Revenue/Grants Toward Projects</i>	\$	1,182,499

TOTAL TAX LEVY UTILIZED FOR PROPOSED CAPITAL IMPROVEMENT PROJECTS

LESS REVENUE TOWARDS PROJECTS		\$ 887,941
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Town of Smithfield
GENERAL FUND & ENTERPRISE FUNDS

OPERATING EXPENDITURES BY DEPARTMENT

FISCAL YEAR 2025

COMPARISON OF FY 2024 APPROPRIATED AND FY 2025 PROPOSED

	FY 2024	FY 2024	FY 2024-2025	FY 2024-2025	FY 2024-2025	Amount	Percentage
Department	Appropriation	Projected	Requested	Town Manager's	B&FRB Budget	Change	Change
1 Building Official	527,864	486,478	532,101	507,751	507,751	(20,113)	-3.81%
2 Treasurer-Tax Collector	703,795	673,278	753,467	745,931	745,931	42,136	5.99%
3 Tax Assessor	303,678	302,678	329,842	327,842	327,842	24,164	7.96%
4 Fire Department	11,390,241	11,362,046	12,365,376	12,244,973	12,244,973	854,733	7.50%
5 East Smithfield Library	610,859	587,365	731,212	618,189	618,189	7,329	1.20%
6 Greenville Library	941,850	941,850	974,737	953,152	941,850	-	0.00%
7 Senior Center Department	504,795	504,795	528,509	527,509	527,509	22,714	4.50%
8 East Smithfield Neighborhood Center	6,465	6,465	6,465	6,465	6,465	-	0.00%
9 Planning and Economic Development	234,121	234,121	241,840	242,740	242,740	8,619	3.68%
10 Police Department	9,556,187	9,556,187	10,182,404	10,102,774	10,102,774	546,587	5.72%
11 Animal Control	259,677	260,368	260,807	252,927	252,927	(6,750)	-2.60%
12 Public Works	5,541,854	5,536,854	6,922,835	5,879,687	5,982,989	441,135	7.96%
13 Parks and Recreation	1,011,321	1,021,821	1,064,864	1,026,947	1,026,947	15,626	1.55%
14 Town Engineer	396,557	382,280	418,355	415,855	415,855	19,298	4.87%
15 School Department	43,200,372	43,346,835	45,636,271	44,687,865	44,687,865	1,487,493	3.44%
16 Town Clerk	416,342	414,318	424,909	424,909	424,909	8,567	2.06%
17 Town Manager	505,385	505,245	589,558	589,558	589,558	84,173	16.66%
18 Town Hall	171,536	178,869	177,587	170,205	170,205	(1,332)	-0.78%
19 Human Services	10,825	10,825	10,825	10,825	10,825	0	0.00%
20 Emergency Management Agency	120,496	120,496	122,483	122,483	122,483	1,987	1.65%
21 Legislative and Policy	570,819	590,627	601,384	601,384	601,384	30,565	5.35%
22 Town-Aided Programs	63,850	63,850	64,100	64,100	64,100	250	0.39%
23 Board of Assessment Review	250	300	300	300	300	50	20.00%
23 Board of Canvassers	53,350	53,350	50,676	50,676	50,676	(2,674)	-5.01%
23 Conservation Commission	20,730	20,730	27,730	27,730	27,730	7,000	33.77%
23 Economic Development Commission	2,750	2,400	2,400	2,400	2,400	(350)	-12.73%
23 Land Trust Commission	11,200	11,200	11,200	11,200	11,200	-	0.00%
23 Planning Board	1,250	3,000	3,000	3,000	3,000	1,750	140.00%
29 Soil Erosion Committee	875	500	875	875	875	-	0.00%
30 Board of Affordable Housing	1,500	-	-	-	-	(1,500)	-100.00%
31 Zoning Board	8,500	8,500	8,500	8,500	8,500	-	0.00%
32 Other Boards & Commissions	6,000	6,000	6,000	6,000	6,000	-	0.00%
33 System-Wide Municipal Obligations	3,148,801	3,187,777	3,473,165	3,295,562	3,295,562	146,761	4.66%
34 Municipal Debt Service	4,717,388	4,717,388	5,508,389	5,508,389	5,508,389	791,001	16.77%
35 Municipal Capital Improvements	1,602,499	1,582,499	3,355,940	1,820,440	2,070,440	467,941	29.20%
Total General Fund Expenditures	86,623,982	86,681,295	95,388,103	91,259,143	91,601,143	4,977,161	5.75%
1 Smithfield Sewer Authority	4,079,711	3,988,711	4,013,668	4,022,142	4,022,142	(57,569)	-1.41%
2 Smithfield Water Supply Board	2,240,925	2,240,925	2,301,025	2,303,337	2,303,337	62,412	2.79%
3 Smithfield Ice Rink	778,192	691,158	989,541	989,541	989,541	211,349	27.16%
Total Enterprise Fund Expenditures	7,098,827	6,920,794	7,304,233	7,315,020	7,315,020	216,192	3.05%
TOTAL EXPENDITURES	\$ 93,722,809	\$ 93,602,089	102,692,337	\$ 98,574,163	\$ 98,916,163	5,193,353	5.54%

Town of Smithfield
GENERAL FUND
BALANCE SHEET
FISCAL YEAR ENDED JUNE 30, 2023

ASSETS

Cash, Investments, and cash equivalents	\$ 20,474,910
Property taxes receivable	1,629,325
Due from other funds, entities and intergovernmental receivable	<u>12,871,351</u>
TOTAL ASSETS	<u><u>\$ 34,975,586</u></u>

LIABILITIES, DEFERRED INFLOW, AND FUND BALANCE

Liabilities:

Accounts payable and accrued expenses	\$ 3,112,659
Due to other funds and intergovernmental payable	16,934,299
Other Liabilities	<u>468,436</u>
Total Liabilities	<u><u>20,515,394</u></u>

Deferred Inflow of Resources:

Unavailable tax and fee revenue	701,318
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Fund Balance:

Non-spendable	889,340
Committed	5,939,625
Unassigned	<u>6,929,909</u>
Total Fund Balance	<u><u>13,758,874</u></u>

**TOTAL LIABILITIES, DEFERRED INFLOW OF RESOURCES,
AND FUND BALANCE**

\$ 34,975,586

Town of Smithfield
Summary of Debt Service to General Fund Expenditures

(Gross of Outside Revenue)

Budget	Fiscal 2025	%	Fiscal 2024	%	\$ Change	%Change
Municipal Budget	\$ 41,404,889	45.2%	\$ 38,706,223	44.7%	\$ 2,698,666	6.97%
Debt Service	1,284,942	1.4%	1,565,297	1.8%	(280,355)	-17.91%
Total Municipal	<u>\$ 42,689,831</u>	<u>46.6%</u>	<u>\$ 40,271,520</u>	<u>46.5%</u>	<u>\$ 2,418,311</u>	<u>6.01%</u>
School Budget	\$ 44,687,865	48.8%	\$ 43,200,372	49.9%	\$ 1,487,493	3.44%
Debt Service	4,223,447	4.6%	3,152,091	3.6%	1,071,356	33.99%
Total School	<u>\$ 48,911,312</u>	<u>53.4%</u>	<u>\$ 46,352,463</u>	<u>53.5%</u>	<u>\$ 2,558,849</u>	<u>5.52%</u>
Operating Budget	\$ 86,092,754	94.0%	\$ 81,906,595	94.6%	\$ 4,186,159	5.11%
Debt Service	5,508,389	6.0%	4,717,388	5.4%	791,001	16.77%
Total Budget	<u>\$ 91,601,143</u>	<u>100.0%</u>	<u>\$ 86,623,983</u>	<u>100.0%</u>	<u>\$ 4,977,160</u>	<u>5.75%</u>

Town of Smithfield
Charter Amendment Balances
Fiscal Year 2025

Unassigned Fund Balance June 30, 2023 \$ 6,929,909

	<u>Land Trust</u>	<u>Capital Reserve Fund</u>
Fund Balance as of June 30, 2023	\$ 608,878	\$ 1,241,153
Fiscal Year '24 Designated Contributions	-	-
Fund Balance Available	<u>608,878</u>	<u>1,241,153</u>
Fiscal Year 2024 Expenditures	<u>-</u>	<u>(400,000)</u>
Estimated Cash Balance June 30, 2024	\$ 608,878	\$ 841,153
Fiscal Year Proposed 2025 Expenditures	<u>-</u>	<u>(450,000)</u>
Estimated Fund Balance June 30, 2025	<u><u>\$ 608,878</u></u>	<u><u>\$ 391,153</u></u>

Municipal Debt Service

7/1/2024 - 6/30/2025

	Payment Date	Principal	Interest	Total
Town				
\$4.355 GO 11/20 (Refunded 11A & 12B)	7/15/2024		1.029%	16,543
	1/15/2025	575,000	1.029%	16,543
				591,543
				608,087
\$2.050 GO 11/20 (Refunded 2011A)	7/15/2024		5.00%	34,725
	1/15/2025	205,000	5.00%	34,725
				239,725
				274,450
\$4.375 GO 12/15	11/15/2024		5.00%	72,563
	5/15/2025	300,000	5.00%	72,563
				372,563
				445,125
\$6.075 GO 9/16	9/1/2024	305,000	4.00%	51,753
	3/1/2025		4.00%	45,653
				45,653
				402,405
\$35.985 GO 9/21	11/15/2024		5.00%	626,000
	5/15/2025	1,270,000	5.00%	626,000
				1,896,000
				2,522,000
\$6.618 RIIB 12/22	9/1/2024	1,100,000	2.09%	84,733
	3/1/2025		2.09%	71,588
				71,588
				1,256,322
Total Debt Service		\$ 3,755,000	\$ 1,753,389	\$ 5,508,389
Sewer *				
\$560K RI Clean Water Finance Bonds	9/1/2024	37,007	1.03%	293
				37,300
				37,300
\$4.0 RI Clean Water Finance Bonds	9/1/2024	191,700	2.25%	28,947
	3/1/2025		2.25%	26,312
				26,312
				246,959
\$3.37 RI Clean Water Finance Bonds	9/1/2024	168,450	2.00%	24,206
	3/1/2025		2.00%	22,101
				22,101
				214,757
Total Sewer Debt Service		\$ 397,157	\$ 101,859	\$ 499,016
* Sewer Bonds are budgeted in Sewer Fund				
Water *				
\$3.00 Water System Revenue Bonds	9/1/2024	107,783	2.21%	41,839
	3/1/2025		2.21%	40,486
				40,486
				190,109
Total Water Debt Service		\$ 107,783	\$ 82,325	\$ 190,109
* Water Bonds are budgeted in Water Fund				
Total Municipal Debt Service		\$ 4,259,940	\$ 1,937,573	\$ 6,197,513

Recommended Motion:

That the Smithfield Town Council hereby schedules a public hearing on June 18, 2024 to consider and act upon amendments to the Code of Ordinances, Chapter 11 entitled “Boards and Commissions sponsored by Council Members Rachel S. Toppi and Michael P. Iannotti.

Chapter 11 of the Town of Smithfield Code entitled “Boards and Commissions is hereby amended by adding thereto Chapter 11-1.5 entitled “Code of Ethics”

Section 1.

11-1.5.1 Legislative Purpose.

Pursuant to Section 12.03 of the Town Charter, the Town Council has determined that it is in the public interest to enact and impose a Code of Ethics to supplement the Rhode Island Code of Ethics for the purpose of enhancing ethical standards for all municipal elected and appointed officials.

The Town Council has determined that all its public officials shall adhere to the highest standards of ethical conduct, respect the public trust and the rights of all persons, be open, accountable, and responsive, avoid the appearance of impropriety and not use their position for private gain or advantage. It is the intent of this chapter that all public officials in the Town shall be fully subject to the provisions of the Rhode Island Code of Ethics.

Section 2.

11-1.5.2. Prohibited Activities

A. Prohibited Activities by Town Officials

(1) Nepotism prohibited. No elected or appointed official serving the Town shall use his or her office to benefit himself/herself or any business associate or any person within his or her family in any way prohibited in the Rhode Island Code of Ethics. Persons within the family shall include a spouse or any person who is related to an official, whether by blood, adoption, or marriage, as any of the following: father, mother, son, daughter, uncle, aunt, cousin, nephew, niece, grandmother, grandson, granddaughter, father-in-law, mother-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

(2) No elected official shall accept any gift, thing, favor, membership, tickets, loans, or promise that exceeds \$100 that would not be offered or given to him or her if he or she were not an elected official.

- (3) Any Board or Commission member who has received any gift, thing, favor, membership, tickets, loan, campaign contribution, or promise that exceeds \$100 from any applicant seeking relief from said Board or Commission within the eighteen (18) months prior to the hearing on said application, shall recuse himself or herself from voting on said application.
- (4) The Town Manager, Department Directors, and Deputy Directors of the Town of Smithfield shall not testify as paid experts in any proceedings outside of their official Town duties.
- (5) No elected official or appointed official shall directly or through any other person threaten to use their position to gain an advantage over an individual or group of individuals with which they have a property, contractual, or other form of financial dispute.
- (6) No elected official or appointed official shall directly or through any other person threaten or intimidate or retaliate against any Town employee or other person who may file an ethics complaint against the official; no elected or appointed official shall directly or through any other person, social media, or business entity threaten or intimidate or retaliate against any Town employee or other person who may notify members of the press about possible wrongdoing under terms of this chapter or the Rhode Island Code of Ethics.

Section 3. This ordinance shall take effect thirty (30) days after its adoption.

Recommended Motion:

That the Smithfield Town Council hereby schedules a public hearing on June 18, 2024 to consider and act upon Zoning Ordinance amendments to Article 2 entitled “Definitions”.



Town of Smithfield

64 FARNUM PIKE
SMITHFIELD, RHODE ISLAND 02917

PLANNING DEPARTMENT

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

MEMORANDUM

DATE: May 15, 2024
TO: Smithfield Town Council
FROM: Michael Phillips, Town Planner
RE: Proposed Amendments to the Zoning Ordinance

Attached are a number of proposed amendments to the Zoning Ordinance that are proposed to bring the zoning ordinance into compliance with the land use enabling acts that became effective on January 1st of this year. The proposed amendments were drafted by Ashley Sweet of Weston & Sampson and, were reviewed and recommended for adoption by the Planning Board during a number of workshop sessions in the past few months. The Town Council reviewed these amendments at an April 29th Workshop.

Attachments:
Proposed Amendments
Public Hearing Notice

**AN ORDINANCE AMENDING VARIOUS ARTICLES AND SECTIONS OF THE
SMITHFIELD ZONING ORDINANCE TO COMPLY WITH CHANGES MADE TO THE
LAND USE ENABLING ACTS OF THE STATE OF RHODE ISLAND**

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

Section 1. Article 2 Definitions Town of Smithfield Zoning Ordinance are hereby amended by adding/amending the following definitions:

ARTICLE 2 DEFINITIONS

Section 2.2 Specific Definitions

1. Abutter
2. Accessory Dwelling Unit (ADU)
3. Accessory Use of Structure
4. ~~Adult Entertainment~~ Adaptive Reuse

The conversion of an existing structure from the use for which it was constructed to a new use by maintaining the elements of the structure and adapting such elements to a new use.

...

48-49. Development

49-50. Development Plan Review

~~The process whereby the Planning Board is authorized to review the site plans, maps and other documentation of a development to determine the compliance with the stated purposes and standards of this Ordinance.~~ Development plan review. Design or site plan review of a development of a permitted use. A municipality may utilize development plan review under limited circumstances to encourage development to comply with design and/or performance standards of the community under specific and objective guidelines, for developments including, but not limited to:

- A. A change in use at the property where no extensive construction of improvements is sought;
- B. An adaptive reuse project located in a commercial zone where no extensive exterior construction of improvements is sought;
- C. An adaptive reuse project located in a residential zone which results in less than nine (9) residential units;
- D. Development in a designated urban or growth center;
- E. Institutional development design review for educational or hospital facilities; or
- F. Development in a historic district.

...

8889. Land Development Project

Land Development Project. A project in which one (1) or more lots, tracts, or parcels of land or a portion thereof, are to be developed or redeveloped as a coordinated site for ~~a complex of one or more~~ uses, units, or structures, including, but not limited to: planned development or cluster development, and/or conservation development for residential, commercial, industrial, institutional, recreational, open space, and/or mixed uses as provided for in this Ordinance.

...

157158. Variance: Permission to depart from the literal requirements of this Ordinance. An authorization for the construction or maintenance of a building or structure, or for the establishment or maintenance of a building or structure, or for the establishment or maintenance of a use of land, which is prohibited by this Ordinance. There shall be only two (2) categories of variance, a use variance or a dimensional variance:

- A. Use Variance: Permission to depart from the use requirements of this Ordinance where the applicant for the requested variance has shown by evidence upon the record that the subject land or structure cannot yield any beneficial use if it is to conform to the provisions of this Ordinance;
- B. Dimensional Variance: Permission to depart from the dimensional requirements of this Ordinance, ~~where the applicant for the requested relief has shown, by evidence upon the record, that there is no other reasonable alternative way to enjoy a legally permitted beneficial use of the subject property unless granted the requested relief from the dimensional regulations. However, the fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief, although it may be an incidental result of the relief.~~ under the applicable standards set forth in R.I.G.L. § 45-24-41.

Section 2. Article 3 Nonconformance is hereby amended by amended as follows:

ARTICLE 3 NONCONFORMANCE

3.4 Nonconforming By Dimension (Substandard Lots Of Record)

A lawfully established building, structure, or parcel of land not in compliance with the dimensional ... frontage, (also known as a substandard lot of record) is also nonconforming by dimension.

Notwithstanding the failure of a single substandard lot of record or contiguous lots of record to meet the dimensional and /or quantitative requirements of this zoning ordinance, and/or road frontage or other access requirements applicable to the district as stated in the ordinance, a substandard lot of record shall not be required to seek any zoning relief based solely on the failure to meet minimum lot size requirements of the district in which such lot is located. The setback, frontage, and/or lot width requirements for a structure under this section shall be reduced and the maximum building coverage requirements shall be increased by the same proportion as the lot area of the substandard lot is to the minimum lot area requirement of the zoning district in which the lot is located. All proposals exceeding such reduced requirement shall proceed with a modification request under Section 10.3 or a dimensional variance request under Section 10.8, whichever is applicable.

3.7 EXISTENCE BY VARIANCE OR SPECIAL USE PERMIT

A nonconforming building, structure, sign, or parcel of land or the use thereof, which exists by virtue of a variance or a special use permit granted by the ~~Board~~ permitting authority, shall not be considered a nonconformance for the purposes of this Article, and shall not acquire the rights of this Article. Rather, such building, structure, sign, parcel of land, or use thereof, shall be considered a use by variance or a use by special use permit and any moving, addition, enlargement, expansion, intensification or change of such building, structure, sign, parcel of land or use thereof, to any use other than a permitted use or other than in complete conformance with this Ordinance, shall require a further variance or special use permit from the ~~Board~~ permitting authority.

3.11 Land Nonconforming by Area

E. Merger Prohibited for Certain Lots

The merger of lots shall not be required, in any zoning district, when the substandard lot of record has an area equal to or greater than the area of fifty percent (50%) of the lots within two hundred (200) feet of the subject lot, as confirmed by the zoning enforcement officer through the submission of a Compilation Survey stamped and signed by a Rhode Island Registered Land Surveyor.

Section 3. Article 4 Use Regulations is hereby amended by adding the following new section entitled “Adaptive Reuse Projects”:

ARTICLE 4 USE REGULATIONS

Section 4.7 Adaptive Reuse Projects

A. Permitted Use. Adaptive reuse for the conversion of any commercial building, including offices, schools, religious facilities, medical buildings, and malls into residential units or mixed-use developments is a permitted use, under the criteria described below under Eligibility.

B. Eligibility.

1. Adaptive reuse development must include at least 50% of existing gross floor area developed into residential units.
2. There are no environmental land use restrictions recorded on the property preventing the conversion to residential use by RIDEM or the US EPA.

C. Density.

1. For projects that meet the following criteria, the residential density shall be no less than fifteen (15) dwelling units per acre:
 - a) Where the project is limited to the existing footprint, except that the footprint is allowed to be expanded to accommodate upgrades related to the building fire code, and utility requirements.

- b) The development includes at least twenty percent (20%) low- and moderate-income housing.
 - c) The development has access to public sewer and water service or has access to adequate private water, such as well and/or wastewater treatment systems approved by the relevant state agency for the entire development as applicable.
2. For all other adaptive reuse projects, the residential density permitted in the converted structure shall be the maximum allowed that otherwise meets all standards of minimum housing and has access to public sewer and water services or has access to adequate private water, such as well and wastewater treatment systems approved by the relevant state agency for the entire development, as applicable.
 3. The density proposed for any adaptive reuse project shall be determined to meet all public health and safety standards.

D. Dimensional requirements.

1. Notwithstanding any other provisions of this section, existing building setbacks shall remain and are considered legal nonconforming.
2. No additional encroachments shall be permitted into any nonconforming setback unless relief is granted by the permitting authority.
3. Notwithstanding other provisions of this section, the height of the structure shall be considered legal nonconforming if it exceeds the maximum height of the zoning district in which the structure is located.
 - a) Any rooftop construction necessary for building or fire code compliance, or utility infrastructure is included in the height exemption.

E. Parking requirements.

1. Adaptive reuse developments shall provide one parking space per dwelling unit. The applicant may propose additional parking in excess of one space per dwelling unit.
2. The number of parking spaces required, as defined in Article 7, shall apply for uses other than residential.

F. Performance Standards

1. The performance standards set forth in Article 6.3 shall apply to all adaptive reuse projects.

G. Allowed uses within an adaptive reuse project.

1. Residential dwelling units are a permitted use in an adaptive reuse project regardless of the zoning district in which the structure is located, in accordance with the provisions of this section.

Section 4. Article 6 Supplementary Regulations is hereby amended by adding three (3) new sections entitled: 6.11 Land Development Projects, 6.12 Unified Development Review and 6.13 Development Plan Review.

ARTICLE 6 - SUPPLEMENTARY REGULATIONS

6.11 Land development projects.

- A. Land development projects shall be reviewed in accordance with the procedures established in the Land Development and Subdivision Regulations, pursuant to R.I.G.L. §45-23.
- B. No land development project shall be initiated until a plan of the project has been submitted and approval has been granted by the authorized permitting authority, as determined in Land Development and Subdivision Regulations.
- C. The permitting authority is empowered to apply any special conditions and stipulations to the approval that may, in the opinion of the authorized permitting authority, be required to maintain harmony with neighboring uses and promote the objectives and purposes of the comprehensive plan and zoning ordinance.

6.12 Unified Development Review

- A. Unified development review established. There shall be unified development review for the issuance of variances and special use permits for properties undergoing review by development plan review and/or land development or subdivision review.
- B. Public hearing. All land development and subdivision applications, and development plan review applications that include requests for variances and/or special-use permits submitted pursuant to this section, shall require a public hearing that meets the requirements of Section 10.8.B.
- C. In granting requests for dimensional and use variances, the Planning Board shall be bound to the requirements of Section 10.8.C.1 relative to entering evidence into the record in satisfaction of the applicable standards and may impose conditions as stated in Section 10.8.C.3.
- D. In reviewing requests for special use permits the Planning Board shall be bound to the conditions and procedures under which a special use permit may be issued and the criteria for the issuance of such permits, as found within the zoning ordinance Section 10.8.C.2, and shall be required to provide for the recording of findings of fact and written decisions as described in the zoning ordinance pursuant to Section 10.8.C and may impose conditions as stated in Section 10.8.C.3.
- E. Appeals. An appeal from any decision made pursuant to this section may be taken pursuant to Section.

6.13 Development Plan Review

- A. Development plan review established. There shall be development plan

review for uses that are permitted by right under the zoning ordinance.

- B. Permitting authority. The permitting authority shall be as determined in the Land Development and Subdivision Regulations.
- C. Specific and objective guidelines. Design of all projects shall be consistent with the provisions of the Land Development and Subdivision Regulations.
- D. Waivers. The authorized permitting authority may grant waivers of design standards as set forth in the regulations.
- E. Appeal. A rejection of the decision shall be an appealable decision pursuant to Section 10.13.

Section 5. Article 10 Administration, Enforcement and Relief is hereby amended as follows:

ARTICLE 10 ADMINISTRATION, ENFORCEMENT AND RELIEF

10.3 MODIFICATIONS GRANTED BY THE OFFICIAL

The Official is hereby empowered to hear and grant Modifications. Submission requirements for Applications for such Modifications shall be the same as those for a Dimensional Variance Application, provided that references to the Zoning Board shall refer to the Official.

- ~~A.~~ A Modification may be requested for adjustments or deviations not exceeding 25% of ~~any of the requirements of Table I, "Dimensional Regulations" in §5.4 or quantitative or dimensional requirements of parking, signs, landscaping, and other similar requirements of this Ordinance, but excluding the moving of lot lines, lot area, and density~~ the literal dimensional requirements of this ordinance. This does not permit the moving of lot lines.
- B. Within ten (10) days of receipt of a request for a Modification, the Official shall make a decision as to the suitability of the requested Modification based on the following determinations:
 - 1. The Modification requested is reasonably necessary for the full enjoyment of the permitted use;
 - 2. If the Modification is granted, neighboring property will neither be substantially injured nor its appropriate use substantially impaired;
 - 3. ~~The Modification requested is in harmony with the purposes and intent of the Comprehensive Plan and this Zoning Ordinance~~ The Modification requested does not violate any rules or regulations with respect to a freshwater or coastal wetland; and
 - 4. The Modification requested does not require a Variance of a flood hazard requirement.
- ~~C.~~ Upon an affirmative determination on the Modification, in the case of a modification of five percent (5%) or less, the Official shall have the authority to issue a permit approving the modification, without any public notice requirements. In the case of a

modification of greater than five percent (5%), the Official shall notify, by first class mail, all property owners abutting the property which is the subject of the modification request and shall indicate the street address of the subject property in the notice, and shall publish in a newspaper of local circulation within the town give notice in the same manner as would be given for a Variance Application, pursuant to §10.8(B), that the Modification will be granted unless written objection is received within ~~thirty~~ fourteen (3014) days of the public notice, and inviting the public to inspect the plans and Application during normal working hours. If any written objection is received within ~~thirty~~ fourteen (3014) days, the request for a Modification shall be ~~denied~~ scheduled for the next available hearing before the Zoning Board on application for a dimensional variance following the standard procedures for such variances, including notice requirements provided in Section 10.8.B . In such case, the changes requested will be considered a request for a Dimensional Variance and may only be issued by the Zoning Board following the standard procedures for Variances.

- D. If no written objections are received within ~~thirty~~ fourteen (3014) days, the Official shall grant the Modification. The Official may apply such special conditions to the Permit as may, in the opinion of the Official, be required to conform to the intent and purposes of the Zoning Ordinance. The Official shall keep public records of all requests for Modifications, and of findings, determinations, special conditions, and any objections received. If the Official grants the Modification, the written decision thereof shall be recorded in the Land Evidence Records of the Town.
- E. ~~If the Official denies the Modification, or if the applicant is aggrieved by some part of the Official's decision, there is no right of appeal. Rather, the changes requested will be considered a request for a Dimensional Variance and may only be granted by the Zoning Board following the standard procedures for Dimensional Variances~~ Cost of any notice required under this section shall be borne by the applicant requesting the modification.

Section 6. 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, June 18, 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: the amendments are being proposed to numerous sections of the Zoning Ordinance to comply with amendments made to the land use enabling acts that went into effect on January 1, 2024.

The amendments involve adding changes to the following articles and sections of the ordinance including: *Article 2 Definitions; Article 3 Nonconformance; 3.7 Existence By Variance Or Special Use Permit; 3.11 Land Nonconforming By Area, E. Merger Prohibited For Certain Lots; Article 4 Use Regulations, (New Section) 4.7 Adaptive Reuse Projects with subsections A-G; Article 6 –Supplementary Regulations (New subsections) 6.1 Land development projects, 6.12 Unified Development Review and 6.13 Development Plan Review and Article 10 Administration, Enforcement And Relief*

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

Please publish as a display ad in the May 30th, June 6th and June 13th editions of the Valley Breeze using type size at least as large as the normal type size used in news articles.

Recommended Motion:

That the Smithfield Town Council hereby schedules a public hearing on June 18, 2024 to consider and act upon Zoning Ordinance amendments to Article 3 entitled “Nonconformance”.



Town of Smithfield

64 FARNUM PIKE
SMITHFIELD, RHODE ISLAND 02917

PLANNING DEPARTMENT

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

MEMORANDUM

DATE: May 15, 2024
TO: Smithfield Town Council
FROM: Michael Phillips, Town Planner
RE: Proposed Amendments to the Zoning Ordinance

Attached are a number of proposed amendments to the Zoning Ordinance that are proposed to bring the zoning ordinance into compliance with the land use enabling acts that became effective on January 1st of this year. The proposed amendments were drafted by Ashley Sweet of Weston & Sampson and, were reviewed and recommended for adoption by the Planning Board during a number of workshop sessions in the past few months. The Town Council reviewed these amendments at an April 29th Workshop.

Attachments:
Proposed Amendments
Public Hearing Notice

**AN ORDINANCE AMENDING VARIOUS ARTICLES AND SECTIONS OF THE
SMITHFIELD ZONING ORDINANCE TO COMPLY WITH CHANGES MADE TO THE
LAND USE ENABLING ACTS OF THE STATE OF RHODE ISLAND**

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

Section 1. Article 2 Definitions Town of Smithfield Zoning Ordinance are hereby amended by adding/amending the following definitions:

ARTICLE 2 DEFINITIONS

Section 2.2 Specific Definitions

1. Abutter
2. Accessory Dwelling Unit (ADU)
3. Accessory Use of Structure
4. ~~Adult Entertainment~~ Adaptive Reuse

The conversion of an existing structure from the use for which it was constructed to a new use by maintaining the elements of the structure and adapting such elements to a new use.

...

48-49. Development

49-50. Development Plan Review

~~The process whereby the Planning Board is authorized to review the site plans, maps and other documentation of a development to determine the compliance with the stated purposes and standards of this Ordinance.~~ Development plan review. Design or site plan review of a development of a permitted use. A municipality may utilize development plan review under limited circumstances to encourage development to comply with design and/or performance standards of the community under specific and objective guidelines, for developments including, but not limited to:

- A. A change in use at the property where no extensive construction of improvements is sought;
- B. An adaptive reuse project located in a commercial zone where no extensive exterior construction of improvements is sought;
- C. An adaptive reuse project located in a residential zone which results in less than nine (9) residential units;
- D. Development in a designated urban or growth center;
- E. Institutional development design review for educational or hospital facilities; or
- F. Development in a historic district.

...

8889. Land Development Project

Land Development Project. A project in which one (1) or more lots, tracts, or parcels of land or a portion thereof, are to be developed or redeveloped as a coordinated site for ~~a complex of one or more~~ uses, units, or structures, including, but not limited to: planned development or cluster development, and/or conservation development for residential, commercial, industrial, institutional, recreational, open space, and/or mixed uses as provided for in this Ordinance.

...

157158. Variance: Permission to depart from the literal requirements of this Ordinance. An authorization for the construction or maintenance of a building or structure, or for the establishment or maintenance of a building or structure, or for the establishment or maintenance of a use of land, which is prohibited by this Ordinance. There shall be only two (2) categories of variance, a use variance or a dimensional variance:

- A. Use Variance: Permission to depart from the use requirements of this Ordinance where the applicant for the requested variance has shown by evidence upon the record that the subject land or structure cannot yield any beneficial use if it is to conform to the provisions of this Ordinance;
- B. Dimensional Variance: Permission to depart from the dimensional requirements of this Ordinance, ~~where the applicant for the requested relief has shown, by evidence upon the record, that there is no other reasonable alternative way to enjoy a legally permitted beneficial use of the subject property unless granted the requested relief from the dimensional regulations. However, the fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief, although it may be an incidental result of the relief.~~ under the applicable standards set forth in R.I.G.L. § 45-24-41.

Section 2. Article 3 Nonconformance is hereby amended by amended as follows:

ARTICLE 3 NONCONFORMANCE

3.4 Nonconforming By Dimension (Substandard Lots Of Record)

A lawfully established building, structure, or parcel of land not in compliance with the dimensional ... frontage, (also known as a substandard lot of record) is also nonconforming by dimension.

Notwithstanding the failure of a single substandard lot of record or contiguous lots of record to meet the dimensional and /or quantitative requirements of this zoning ordinance, and/or road frontage or other access requirements applicable to the district as stated in the ordinance, a substandard lot of record shall not be required to seek any zoning relief based solely on the failure to meet minimum lot size requirements of the district in which such lot is located. The setback, frontage, and/or lot width requirements for a structure under this section shall be reduced and the maximum building coverage requirements shall be increased by the same proportion as the lot area of the substandard lot is to the minimum lot area requirement of the zoning district in which the lot is located. All proposals exceeding such reduced requirement shall proceed with a modification request under Section 10.3 or a dimensional variance request under Section 10.8, whichever is applicable.

3.7 EXISTENCE BY VARIANCE OR SPECIAL USE PERMIT

A nonconforming building, structure, sign, or parcel of land or the use thereof, which exists by virtue of a variance or a special use permit granted by the ~~Board~~ permitting authority, shall not be considered a nonconformance for the purposes of this Article, and shall not acquire the rights of this Article. Rather, such building, structure, sign, parcel of land, or use thereof, shall be considered a use by variance or a use by special use permit and any moving, addition, enlargement, expansion, intensification or change of such building, structure, sign, parcel of land or use thereof, to any use other than a permitted use or other than in complete conformance with this Ordinance, shall require a further variance or special use permit from the ~~Board~~ permitting authority.

3.11 Land Nonconforming by Area

E. Merger Prohibited for Certain Lots

The merger of lots shall not be required, in any zoning district, when the substandard lot of record has an area equal to or greater than the area of fifty percent (50%) of the lots within two hundred (200) feet of the subject lot, as confirmed by the zoning enforcement officer through the submission of a Compilation Survey stamped and signed by a Rhode Island Registered Land Surveyor.

Section 3. Article 4 Use Regulations is hereby amended by adding the following new section entitled “Adaptive Reuse Projects”:

ARTICLE 4 USE REGULATIONS

Section 4.7 Adaptive Reuse Projects

A. Permitted Use. Adaptive reuse for the conversion of any commercial building, including offices, schools, religious facilities, medical buildings, and malls into residential units or mixed-use developments is a permitted use, under the criteria described below under Eligibility.

B. Eligibility.

1. Adaptive reuse development must include at least 50% of existing gross floor area developed into residential units.
2. There are no environmental land use restrictions recorded on the property preventing the conversion to residential use by RIDEM or the US EPA.

C. Density.

1. For projects that meet the following criteria, the residential density shall be no less than fifteen (15) dwelling units per acre:
 - a) Where the project is limited to the existing footprint, except that the footprint is allowed to be expanded to accommodate upgrades related to the building fire code, and utility requirements.

- b) The development includes at least twenty percent (20%) low- and moderate-income housing.
 - c) The development has access to public sewer and water service or has access to adequate private water, such as well and/or wastewater treatment systems approved by the relevant state agency for the entire development as applicable.
2. For all other adaptive reuse projects, the residential density permitted in the converted structure shall be the maximum allowed that otherwise meets all standards of minimum housing and has access to public sewer and water services or has access to adequate private water, such as well and wastewater treatment systems approved by the relevant state agency for the entire development, as applicable.
 3. The density proposed for any adaptive reuse project shall be determined to meet all public health and safety standards.

D. Dimensional requirements.

1. Notwithstanding any other provisions of this section, existing building setbacks shall remain and are considered legal nonconforming.
2. No additional encroachments shall be permitted into any nonconforming setback unless relief is granted by the permitting authority.
3. Notwithstanding other provisions of this section, the height of the structure shall be considered legal nonconforming if it exceeds the maximum height of the zoning district in which the structure is located.
 - a) Any rooftop construction necessary for building or fire code compliance, or utility infrastructure is included in the height exemption.

E. Parking requirements.

1. Adaptive reuse developments shall provide one parking space per dwelling unit. The applicant may propose additional parking in excess of one space per dwelling unit.
2. The number of parking spaces required, as defined in Article 7, shall apply for uses other than residential.

F. Performance Standards

1. The performance standards set forth in Article 6.3 shall apply to all adaptive reuse projects.

G. Allowed uses within an adaptive reuse project.

1. Residential dwelling units are a permitted use in an adaptive reuse project regardless of the zoning district in which the structure is located, in accordance with the provisions of this section.

Section 4. Article 6 Supplementary Regulations is hereby amended by adding three (3) new sections entitled: 6.11 Land Development Projects, 6.12 Unified Development Review and 6.13 Development Plan Review.

ARTICLE 6 - SUPPLEMENTARY REGULATIONS

6.11 Land development projects.

- A. Land development projects shall be reviewed in accordance with the procedures established in the Land Development and Subdivision Regulations, pursuant to R.I.G.L. §45-23.
- B. No land development project shall be initiated until a plan of the project has been submitted and approval has been granted by the authorized permitting authority, as determined in Land Development and Subdivision Regulations.
- C. The permitting authority is empowered to apply any special conditions and stipulations to the approval that may, in the opinion of the authorized permitting authority, be required to maintain harmony with neighboring uses and promote the objectives and purposes of the comprehensive plan and zoning ordinance.

6.12 Unified Development Review

- A. Unified development review established. There shall be unified development review for the issuance of variances and special use permits for properties undergoing review by development plan review and/or land development or subdivision review.
- B. Public hearing. All land development and subdivision applications, and development plan review applications that include requests for variances and/or special-use permits submitted pursuant to this section, shall require a public hearing that meets the requirements of Section 10.8.B.
- C. In granting requests for dimensional and use variances, the Planning Board shall be bound to the requirements of Section 10.8.C.1 relative to entering evidence into the record in satisfaction of the applicable standards and may impose conditions as stated in Section 10.8.C.3.
- D. In reviewing requests for special use permits the Planning Board shall be bound to the conditions and procedures under which a special use permit may be issued and the criteria for the issuance of such permits, as found within the zoning ordinance Section 10.8.C.2, and shall be required to provide for the recording of findings of fact and written decisions as described in the zoning ordinance pursuant to Section 10.8.C and may impose conditions as stated in Section 10.8.C.3.
- E. Appeals. An appeal from any decision made pursuant to this section may be taken pursuant to Section.

6.13 Development Plan Review

- A. Development plan review established. There shall be development plan

review for uses that are permitted by right under the zoning ordinance.

- B. Permitting authority. The permitting authority shall be as determined in the Land Development and Subdivision Regulations.
- C. Specific and objective guidelines. Design of all projects shall be consistent with the provisions of the Land Development and Subdivision Regulations.
- D. Waivers. The authorized permitting authority may grant waivers of design standards as set forth in the regulations.
- E. Appeal. A rejection of the decision shall be an appealable decision pursuant to Section 10.13.

Section 5. Article 10 Administration, Enforcement and Relief is hereby amended as follows:

ARTICLE 10 ADMINISTRATION, ENFORCEMENT AND RELIEF

10.3 MODIFICATIONS GRANTED BY THE OFFICIAL

The Official is hereby empowered to hear and grant Modifications. Submission requirements for Applications for such Modifications shall be the same as those for a Dimensional Variance Application, provided that references to the Zoning Board shall refer to the Official.

- ~~A.~~ A Modification may be requested for adjustments or deviations not exceeding 25% of ~~any of the requirements of Table I, "Dimensional Regulations" in §5.4 or quantitative or dimensional requirements of parking, signs, landscaping, and other similar requirements of this Ordinance, but excluding the moving of lot lines, lot area, and density~~ the literal dimensional requirements of this ordinance. This does not permit the moving of lot lines.
- B. Within ten (10) days of receipt of a request for a Modification, the Official shall make a decision as to the suitability of the requested Modification based on the following determinations:
 - 1. The Modification requested is reasonably necessary for the full enjoyment of the permitted use;
 - 2. If the Modification is granted, neighboring property will neither be substantially injured nor its appropriate use substantially impaired;
 - 3. ~~The Modification requested is in harmony with the purposes and intent of the Comprehensive Plan and this Zoning Ordinance~~ The Modification requested does not violate any rules or regulations with respect to a freshwater or coastal wetland; and
 - 4. The Modification requested does not require a Variance of a flood hazard requirement.
- ~~C.~~ Upon an affirmative determination on the Modification, in the case of a modification of five percent (5%) or less, the Official shall have the authority to issue a permit approving the modification, without any public notice requirements. In the case of a

modification of greater than five percent (5%), the Official shall notify, by first class mail, all property owners abutting the property which is the subject of the modification request and shall indicate the street address of the subject property in the notice, and shall publish in a newspaper of local circulation within the town give notice in the same manner as would be given for a Variance Application, pursuant to §10.8(B), that the Modification will be granted unless written objection is received within ~~thirty~~ fourteen (3014) days of the public notice, and inviting the public to inspect the plans and Application during normal working hours. If any written objection is received within ~~thirty~~ fourteen (3014) days, the request for a Modification shall be ~~denied~~ scheduled for the next available hearing before the Zoning Board on application for a dimensional variance following the standard procedures for such variances, including notice requirements provided in Section 10.8.B . ~~In such case, the changes requested will be considered a request for a Dimensional Variance and may only be issued by the Zoning Board following the standard procedures for Variances.~~

- D. If no written objections are received within ~~thirty~~ fourteen (3014) days, the Official shall grant the Modification. The Official may apply such special conditions to the Permit as may, in the opinion of the Official, be required to conform to the intent and purposes of the Zoning Ordinance. The Official shall keep public records of all requests for Modifications, and of findings, determinations, special conditions, and any objections received. If the Official grants the Modification, the written decision thereof shall be recorded in the Land Evidence Records of the Town.
- E. ~~If the Official denies the Modification, or if the applicant is aggrieved by some part of the Official's decision, there is no right of appeal. Rather, the changes requested will be considered a request for a Dimensional Variance and may only be granted by the Zoning Board following the standard procedures for Dimensional Variances~~ Cost of any notice required under this section shall be borne by the applicant requesting the modification.

Section 6. 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, June 18, 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: the amendments are being proposed to numerous sections of the Zoning Ordinance to comply with amendments made to the land use enabling acts that went into effect on January 1, 2024.

The amendments involve adding changes to the following articles and sections of the ordinance including: *Article 2 Definitions; Article 3 Nonconformance; 3.7 Existence By Variance Or Special Use Permit; 3.11 Land Nonconforming By Area, E. Merger Prohibited For Certain Lots; Article 4 Use Regulations, (New Section) 4.7 Adaptive Reuse Projects with subsections A-G; Article 6 –Supplementary Regulations (New subsections) 6.1 Land development projects, 6.12 Unified Development Review and 6.13 Development Plan Review and Article 10 Administration, Enforcement And Relief*

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

Please publish as a display ad in the May 30th, June 6th and June 13th editions of the Valley Breeze using type size at least as large as the normal type size used in news articles.

Recommended Motion:

That the Smithfield Town Council hereby schedules a public hearing on June 18, 2024 to consider and act upon Zoning Ordinance amendments to Article 4 entitled “Use Regulations”.



Town of Smithfield

64 FARNUM PIKE
SMITHFIELD, RHODE ISLAND 02917

PLANNING DEPARTMENT

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

MEMORANDUM

DATE: May 15, 2024
TO: Smithfield Town Council
FROM: Michael Phillips, Town Planner
RE: Proposed Amendments to the Zoning Ordinance

Attached are a number of proposed amendments to the Zoning Ordinance that are proposed to bring the zoning ordinance into compliance with the land use enabling acts that became effective on January 1st of this year. The proposed amendments were drafted by Ashley Sweet of Weston & Sampson and, were reviewed and recommended for adoption by the Planning Board during a number of workshop sessions in the past few months. The Town Council reviewed these amendments at an April 29th Workshop.

Attachments:
Proposed Amendments
Public Hearing Notice

**AN ORDINANCE AMENDING VARIOUS ARTICLES AND SECTIONS OF THE
SMITHFIELD ZONING ORDINANCE TO COMPLY WITH CHANGES MADE TO THE
LAND USE ENABLING ACTS OF THE STATE OF RHODE ISLAND**

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

Section 1. Article 2 Definitions Town of Smithfield Zoning Ordinance are hereby amended by adding/amending the following definitions:

ARTICLE 2 DEFINITIONS

Section 2.2 Specific Definitions

1. Abutter
2. Accessory Dwelling Unit (ADU)
3. Accessory Use of Structure
4. ~~Adult Entertainment~~ Adaptive Reuse

The conversion of an existing structure from the use for which it was constructed to a new use by maintaining the elements of the structure and adapting such elements to a new use.

...

48-49. Development

49-50. Development Plan Review

~~The process whereby the Planning Board is authorized to review the site plans, maps and other documentation of a development to determine the compliance with the stated purposes and standards of this Ordinance.~~ Development plan review. Design or site plan review of a development of a permitted use. A municipality may utilize development plan review under limited circumstances to encourage development to comply with design and/or performance standards of the community under specific and objective guidelines, for developments including, but not limited to:

- A. A change in use at the property where no extensive construction of improvements is sought;
- B. An adaptive reuse project located in a commercial zone where no extensive exterior construction of improvements is sought;
- C. An adaptive reuse project located in a residential zone which results in less than nine (9) residential units;
- D. Development in a designated urban or growth center;
- E. Institutional development design review for educational or hospital facilities; or
- F. Development in a historic district.

...

8889. Land Development Project

Land Development Project. A project in which one (1) or more lots, tracts, or parcels of land or a portion thereof, are to be developed or redeveloped as a coordinated site for ~~a complex of one or more~~ uses, units, or structures, including, but not limited to: planned development or cluster development, and/or conservation development for residential, commercial, industrial, institutional, recreational, open space, and/or mixed uses as provided for in this Ordinance.

...

157158. Variance: Permission to depart from the literal requirements of this Ordinance. An authorization for the construction or maintenance of a building or structure, or for the establishment or maintenance of a building or structure, or for the establishment or maintenance of a use of land, which is prohibited by this Ordinance. There shall be only two (2) categories of variance, a use variance or a dimensional variance:

- A. Use Variance: Permission to depart from the use requirements of this Ordinance where the applicant for the requested variance has shown by evidence upon the record that the subject land or structure cannot yield any beneficial use if it is to conform to the provisions of this Ordinance;
- B. Dimensional Variance: Permission to depart from the dimensional requirements of this Ordinance, ~~where the applicant for the requested relief has shown, by evidence upon the record, that there is no other reasonable alternative way to enjoy a legally permitted beneficial use of the subject property unless granted the requested relief from the dimensional regulations. However, the fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief, although it may be an incidental result of the relief.~~ under the applicable standards set forth in R.I.G.L. § 45-24-41.

Section 2. Article 3 Nonconformance is hereby amended by amended as follows:

ARTICLE 3 NONCONFORMANCE

3.4 Nonconforming By Dimension (Substandard Lots Of Record)

A lawfully established building, structure, or parcel of land not in compliance with the dimensional ... frontage, (also known as a substandard lot of record) is also nonconforming by dimension.

Notwithstanding the failure of a single substandard lot of record or contiguous lots of record to meet the dimensional and /or quantitative requirements of this zoning ordinance, and/or road frontage or other access requirements applicable to the district as stated in the ordinance, a substandard lot of record shall not be required to seek any zoning relief based solely on the failure to meet minimum lot size requirements of the district in which such lot is located. The setback, frontage, and/or lot width requirements for a structure under this section shall be reduced and the maximum building coverage requirements shall be increased by the same proportion as the lot area of the substandard lot is to the minimum lot area requirement of the zoning district in which the lot is located. All proposals exceeding such reduced requirement shall proceed with a modification request under Section 10.3 or a dimensional variance request under Section 10.8, whichever is applicable.

3.7 EXISTENCE BY VARIANCE OR SPECIAL USE PERMIT

A nonconforming building, structure, sign, or parcel of land or the use thereof, which exists by virtue of a variance or a special use permit granted by the ~~Board~~ permitting authority, shall not be considered a nonconformance for the purposes of this Article, and shall not acquire the rights of this Article. Rather, such building, structure, sign, parcel of land, or use thereof, shall be considered a use by variance or a use by special use permit and any moving, addition, enlargement, expansion, intensification or change of such building, structure, sign, parcel of land or use thereof, to any use other than a permitted use or other than in complete conformance with this Ordinance, shall require a further variance or special use permit from the ~~Board~~ permitting authority.

3.11 Land Nonconforming by Area

E. Merger Prohibited for Certain Lots

The merger of lots shall not be required, in any zoning district, when the substandard lot of record has an area equal to or greater than the area of fifty percent (50%) of the lots within two hundred (200) feet of the subject lot, as confirmed by the zoning enforcement officer through the submission of a Compilation Survey stamped and signed by a Rhode Island Registered Land Surveyor.

Section 3. Article 4 Use Regulations is hereby amended by adding the following new section entitled “Adaptive Reuse Projects”:

ARTICLE 4 USE REGULATIONS

Section 4.7 Adaptive Reuse Projects

A. Permitted Use. Adaptive reuse for the conversion of any commercial building, including offices, schools, religious facilities, medical buildings, and malls into residential units or mixed-use developments is a permitted use, under the criteria described below under Eligibility.

B. Eligibility.

1. Adaptive reuse development must include at least 50% of existing gross floor area developed into residential units.
2. There are no environmental land use restrictions recorded on the property preventing the conversion to residential use by RIDEM or the US EPA.

C. Density.

1. For projects that meet the following criteria, the residential density shall be no less than fifteen (15) dwelling units per acre:
 - a) Where the project is limited to the existing footprint, except that the footprint is allowed to be expanded to accommodate upgrades related to the building fire code, and utility requirements.

- b) The development includes at least twenty percent (20%) low- and moderate-income housing.
 - c) The development has access to public sewer and water service or has access to adequate private water, such as well and/or wastewater treatment systems approved by the relevant state agency for the entire development as applicable.
2. For all other adaptive reuse projects, the residential density permitted in the converted structure shall be the maximum allowed that otherwise meets all standards of minimum housing and has access to public sewer and water services or has access to adequate private water, such as well and wastewater treatment systems approved by the relevant state agency for the entire development, as applicable.
 3. The density proposed for any adaptive reuse project shall be determined to meet all public health and safety standards.

D. Dimensional requirements.

1. Notwithstanding any other provisions of this section, existing building setbacks shall remain and are considered legal nonconforming.
2. No additional encroachments shall be permitted into any nonconforming setback unless relief is granted by the permitting authority.
3. Notwithstanding other provisions of this section, the height of the structure shall be considered legal nonconforming if it exceeds the maximum height of the zoning district in which the structure is located.
 - a) Any rooftop construction necessary for building or fire code compliance, or utility infrastructure is included in the height exemption.

E. Parking requirements.

1. Adaptive reuse developments shall provide one parking space per dwelling unit. The applicant may propose additional parking in excess of one space per dwelling unit.
2. The number of parking spaces required, as defined in Article 7, shall apply for uses other than residential.

F. Performance Standards

1. The performance standards set forth in Article 6.3 shall apply to all adaptive reuse projects.

G. Allowed uses within an adaptive reuse project.

1. Residential dwelling units are a permitted use in an adaptive reuse project regardless of the zoning district in which the structure is located, in accordance with the provisions of this section.

Section 4. Article 6 Supplementary Regulations is hereby amended by adding three (3) new sections entitled: 6.11 Land Development Projects, 6.12 Unified Development Review and 6.13 Development Plan Review.

ARTICLE 6 - SUPPLEMENTARY REGULATIONS

6.11 Land development projects.

- A. Land development projects shall be reviewed in accordance with the procedures established in the Land Development and Subdivision Regulations, pursuant to R.I.G.L. §45-23.
- B. No land development project shall be initiated until a plan of the project has been submitted and approval has been granted by the authorized permitting authority, as determined in Land Development and Subdivision Regulations.
- C. The permitting authority is empowered to apply any special conditions and stipulations to the approval that may, in the opinion of the authorized permitting authority, be required to maintain harmony with neighboring uses and promote the objectives and purposes of the comprehensive plan and zoning ordinance.

6.12 Unified Development Review

- A. Unified development review established. There shall be unified development review for the issuance of variances and special use permits for properties undergoing review by development plan review and/or land development or subdivision review.
- B. Public hearing. All land development and subdivision applications, and development plan review applications that include requests for variances and/or special-use permits submitted pursuant to this section, shall require a public hearing that meets the requirements of Section 10.8.B.
- C. In granting requests for dimensional and use variances, the Planning Board shall be bound to the requirements of Section 10.8.C.1 relative to entering evidence into the record in satisfaction of the applicable standards and may impose conditions as stated in Section 10.8.C.3.
- D. In reviewing requests for special use permits the Planning Board shall be bound to the conditions and procedures under which a special use permit may be issued and the criteria for the issuance of such permits, as found within the zoning ordinance Section 10.8.C.2, and shall be required to provide for the recording of findings of fact and written decisions as described in the zoning ordinance pursuant to Section 10.8.C and may impose conditions as stated in Section 10.8.C.3.
- E. Appeals. An appeal from any decision made pursuant to this section may be taken pursuant to Section.

6.13 Development Plan Review

- A. Development plan review established. There shall be development plan

review for uses that are permitted by right under the zoning ordinance.

- B. Permitting authority. The permitting authority shall be as determined in the Land Development and Subdivision Regulations.
- C. Specific and objective guidelines. Design of all projects shall be consistent with the provisions of the Land Development and Subdivision Regulations.
- D. Waivers. The authorized permitting authority may grant waivers of design standards as set forth in the regulations.
- E. Appeal. A rejection of the decision shall be an appealable decision pursuant to Section 10.13.

Section 5. Article 10 Administration, Enforcement and Relief is hereby amended as follows:

ARTICLE 10 ADMINISTRATION, ENFORCEMENT AND RELIEF

10.3 MODIFICATIONS GRANTED BY THE OFFICIAL

The Official is hereby empowered to hear and grant Modifications. Submission requirements for Applications for such Modifications shall be the same as those for a Dimensional Variance Application, provided that references to the Zoning Board shall refer to the Official.

- ~~A.~~ A Modification may be requested for adjustments or deviations not exceeding 25% of ~~any of the requirements of Table I, "Dimensional Regulations" in §5.4 or quantitative or dimensional requirements of parking, signs, landscaping, and other similar requirements of this Ordinance, but excluding the moving of lot lines, lot area, and density~~ the literal dimensional requirements of this ordinance. This does not permit the moving of lot lines.
- B. Within ten (10) days of receipt of a request for a Modification, the Official shall make a decision as to the suitability of the requested Modification based on the following determinations:
 - 1. The Modification requested is reasonably necessary for the full enjoyment of the permitted use;
 - 2. If the Modification is granted, neighboring property will neither be substantially injured nor its appropriate use substantially impaired;
 - 3. ~~The Modification requested is in harmony with the purposes and intent of the Comprehensive Plan and this Zoning Ordinance~~ The Modification requested does not violate any rules or regulations with respect to a freshwater or coastal wetland; and
 - 4. The Modification requested does not require a Variance of a flood hazard requirement.
- ~~C.~~ Upon an affirmative determination on the Modification, in the case of a modification of five percent (5%) or less, the Official shall have the authority to issue a permit approving the modification, without any public notice requirements. In the case of a

modification of greater than five percent (5%), the Official shall notify, by first class mail, all property owners abutting the property which is the subject of the modification request and shall indicate the street address of the subject property in the notice, and shall publish in a newspaper of local circulation within the town give notice in the same manner as would be given for a Variance Application, pursuant to §10.8(B), that the Modification will be granted unless written objection is received within ~~thirty~~ fourteen (3014) days of the public notice, and inviting the public to inspect the plans and Application during normal working hours. If any written objection is received within ~~thirty~~ fourteen (3014) days, the request for a Modification shall be ~~denied~~ scheduled for the next available hearing before the Zoning Board on application for a dimensional variance following the standard procedures for such variances, including notice requirements provided in Section 10.8.B . ~~In such case, the changes requested will be considered a request for a Dimensional Variance and may only be issued by the Zoning Board following the standard procedures for Variances.~~

- D. If no written objections are received within ~~thirty~~ fourteen (3014) days, the Official shall grant the Modification. The Official may apply such special conditions to the Permit as may, in the opinion of the Official, be required to conform to the intent and purposes of the Zoning Ordinance. The Official shall keep public records of all requests for Modifications, and of findings, determinations, special conditions, and any objections received. If the Official grants the Modification, the written decision thereof shall be recorded in the Land Evidence Records of the Town.
- E. ~~If the Official denies the Modification, or if the applicant is aggrieved by some part of the Official's decision, there is no right of appeal. Rather, the changes requested will be considered a request for a Dimensional Variance and may only be granted by the Zoning Board following the standard procedures for Dimensional Variances~~ Cost of any notice required under this section shall be borne by the applicant requesting the modification.

Section 6. 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, June 18, 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: the amendments are being proposed to numerous sections of the Zoning Ordinance to comply with amendments made to the land use enabling acts that went into effect on January 1, 2024.

The amendments involve adding changes to the following articles and sections of the ordinance including: *Article 2 Definitions; Article 3 Nonconformance; 3.7 Existence By Variance Or Special Use Permit; 3.11 Land Nonconforming By Area, E. Merger Prohibited For Certain Lots; Article 4 Use Regulations, (New Section) 4.7 Adaptive Reuse Projects with subsections A-G; Article 6 –Supplementary Regulations (New subsections) 6.1 Land development projects, 6.12 Unified Development Review and 6.13 Development Plan Review and Article 10 Administration, Enforcement And Relief*

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

Please publish as a display ad in the May 30th, June 6th and June 13th editions of the Valley Breeze using type size at least as large as the normal type size used in news articles.

Recommended Motion:

That the Smithfield Town Council hereby schedules a public hearing on June 18, 2024 to consider and act upon Zoning Ordinance amendments to Article 6 entitled “Supplementary Regulations”.



Town of Smithfield

64 FARNUM PIKE
SMITHFIELD, RHODE ISLAND 02917

PLANNING DEPARTMENT

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

MEMORANDUM

DATE: May 15, 2024
TO: Smithfield Town Council
FROM: Michael Phillips, Town Planner
RE: Proposed Amendments to the Zoning Ordinance

Attached are a number of proposed amendments to the Zoning Ordinance that are proposed to bring the zoning ordinance into compliance with the land use enabling acts that became effective on January 1st of this year. The proposed amendments were drafted by Ashley Sweet of Weston & Sampson and, were reviewed and recommended for adoption by the Planning Board during a number of workshop sessions in the past few months. The Town Council reviewed these amendments at an April 29th Workshop.

Attachments:
Proposed Amendments
Public Hearing Notice

**AN ORDINANCE AMENDING VARIOUS ARTICLES AND SECTIONS OF THE
SMITHFIELD ZONING ORDINANCE TO COMPLY WITH CHANGES MADE TO THE
LAND USE ENABLING ACTS OF THE STATE OF RHODE ISLAND**

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

Section 1. Article 2 Definitions Town of Smithfield Zoning Ordinance are hereby amended by adding/amending the following definitions:

ARTICLE 2 DEFINITIONS

Section 2.2 Specific Definitions

1. Abutter
2. Accessory Dwelling Unit (ADU)
3. Accessory Use of Structure
4. ~~Adult Entertainment~~ Adaptive Reuse

The conversion of an existing structure from the use for which it was constructed to a new use by maintaining the elements of the structure and adapting such elements to a new use.

...

48-49. Development

49-50. Development Plan Review

~~The process whereby the Planning Board is authorized to review the site plans, maps and other documentation of a development to determine the compliance with the stated purposes and standards of this Ordinance.~~ Development plan review. Design or site plan review of a development of a permitted use. A municipality may utilize development plan review under limited circumstances to encourage development to comply with design and/or performance standards of the community under specific and objective guidelines, for developments including, but not limited to:

- A. A change in use at the property where no extensive construction of improvements is sought;
- B. An adaptive reuse project located in a commercial zone where no extensive exterior construction of improvements is sought;
- C. An adaptive reuse project located in a residential zone which results in less than nine (9) residential units;
- D. Development in a designated urban or growth center;
- E. Institutional development design review for educational or hospital facilities; or
- F. Development in a historic district.

...

8889. Land Development Project

Land Development Project. A project in which one (1) or more lots, tracts, or parcels of land or a portion thereof, are to be developed or redeveloped as a coordinated site for ~~a complex of one or more~~ uses, units, or structures, including, but not limited to: planned development or cluster development, and/or conservation development for residential, commercial, industrial, institutional, recreational, open space, and/or mixed uses as provided for in this Ordinance.

...

157158. Variance: Permission to depart from the literal requirements of this Ordinance. An authorization for the construction or maintenance of a building or structure, or for the establishment or maintenance of a building or structure, or for the establishment or maintenance of a use of land, which is prohibited by this Ordinance. There shall be only two (2) categories of variance, a use variance or a dimensional variance:

- A. Use Variance: Permission to depart from the use requirements of this Ordinance where the applicant for the requested variance has shown by evidence upon the record that the subject land or structure cannot yield any beneficial use if it is to conform to the provisions of this Ordinance;
- B. Dimensional Variance: Permission to depart from the dimensional requirements of this Ordinance, ~~where the applicant for the requested relief has shown, by evidence upon the record, that there is no other reasonable alternative way to enjoy a legally permitted beneficial use of the subject property unless granted the requested relief from the dimensional regulations. However, the fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief, although it may be an incidental result of the relief.~~ under the applicable standards set forth in R.I.G.L. § 45-24-41.

Section 2. Article 3 Nonconformance is hereby amended by amended as follows:

ARTICLE 3 NONCONFORMANCE

3.4 Nonconforming By Dimension (Substandard Lots Of Record)

A lawfully established building, structure, or parcel of land not in compliance with the dimensional ... frontage, (also known as a substandard lot of record) is also nonconforming by dimension.

Notwithstanding the failure of a single substandard lot of record or contiguous lots of record to meet the dimensional and /or quantitative requirements of this zoning ordinance, and/or road frontage or other access requirements applicable to the district as stated in the ordinance, a substandard lot of record shall not be required to seek any zoning relief based solely on the failure to meet minimum lot size requirements of the district in which such lot is located. The setback, frontage, and/or lot width requirements for a structure under this section shall be reduced and the maximum building coverage requirements shall be increased by the same proportion as the lot area of the substandard lot is to the minimum lot area requirement of the zoning district in which the lot is located. All proposals exceeding such reduced requirement shall proceed with a modification request under Section 10.3 or a dimensional variance request under Section 10.8, whichever is applicable.

3.7 EXISTENCE BY VARIANCE OR SPECIAL USE PERMIT

A nonconforming building, structure, sign, or parcel of land or the use thereof, which exists by virtue of a variance or a special use permit granted by the ~~Board~~ permitting authority, shall not be considered a nonconformance for the purposes of this Article, and shall not acquire the rights of this Article. Rather, such building, structure, sign, parcel of land, or use thereof, shall be considered a use by variance or a use by special use permit and any moving, addition, enlargement, expansion, intensification or change of such building, structure, sign, parcel of land or use thereof, to any use other than a permitted use or other than in complete conformance with this Ordinance, shall require a further variance or special use permit from the ~~Board~~ permitting authority.

3.11 Land Nonconforming by Area

E. Merger Prohibited for Certain Lots

The merger of lots shall not be required, in any zoning district, when the substandard lot of record has an area equal to or greater than the area of fifty percent (50%) of the lots within two hundred (200) feet of the subject lot, as confirmed by the zoning enforcement officer through the submission of a Compilation Survey stamped and signed by a Rhode Island Registered Land Surveyor.

Section 3. Article 4 Use Regulations is hereby amended by adding the following new section entitled “Adaptive Reuse Projects”:

ARTICLE 4 USE REGULATIONS

Section 4.7 Adaptive Reuse Projects

A. Permitted Use. Adaptive reuse for the conversion of any commercial building, including offices, schools, religious facilities, medical buildings, and malls into residential units or mixed-use developments is a permitted use, under the criteria described below under Eligibility.

B. Eligibility.

1. Adaptive reuse development must include at least 50% of existing gross floor area developed into residential units.
2. There are no environmental land use restrictions recorded on the property preventing the conversion to residential use by RIDEM or the US EPA.

C. Density.

1. For projects that meet the following criteria, the residential density shall be no less than fifteen (15) dwelling units per acre:
 - a) Where the project is limited to the existing footprint, except that the footprint is allowed to be expanded to accommodate upgrades related to the building fire code, and utility requirements.

- b) The development includes at least twenty percent (20%) low- and moderate-income housing.
 - c) The development has access to public sewer and water service or has access to adequate private water, such as well and/or wastewater treatment systems approved by the relevant state agency for the entire development as applicable.
2. For all other adaptive reuse projects, the residential density permitted in the converted structure shall be the maximum allowed that otherwise meets all standards of minimum housing and has access to public sewer and water services or has access to adequate private water, such as well and wastewater treatment systems approved by the relevant state agency for the entire development, as applicable.
 3. The density proposed for any adaptive reuse project shall be determined to meet all public health and safety standards.

D. Dimensional requirements.

1. Notwithstanding any other provisions of this section, existing building setbacks shall remain and are considered legal nonconforming.
2. No additional encroachments shall be permitted into any nonconforming setback unless relief is granted by the permitting authority.
3. Notwithstanding other provisions of this section, the height of the structure shall be considered legal nonconforming if it exceeds the maximum height of the zoning district in which the structure is located.
 - a) Any rooftop construction necessary for building or fire code compliance, or utility infrastructure is included in the height exemption.

E. Parking requirements.

1. Adaptive reuse developments shall provide one parking space per dwelling unit. The applicant may propose additional parking in excess of one space per dwelling unit.
2. The number of parking spaces required, as defined in Article 7, shall apply for uses other than residential.

F. Performance Standards

1. The performance standards set forth in Article 6.3 shall apply to all adaptive reuse projects.

G. Allowed uses within an adaptive reuse project.

1. Residential dwelling units are a permitted use in an adaptive reuse project regardless of the zoning district in which the structure is located, in accordance with the provisions of this section.

Section 4. Article 6 Supplementary Regulations is hereby amended by adding three (3) new sections entitled: 6.11 Land Development Projects, 6.12 Unified Development Review and 6.13 Development Plan Review.

ARTICLE 6 - SUPPLEMENTARY REGULATIONS

6.11 Land development projects.

- A. Land development projects shall be reviewed in accordance with the procedures established in the Land Development and Subdivision Regulations, pursuant to R.I.G.L. §45-23.
- B. No land development project shall be initiated until a plan of the project has been submitted and approval has been granted by the authorized permitting authority, as determined in Land Development and Subdivision Regulations.
- C. The permitting authority is empowered to apply any special conditions and stipulations to the approval that may, in the opinion of the authorized permitting authority, be required to maintain harmony with neighboring uses and promote the objectives and purposes of the comprehensive plan and zoning ordinance.

6.12 Unified Development Review

- A. Unified development review established. There shall be unified development review for the issuance of variances and special use permits for properties undergoing review by development plan review and/or land development or subdivision review.
- B. Public hearing. All land development and subdivision applications, and development plan review applications that include requests for variances and/or special-use permits submitted pursuant to this section, shall require a public hearing that meets the requirements of Section 10.8.B.
- C. In granting requests for dimensional and use variances, the Planning Board shall be bound to the requirements of Section 10.8.C.1 relative to entering evidence into the record in satisfaction of the applicable standards and may impose conditions as stated in Section 10.8.C.3.
- D. In reviewing requests for special use permits the Planning Board shall be bound to the conditions and procedures under which a special use permit may be issued and the criteria for the issuance of such permits, as found within the zoning ordinance Section 10.8.C.2, and shall be required to provide for the recording of findings of fact and written decisions as described in the zoning ordinance pursuant to Section 10.8.C and may impose conditions as stated in Section 10.8.C.3.
- E. Appeals. An appeal from any decision made pursuant to this section may be taken pursuant to Section.

6.13 Development Plan Review

- A. Development plan review established. There shall be development plan

review for uses that are permitted by right under the zoning ordinance.

- B. Permitting authority. The permitting authority shall be as determined in the Land Development and Subdivision Regulations.
- C. Specific and objective guidelines. Design of all projects shall be consistent with the provisions of the Land Development and Subdivision Regulations.
- D. Waivers. The authorized permitting authority may grant waivers of design standards as set forth in the regulations.
- E. Appeal. A rejection of the decision shall be an appealable decision pursuant to Section 10.13.

Section 5. Article 10 Administration, Enforcement and Relief is hereby amended as follows:

ARTICLE 10 ADMINISTRATION, ENFORCEMENT AND RELIEF

10.3 MODIFICATIONS GRANTED BY THE OFFICIAL

The Official is hereby empowered to hear and grant Modifications. Submission requirements for Applications for such Modifications shall be the same as those for a Dimensional Variance Application, provided that references to the Zoning Board shall refer to the Official.

- ~~A.~~ A Modification may be requested for adjustments or deviations not exceeding 25% of ~~any of the requirements of Table I, "Dimensional Regulations" in §5.4 or quantitative or dimensional requirements of parking, signs, landscaping, and other similar requirements of this Ordinance, but excluding the moving of lot lines, lot area, and density~~ the literal dimensional requirements of this ordinance. This does not permit the moving of lot lines.
- B. Within ten (10) days of receipt of a request for a Modification, the Official shall make a decision as to the suitability of the requested Modification based on the following determinations:
 - 1. The Modification requested is reasonably necessary for the full enjoyment of the permitted use;
 - 2. If the Modification is granted, neighboring property will neither be substantially injured nor its appropriate use substantially impaired;
 - 3. ~~The Modification requested is in harmony with the purposes and intent of the Comprehensive Plan and this Zoning Ordinance~~ The Modification requested does not violate any rules or regulations with respect to a freshwater or coastal wetland; and
 - 4. The Modification requested does not require a Variance of a flood hazard requirement.
- ~~C.~~ Upon an affirmative determination on the Modification, in the case of a modification of five percent (5%) or less, the Official shall have the authority to issue a permit approving the modification, without any public notice requirements. In the case of a

modification of greater than five percent (5%), the Official shall notify, by first class mail, all property owners abutting the property which is the subject of the modification request and shall indicate the street address of the subject property in the notice, and shall publish in a newspaper of local circulation within the town give notice in the same manner as would be given for a Variance Application, pursuant to §10.8(B), that the Modification will be granted unless written objection is received within ~~thirty~~ fourteen (3014) days of the public notice, and inviting the public to inspect the plans and Application during normal working hours. If any written objection is received within ~~thirty~~ fourteen (3014) days, the request for a Modification shall be ~~denied~~ scheduled for the next available hearing before the Zoning Board on application for a dimensional variance following the standard procedures for such variances, including notice requirements provided in Section 10.8.B . ~~In such case, the changes requested will be considered a request for a Dimensional Variance and may only be issued by the Zoning Board following the standard procedures for Variances.~~

- D. If no written objections are received within ~~thirty~~ fourteen (3014) days, the Official shall grant the Modification. The Official may apply such special conditions to the Permit as may, in the opinion of the Official, be required to conform to the intent and purposes of the Zoning Ordinance. The Official shall keep public records of all requests for Modifications, and of findings, determinations, special conditions, and any objections received. If the Official grants the Modification, the written decision thereof shall be recorded in the Land Evidence Records of the Town.
- E. ~~If the Official denies the Modification, or if the applicant is aggrieved by some part of the Official's decision, there is no right of appeal. Rather, the changes requested will be considered a request for a Dimensional Variance and may only be granted by the Zoning Board following the standard procedures for Dimensional Variances~~ Cost of any notice required under this section shall be borne by the applicant requesting the modification.

Section 6. 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, June 18, 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: the amendments are being proposed to numerous sections of the Zoning Ordinance to comply with amendments made to the land use enabling acts that went into effect on January 1, 2024.

The amendments involve adding changes to the following articles and sections of the ordinance including: *Article 2 Definitions; Article 3 Nonconformance; 3.7 Existence By Variance Or Special Use Permit; 3.11 Land Nonconforming By Area, E. Merger Prohibited For Certain Lots; Article 4 Use Regulations, (New Section) 4.7 Adaptive Reuse Projects with subsections A-G; Article 6 –Supplementary Regulations (New subsections) 6.1 Land development projects, 6.12 Unified Development Review and 6.13 Development Plan Review and Article 10 Administration, Enforcement And Relief*

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

Please publish as a display ad in the May 30th, June 6th and June 13th editions of the Valley Breeze using type size at least as large as the normal type size used in news articles.

Recommended Motion:

That the Smithfield Town Council hereby schedules a public hearing on June 18, 2024 to consider and act upon Zoning Ordinance amendments to Article 10 entitled “Administration, Enforcement and Relief”.



Town of Smithfield

64 FARNUM PIKE
SMITHFIELD, RHODE ISLAND 02917

PLANNING DEPARTMENT

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

MEMORANDUM

DATE: May 15, 2024
TO: Smithfield Town Council
FROM: Michael Phillips, Town Planner
RE: Proposed Amendments to the Zoning Ordinance

Attached are a number of proposed amendments to the Zoning Ordinance that are proposed to bring the zoning ordinance into compliance with the land use enabling acts that became effective on January 1st of this year. The proposed amendments were drafted by Ashley Sweet of Weston & Sampson and, were reviewed and recommended for adoption by the Planning Board during a number of workshop sessions in the past few months. The Town Council reviewed these amendments at an April 29th Workshop.

Attachments:
Proposed Amendments
Public Hearing Notice

**AN ORDINANCE AMENDING VARIOUS ARTICLES AND SECTIONS OF THE
SMITHFIELD ZONING ORDINANCE TO COMPLY WITH CHANGES MADE TO THE
LAND USE ENABLING ACTS OF THE STATE OF RHODE ISLAND**

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

Section 1. Article 2 Definitions Town of Smithfield Zoning Ordinance are hereby amended by adding/amending the following definitions:

ARTICLE 2 DEFINITIONS

Section 2.2 Specific Definitions

1. Abutter
2. Accessory Dwelling Unit (ADU)
3. Accessory Use of Structure
4. ~~Adult Entertainment~~ Adaptive Reuse

The conversion of an existing structure from the use for which it was constructed to a new use by maintaining the elements of the structure and adapting such elements to a new use.

...

48-49. Development

49-50. Development Plan Review

~~The process whereby the Planning Board is authorized to review the site plans, maps and other documentation of a development to determine the compliance with the stated purposes and standards of this Ordinance.~~ Development plan review. Design or site plan review of a development of a permitted use. A municipality may utilize development plan review under limited circumstances to encourage development to comply with design and/or performance standards of the community under specific and objective guidelines, for developments including, but not limited to:

- A. A change in use at the property where no extensive construction of improvements is sought;
- B. An adaptive reuse project located in a commercial zone where no extensive exterior construction of improvements is sought;
- C. An adaptive reuse project located in a residential zone which results in less than nine (9) residential units;
- D. Development in a designated urban or growth center;
- E. Institutional development design review for educational or hospital facilities; or
- F. Development in a historic district.

...

8889. Land Development Project

Land Development Project. A project in which one (1) or more lots, tracts, or parcels of land or a portion thereof, are to be developed or redeveloped as a coordinated site for ~~a complex of one or more~~ uses, units, or structures, including, but not limited to: planned development or cluster development, and/or conservation development for residential, commercial, industrial, institutional, recreational, open space, and/or mixed uses as provided for in this Ordinance.

...

157158. Variance: Permission to depart from the literal requirements of this Ordinance. An authorization for the construction or maintenance of a building or structure, or for the establishment or maintenance of a building or structure, or for the establishment or maintenance of a use of land, which is prohibited by this Ordinance. There shall be only two (2) categories of variance, a use variance or a dimensional variance:

- A. Use Variance: Permission to depart from the use requirements of this Ordinance where the applicant for the requested variance has shown by evidence upon the record that the subject land or structure cannot yield any beneficial use if it is to conform to the provisions of this Ordinance;
- B. Dimensional Variance: Permission to depart from the dimensional requirements of this Ordinance, ~~where the applicant for the requested relief has shown, by evidence upon the record, that there is no other reasonable alternative way to enjoy a legally permitted beneficial use of the subject property unless granted the requested relief from the dimensional regulations. However, the fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief, although it may be an incidental result of the relief.~~ under the applicable standards set forth in R.I.G.L. § 45-24-41.

Section 2. Article 3 Nonconformance is hereby amended by amended as follows:

ARTICLE 3 NONCONFORMANCE

3.4 Nonconforming By Dimension (Substandard Lots Of Record)

A lawfully established building, structure, or parcel of land not in compliance with the dimensional ... frontage, (also known as a substandard lot of record) is also nonconforming by dimension.

Notwithstanding the failure of a single substandard lot of record or contiguous lots of record to meet the dimensional and /or quantitative requirements of this zoning ordinance, and/or road frontage or other access requirements applicable to the district as stated in the ordinance, a substandard lot of record shall not be required to seek any zoning relief based solely on the failure to meet minimum lot size requirements of the district in which such lot is located. The setback, frontage, and/or lot width requirements for a structure under this section shall be reduced and the maximum building coverage requirements shall be increased by the same proportion as the lot area of the substandard lot is to the minimum lot area requirement of the zoning district in which the lot is located. All proposals exceeding such reduced requirement shall proceed with a modification request under Section 10.3 or a dimensional variance request under Section 10.8, whichever is applicable.

3.7 EXISTENCE BY VARIANCE OR SPECIAL USE PERMIT

A nonconforming building, structure, sign, or parcel of land or the use thereof, which exists by virtue of a variance or a special use permit granted by the ~~Board~~ permitting authority, shall not be considered a nonconformance for the purposes of this Article, and shall not acquire the rights of this Article. Rather, such building, structure, sign, parcel of land, or use thereof, shall be considered a use by variance or a use by special use permit and any moving, addition, enlargement, expansion, intensification or change of such building, structure, sign, parcel of land or use thereof, to any use other than a permitted use or other than in complete conformance with this Ordinance, shall require a further variance or special use permit from the ~~Board~~ permitting authority.

3.11 Land Nonconforming by Area

E. Merger Prohibited for Certain Lots

The merger of lots shall not be required, in any zoning district, when the substandard lot of record has an area equal to or greater than the area of fifty percent (50%) of the lots within two hundred (200) feet of the subject lot, as confirmed by the zoning enforcement officer through the submission of a Compilation Survey stamped and signed by a Rhode Island Registered Land Surveyor.

Section 3. Article 4 Use Regulations is hereby amended by adding the following new section entitled “Adaptive Reuse Projects”:

ARTICLE 4 USE REGULATIONS

Section 4.7 Adaptive Reuse Projects

A. Permitted Use. Adaptive reuse for the conversion of any commercial building, including offices, schools, religious facilities, medical buildings, and malls into residential units or mixed-use developments is a permitted use, under the criteria described below under Eligibility.

B. Eligibility.

1. Adaptive reuse development must include at least 50% of existing gross floor area developed into residential units.
2. There are no environmental land use restrictions recorded on the property preventing the conversion to residential use by RIDEM or the US EPA.

C. Density.

1. For projects that meet the following criteria, the residential density shall be no less than fifteen (15) dwelling units per acre:
 - a) Where the project is limited to the existing footprint, except that the footprint is allowed to be expanded to accommodate upgrades related to the building fire code, and utility requirements.

- b) The development includes at least twenty percent (20%) low- and moderate-income housing.
 - c) The development has access to public sewer and water service or has access to adequate private water, such as well and/or wastewater treatment systems approved by the relevant state agency for the entire development as applicable.
2. For all other adaptive reuse projects, the residential density permitted in the converted structure shall be the maximum allowed that otherwise meets all standards of minimum housing and has access to public sewer and water services or has access to adequate private water, such as well and wastewater treatment systems approved by the relevant state agency for the entire development, as applicable.
 3. The density proposed for any adaptive reuse project shall be determined to meet all public health and safety standards.

D. Dimensional requirements.

1. Notwithstanding any other provisions of this section, existing building setbacks shall remain and are considered legal nonconforming.
2. No additional encroachments shall be permitted into any nonconforming setback unless relief is granted by the permitting authority.
3. Notwithstanding other provisions of this section, the height of the structure shall be considered legal nonconforming if it exceeds the maximum height of the zoning district in which the structure is located.
 - a) Any rooftop construction necessary for building or fire code compliance, or utility infrastructure is included in the height exemption.

E. Parking requirements.

1. Adaptive reuse developments shall provide one parking space per dwelling unit. The applicant may propose additional parking in excess of one space per dwelling unit.
2. The number of parking spaces required, as defined in Article 7, shall apply for uses other than residential.

F. Performance Standards

1. The performance standards set forth in Article 6.3 shall apply to all adaptive reuse projects.

G. Allowed uses within an adaptive reuse project.

1. Residential dwelling units are a permitted use in an adaptive reuse project regardless of the zoning district in which the structure is located, in accordance with the provisions of this section.

Section 4. Article 6 Supplementary Regulations is hereby amended by adding three (3) new sections entitled: 6.11 Land Development Projects, 6.12 Unified Development Review and 6.13 Development Plan Review.

ARTICLE 6 - SUPPLEMENTARY REGULATIONS

6.11 Land development projects.

- A. Land development projects shall be reviewed in accordance with the procedures established in the Land Development and Subdivision Regulations, pursuant to R.I.G.L. §45-23.
- B. No land development project shall be initiated until a plan of the project has been submitted and approval has been granted by the authorized permitting authority, as determined in Land Development and Subdivision Regulations.
- C. The permitting authority is empowered to apply any special conditions and stipulations to the approval that may, in the opinion of the authorized permitting authority, be required to maintain harmony with neighboring uses and promote the objectives and purposes of the comprehensive plan and zoning ordinance.

6.12 Unified Development Review

- A. Unified development review established. There shall be unified development review for the issuance of variances and special use permits for properties undergoing review by development plan review and/or land development or subdivision review.
- B. Public hearing. All land development and subdivision applications, and development plan review applications that include requests for variances and/or special-use permits submitted pursuant to this section, shall require a public hearing that meets the requirements of Section 10.8.B.
- C. In granting requests for dimensional and use variances, the Planning Board shall be bound to the requirements of Section 10.8.C.1 relative to entering evidence into the record in satisfaction of the applicable standards and may impose conditions as stated in Section 10.8.C.3.
- D. In reviewing requests for special use permits the Planning Board shall be bound to the conditions and procedures under which a special use permit may be issued and the criteria for the issuance of such permits, as found within the zoning ordinance Section 10.8.C.2, and shall be required to provide for the recording of findings of fact and written decisions as described in the zoning ordinance pursuant to Section 10.8.C and may impose conditions as stated in Section 10.8.C.3.
- E. Appeals. An appeal from any decision made pursuant to this section may be taken pursuant to Section.

6.13 Development Plan Review

- A. Development plan review established. There shall be development plan

review for uses that are permitted by right under the zoning ordinance.

- B. Permitting authority. The permitting authority shall be as determined in the Land Development and Subdivision Regulations.
- C. Specific and objective guidelines. Design of all projects shall be consistent with the provisions of the Land Development and Subdivision Regulations.
- D. Waivers. The authorized permitting authority may grant waivers of design standards as set forth in the regulations.
- E. Appeal. A rejection of the decision shall be an appealable decision pursuant to Section 10.13.

Section 5. Article 10 Administration, Enforcement and Relief is hereby amended as follows:

ARTICLE 10 ADMINISTRATION, ENFORCEMENT AND RELIEF

10.3 MODIFICATIONS GRANTED BY THE OFFICIAL

The Official is hereby empowered to hear and grant Modifications. Submission requirements for Applications for such Modifications shall be the same as those for a Dimensional Variance Application, provided that references to the Zoning Board shall refer to the Official.

- ~~A.~~ A Modification may be requested for adjustments or deviations not exceeding 25% of ~~any of the requirements of Table I, "Dimensional Regulations" in §5.4 or quantitative or dimensional requirements of parking, signs, landscaping, and other similar requirements of this Ordinance, but excluding the moving of lot lines, lot area, and density~~ the literal dimensional requirements of this ordinance. This does not permit the moving of lot lines.
- B. Within ten (10) days of receipt of a request for a Modification, the Official shall make a decision as to the suitability of the requested Modification based on the following determinations:
 - 1. The Modification requested is reasonably necessary for the full enjoyment of the permitted use;
 - 2. If the Modification is granted, neighboring property will neither be substantially injured nor its appropriate use substantially impaired;
 - 3. ~~The Modification requested is in harmony with the purposes and intent of the Comprehensive Plan and this Zoning Ordinance~~ The Modification requested does not violate any rules or regulations with respect to a freshwater or coastal wetland; and
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- ~~C.~~ Upon an affirmative determination on the Modification, in the case of a modification of five percent (5%) or less, the Official shall have the authority to issue a permit approving the modification, without any public notice requirements. In the case of a

modification of greater than five percent (5%), the Official shall notify, by first class mail, all property owners abutting the property which is the subject of the modification request and shall indicate the street address of the subject property in the notice, and shall publish in a newspaper of local circulation within the town give notice in the same manner as would be given for a Variance Application, pursuant to §10.8(B), that the Modification will be granted unless written objection is received within ~~thirty~~ fourteen (3014) days of the public notice, and inviting the public to inspect the plans and Application during normal working hours. If any written objection is received within ~~thirty~~ fourteen (3014) days, the request for a Modification shall be ~~denied~~ scheduled for the next available hearing before the Zoning Board on application for a dimensional variance following the standard procedures for such variances, including notice requirements provided in Section 10.8.B . ~~In such case, the changes requested will be considered a request for a Dimensional Variance and may only be issued by the Zoning Board following the standard procedures for Variances.~~

- D. If no written objections are received within ~~thirty~~ fourteen (3014) days, the Official shall grant the Modification. The Official may apply such special conditions to the Permit as may, in the opinion of the Official, be required to conform to the intent and purposes of the Zoning Ordinance. The Official shall keep public records of all requests for Modifications, and of findings, determinations, special conditions, and any objections received. If the Official grants the Modification, the written decision thereof shall be recorded in the Land Evidence Records of the Town.
- E. ~~If the Official denies the Modification, or if the applicant is aggrieved by some part of the Official's decision, there is no right of appeal. Rather, the changes requested will be considered a request for a Dimensional Variance and may only be granted by the Zoning Board following the standard procedures for Dimensional Variances~~ Cost of any notice required under this section shall be borne by the applicant requesting the modification.

Section 6. 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, June 18, 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: the amendments are being proposed to numerous sections of the Zoning Ordinance to comply with amendments made to the land use enabling acts that went into effect on January 1, 2024.

The amendments involve adding changes to the following articles and sections of the ordinance including: *Article 2 Definitions; Article 3 Nonconformance; 3.7 Existence By Variance Or Special Use Permit; 3.11 Land Nonconforming By Area, E. Merger Prohibited For Certain Lots; Article 4 Use Regulations, (New Section) 4.7 Adaptive Reuse Projects with subsections A-G; Article 6 –Supplementary Regulations (New subsections) 6.1 Land development projects, 6.12 Unified Development Review and 6.13 Development Plan Review and Article 10 Administration, Enforcement And Relief*

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

Please publish as a display ad in the May 30th, June 6th and June 13th editions of the Valley Breeze using type size at least as large as the normal type size used in news articles.



Memorandum

DATE: May 15, 2024

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Public Hearing to consider a request for Outdoor Seating/Bar Service for The Orchard Grille, Inc. d/b/a “The Orchard Grille”, for the May 21st Council Meeting

BACKGROUND:

Town Council to conduct a Public Hearing to consider approval of outdoor seating and bar service for The Orchard Grille d/b/a “The Orchard Grille”. 132 Pleasant View Avenue. Ms. Fortier’s Class B-Victualler Beverage License as approved on November 16, 2021. Pursuant to the rules and regulations established by the State Liquor Control, they are requesting permission from the Town Council to extend the current alcoholic beverage service to their outside dining area. Accordingly all abutters within 200 feet of the establishment were notified of this change and the Public Hearing was advertised twice prior to this meeting in the Valley Breeze.

TOWN REVENUE:

There will be no additional fee at this time other than the fee for advertising the Public Hearing.

SUPPORTING DOCUMENTS:

Copy of letter requesting the outdoor seating and bar service
Copy of License Application
Copy of BCI – No record
Copy of Notice to abutters
Copy of radius map & abutters list
Drawings of the current deck area
Copy of TIP Cards
Notice of Public hearing that appeared in the Valley Breeze on May 9, 2024 and May 16, 2024

RECOMMENDED MOTION:

Move that the Smithfield Town Council approve outdoor seating and bar service for The Orchard Grill, LLC d/b/a “The Orchard Grille”, 132 Pleasant View Avenue, as applied, subject to compliance with all State regulations and local ordinances.

To whom it may concern;

My name is Stacie Fortier. I am the owner of The Orchard Grille located at 132 Pleasant View Ave. I would like to formally request approval from the town to provide outdoor seating to my customers. We intend to offer outdoor dining for customers who wish to sit outside during the hours of 7am thru 8pm. This would cover our Breakfast, Lunch, and Dinner hours. I believe that this would be a nice addition to our town. I would like to thank you in advance for your consideration. Please let me know if any other information is needed.

Best Regards,

Stacie Fortier

President/Owner

The Orchard Grille

Sign

Date

Stacie Fortier 4/23/24

TOWN OF SMITHFIELD
OFFICE OF THE TOWN CLERK
LICENSE APPLICATION

FEE: NO FEE

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.

OUTDOOR SEATING/BAR SERVICE
(NEW REQUEST)

Date of Application: 7/10/2023

Type of License: Beverage Class B-V

License Application Status: Renewal

Name of Applicant: Stacie A. Fortier

Date of Birth: 6/8/1971

Resident Address: 25 Lamoreux Blvd.
North Smithfield RI 02896

Business Address: 132 Pleasant View Ave. Map:
Smithfield RI 02917 Lot:

Corporation Name: The Orchard Grill, Inc.

Resident Telephone: (401) 474-9078 Business Telephone: _____

Operating Under
Trade Name of: The Orchard Grille

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

President Stacie Fortier 25 Lamoreux Blvd. RI, 02896 (401) 474-9078

Describe Operation of Business:

Required to fill requested Monday through Sunday 6:00 a.m. to 2:00 a.m. only until Liquor License is approved.
Hours of Operation:

Signature of Applicant: X Stacie Fortier Title: X Stacie Fortier
OWNER

APPLIES TO BUSINESS ESTABLISHMENTS ONLY.

In Case of Emergency/Person to Contact

Name: Robert Fortier Address: 25 Lamoreux Blvd., North Smithfield, RI 02896 Telephone: (401) 474-9078

Name: _____ Address: _____ Telephone: _____

Police Chief: X Stacie Fortier Fire Chief: X Robert Fortier
Building Official: X Stacie Fortier Owner of Premises: X Jan Fallas

RI Dept. of Health: SIGNATURE NOT REQUIRED

At a meeting of the Smithfield Town Council, held on _____ the above stated application was

() Approved () Denied License# _____ Date Issued: _____

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



POLICE CLEARANCE REPORT FOR LICENSE APPLICATION

DATE: 4/15/24

1. NAME OF CANDIDATE: (PRINT)

Fortier Stacie A.
 LAST FIRST MIDDLE

MAIDEN NAME N/A

2. DATE OF BIRTH 6/8/71

3. PLACE OF BIRTH Woonsocket Hospital

4. CURRENT ADDRESS 25 Lamoureux Blvd. N.S.

5. NAME OF BUSINESS The Orchard Grille

6. TYPE OF BUSINESS RESTAURANT

7. BUSINESS ADDRESS 132 Pleasant View Ave.

8. IS BUSINESS INCORPORATED yes

IF SO, LIST OFFICERS

Stacie Fortier president

9. BUSINESS PHONE 401-234-9980

10. HOME PHONE 401-474-9078

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>6/1995</u>	<u>present</u>	<u>25 Lamoureux Blvd. N.S.</u>	<u>Smithfield RI</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

1. Gina Astorini 119 Pomona St N.S. 786-566-3272
 NAME ADDRESS PHONE
2. Leo Kennedy 43 Barenty Circle Greenwich 401-447-9445
 NAME ADDRESS PHONE

CANDIDATE'S SIGNATURE: X Stacie Fortier Witness: _____

May 7, 2024

PUBLIC HEARING

NOTICE IS HEREBY GIVEN by the Town Council of the Town of Smithfield, being the Licensing Board in said Town, that an application for a license to sell intoxicating beverage under the provisions of Title 3, of the General Laws of R.I., 1956, and any amendments thereto, has been made to said Council as follows:

REQUEST FOR OUTDOOR SEATING AND BAR SERVICE

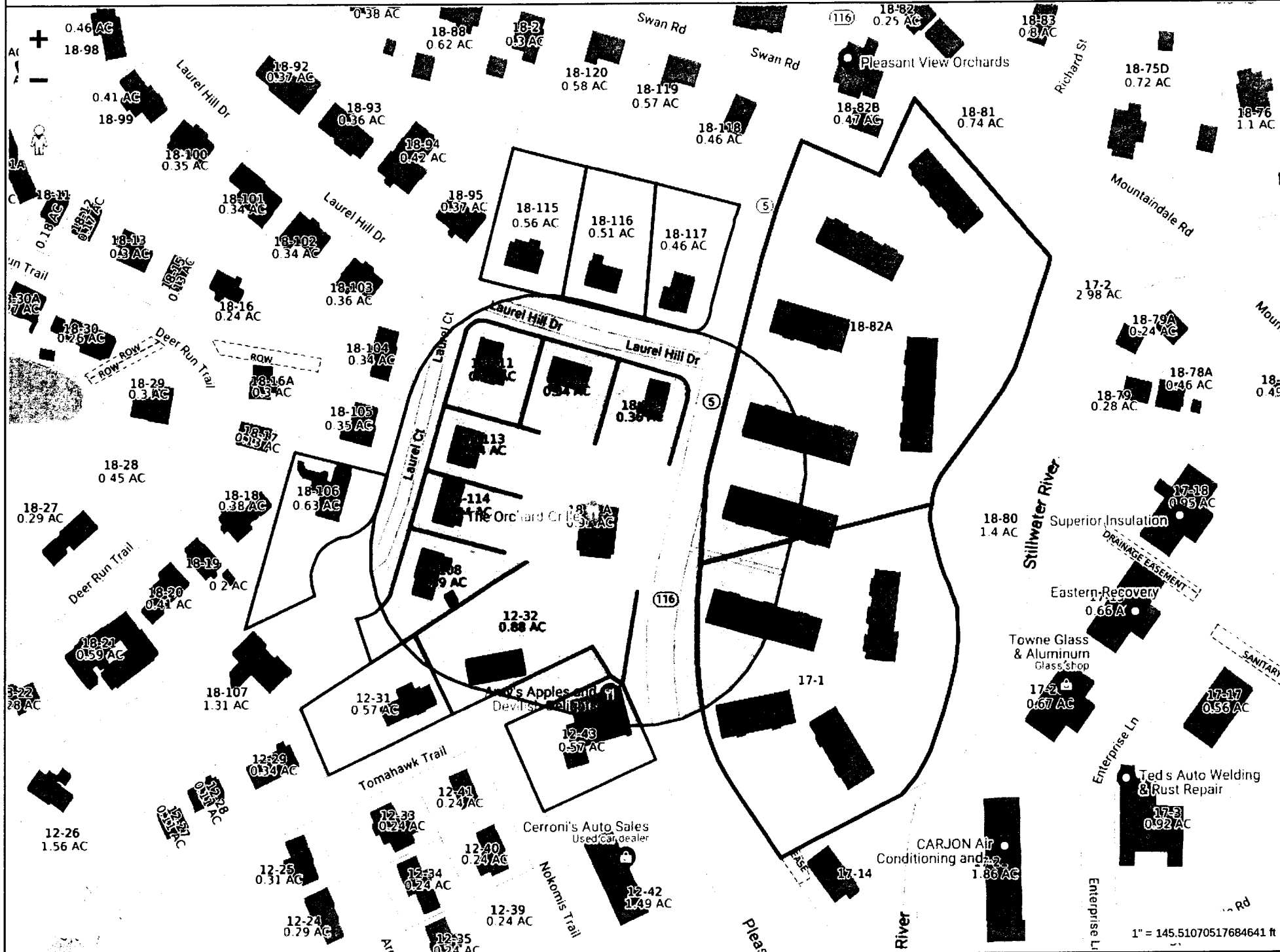
The Orchard Grill, Inc. d/b/a “The Orchard Grille”, 132 Pleasant View Avenue, in the Town of Smithfield.

The above named application will be in order for a hearing at a meeting of said Town Council on Tuesday, May 21, 2024 at 7:00 p.m., in the Council Chambers, Smithfield Town Hall, 64 Farnum Pike, Smithfield, at which time and place all remonstrants may make their objections.

The public is welcome to any meeting of the Smithfield Town Council. 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 meeting.

By order of the Town Council,

Lyn Antonuccio, MPA, CMC, Town Clerk



Property Information
 Property ID 1692
 Location 132 PLEASANT VIEW AVE
 Owner MULBERRY ASSOCIATES



MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT

Town of Smithfield, RI makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 4/10/2024
 Data updated 4/10/2024

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

1" = 145,510,705,176,846,41 ft

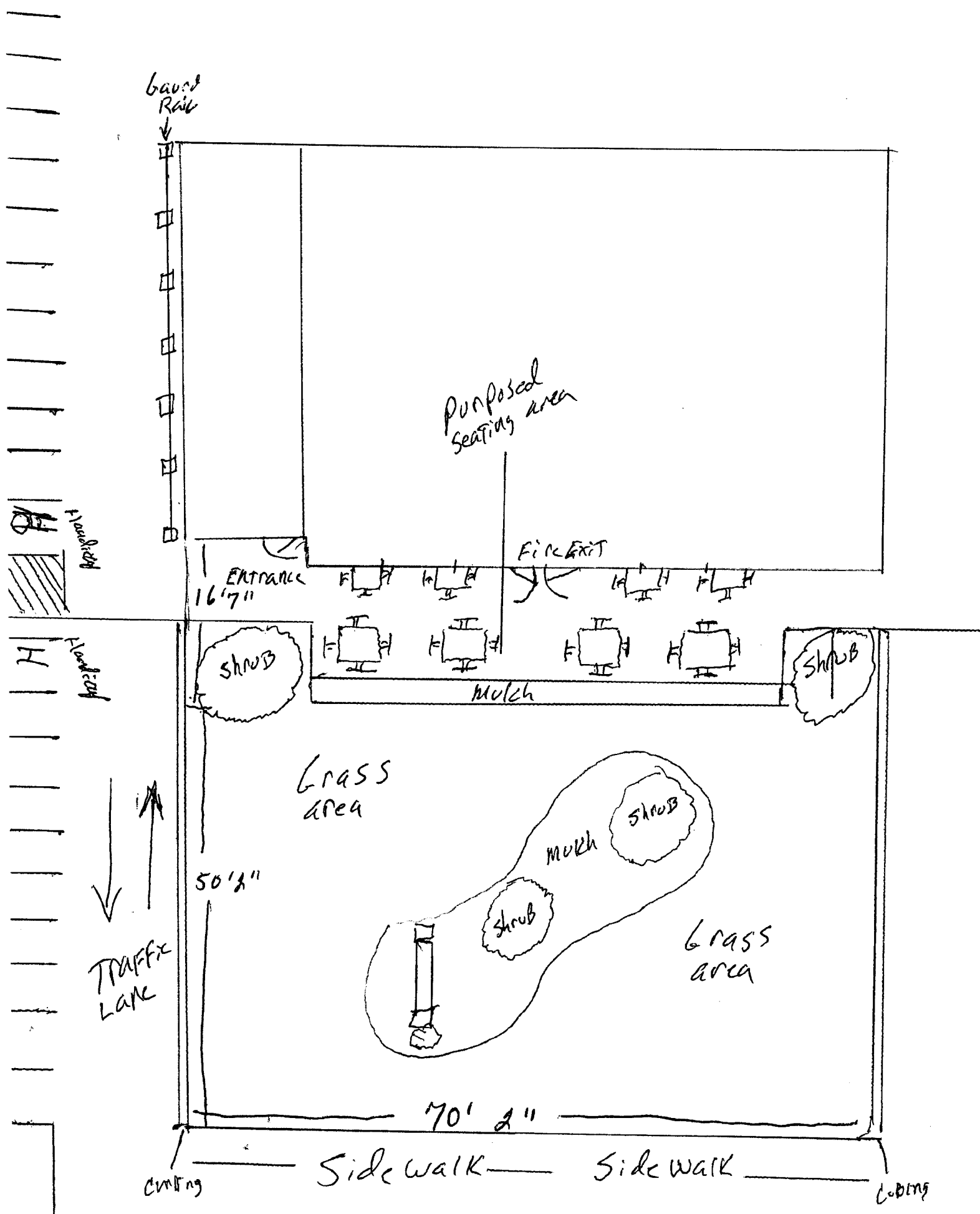
Abutters Report

Abutters

<u>REM ACCT NUM</u>	<u>REM OWN NAME</u>	<u>REM PRCL LOCN</u>
11-0467-02	KELLY PATRICIA	135 PLEASANT VIEW AVE
19-0400-02	SANTORO WILLIAM H ET AL	135 PLEASANT VIEW AVE
23-0435-50	PELAGALLI CHERYL A	135 PLEASANT VIEW AVE
09-0172-50	IMONDI DEBORAH M ET AL	135 PLEASANT VIEW AVE
19-0400-01	SANTORO WILLIAM ET AL	135 PLEASANT VIEW AVE
11-0912-50	CRICHTON DANIEL T	135 PLEASANT VIEW AVE
08-0725-44	STAELEN LORRAINE R	135 PLEASANT VIEW AVE
03-0071-00	CORCELLI CAROL	135 PLEASANT VIEW AVE
03-3222-98	GREENHALGH JACQUELINE	135 PLEASANT VIEW AVE
04-1917-00	MOREAU NICHOLAS	135 PLEASANT VIEW AVE
03-1128-50	PLACIDO LINDA A	135 PLEASANT VIEW AVE
03-0506-58	CANNING JOHN J ET UX	135 PLEASANT VIEW AVE
04-0415-26	DARBROUGH DOUGLAS J	131 PLEASANT VIEW AVE
14-0619-00	KRUTH AUSTIN L	131 PLEASANT VIEW AVE
02-0210-29	BALDONI FREDERICK D	131 PLEASANT VIEW AVE
07-0695-89	VINAGRO BEVERLY	131 PLEASANT VIEW AVE
06-1339-98	MORRISSETTE PATRICIA M S	131 PLEASANT VIEW AVE
01-0288-08	AGRELA BRENDEN M	131 PLEASANT VIEW AVE
02-1695-54	AUSTIN MICHAEL R	131 PLEASANT VIEW AVE
03-2599-86	COLANNINO NICOLE A	131 PLEASANT VIEW AVE
13-1141-40	MASSOYAN PIERRE &	131 PLEASANT VIEW AVE
16-2087-92	KIMATIAN CATHY	131 PLEASANT VIEW AVE
16-0119-40	BERNICE R PAGLIARINI L/E	131 PLEASANT VIEW AVE
19-1328-50	131 24 PLEASANT VIEW LLC	131 PLEASANT VIEW AVE
16-2910-15	PULEO CLAIRE D TRUST	131 PLEASANT VIEW AVE
26-0126-70	REGINA M ZOGLIO DECLARATI	131 PLEASANT VIEW AVE
03-0211-75	PALAZZO GREGORY V &	131 PLEASANT VIEW AVE
16-0225-30	RODRIGUES LORI A & ANTONI	131 PLEASANT VIEW AVE
10-0143-94	ORABONA KEVIN D	127 PLEASANT VIEW AVE
06-0179-05	FALLON DIANA C	127 PLEASANT VIEW AVE
02-0530-05	BARTER FAMILY TRUST	127 PLEASANT VIEW AVE
03-3122-10	CONNORS ELAINE J ET AL	127 PLEASANT VIEW AVE
22-0057-02	VALENTE MICHAEL A	127 PLEASANT VIEW AVE
13-0578-31	PLANTE PATRICE	127 PLEASANT VIEW AVE
22-0050-00	VALENTE DEBRA M	127 PLEASANT VIEW AVE
03-0425-17	CARRIERE MICHAEL	127 PLEASANT VIEW AVE
06-1356-50	FORTIN JEFFREY J ET UX	127 PLEASANT VIEW AVE
04-1625-50	DESTEFANIS ANTHONY & ANGE	127 PLEASANT VIEW AVE
16-0870-50	FEINSTEIN JOINT REVOCABLE	127 PLEASANT VIEW AVE
13-0674-20	MARCOTTE PAUL G	127 PLEASANT VIEW AVE
20-6979-28	ENOS REVOCABLE FAMILY TRU	127 PLEASANT VIEW AVE
14-0530-09	STENMARK BEVERLY E	127 PLEASANT VIEW AVE
04-0411-00	LOWELL KAREN L	127 PLEASANT VIEW AVE
02-2291-50	BRANCH MICHAEL L ET UX	127 PLEASANT VIEW AVE
22-0080-00	VALENTINO BARBARA J	127 PLEASANT VIEW AVE
03-1124-50	CARTER DEBRA A	127 PLEASANT VIEW AVE
05-0187-70	ELITE PROPERTIES LLC	128 PLEASANT VIEW AVE
13-1205-00	MATHURIN FAMILY TRUST	2 LAUREL COURT
16-1530-00	PETRONIO PASCO JR ET UX	4 LAUREL HILL DR
22-0624-12	VOTOLATO ALFRED F ET UX	134 PLEASANT VIEW AVE

13-3400-80
03-2656-90
19-2748-50
02-1654-70
12-0868-46
03-1562-10
22-0273-00
12-1388-40
16-0463-50
16-2895-09
08-0180-02
01-0245-77
12-2021-24
04-1103-92
15-0022-54
16-2711-75
CONDOMAIN
02-0823-80
05-0450-00

MULBERRY ASSOCIATES	132 PLEASANT VIEW AVE
SUSAN M COLE REV TRUST	4 LAUREL COURT
STEINERT CAROL D L/E ET A	6 LAUREL COURT
BOISVERT ROBERT N	8 LAUREL COURT
LAROCHE EUGENE R JR ET UX	5 LAUREL COURT
CESARO MARY	5 LAUREL HILL DR
VARRECCHIONE FRANK A ET U	3 LAUREL HILL DR
BARONE ALYSSA	136 PLEASANT VIEW AVE
PARENTE DEBRA ET AL TIC	125 PLEASANT VIEW AVE
PUCCI LEONARD R & WENDY B	125 PLEASANT VIEW AVE
HALL RICHARD E TRUST AGR	125 PLEASANT VIEW AVE
ADLER CHRISTOPHER W ET UX	125 PLEASANT VIEW AVE
MCCLAIN PAMELA	125 PLEASANT VIEW AVE
DELUCA MICHAEL E REVOCABL	125 PLEASANT VIEW AVE
OBRIEN DEBORAH	125 PLEASANT VIEW AVE
PROULX ARLINE M LE	125 PLEASANT VIEW AVE
AMENDED DECLARATION	125-135 PLEASANT VIEW AVE
BEAULIEU THOMAS R JR	7 TOMAHAWK TRAIL
ESPOSITO PAUL	5 TOMAHAWK TRAIL



Garage Ramp

Purposed Seating area

ENTRANCE 16'7"

Fire Exit

shrub

shrub

Mulch

Grass area

shrub

Mulch

shrub

Grass area

50' 8"

70' 2"

Side walk

Side walk

Camping

Lodging

TRAFFIC LANE

Furniture

Furniture



A 360TRAINING COMPANY

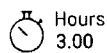
CERTIFICATE OF COMPLETION

This certifies that

Hope Emerald ORourke

is awarded this certificate for

TIPS Rhode Island On-Premise Alcohol Server Training



Hours
3.00



Completion Date
10/24/2022



Expiration Date
10/23/2025



Certificate #
RI-ON-000026987377

Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

5000 Plaza on the Lake, Suite 305 | Austin, TX 78746 | 877.881.2235 | www.360training.com

(CUT HERE)

(CUT HERE)



RI On-Premise

Issued: 10/24/2022

Certificate #: RI-ON-000026987377

Hope Emerald ORourke

47 Rolling Green Dr

Foster RI 02825

CERTIFIED

Expires: 10/23/2025



A 360TRAINING COMPANY

Phone: 800-438-8477

www.gettips.com

This card was issued for successful completion of the TIPS program.

Signature _____



CERTIFICATE OF COMPLETION

This certifies that

Lisa Marie Fernandes

is awarded this certificate for

TIPS Rhode Island On-Premise Alcohol Server Training

Hours
3.00

Completion Date
03/27/2023

Expiration Date
03/26/2026

Certificate #
 RI-ON-000028425615

Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

5000 Plaza on the Lake, Suite 305 | Austin, TX 78746 | 877.881.2235 | www.360training.com

(CUT HERE)

(CUT HERE)

RI On-Premise

ISSUED

Issued: 03/27/2023

Certificate #: RI-ON-000028425615

Lisa Marie Fernandes

105 Allen Ave

Woburn MA 01897 RI 02870

CERTIFIED

Expires: 03/26/2026

|

Phone: 800-438-8477

www.gettips.com

This card was issued for successful completion of the TIPS program.



A TRAINING COMPANY

CERTIFICATE OF COMPLETION

This certifies that

Kellie Canavan

is awarded this certificate for

TIPS Rhode Island On-Premise Alcohol Server Training

Hours
3.00

Completion Date
05/07/2024

Expiration Date
05/07/2027

Cert. Code #
RI-ON-000033483800

Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

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SCISSOR ICON

SCISSOR ICON

RI On-Premise

Issued: 05/07/2024

Certificate #: RI-ON-000033483800

Kellie Canavan

12/05/2023

Expires: 05/07/2027

CERTIFIED

Expires: 05/07/2027



Phone: 800-438-8477

www.gettips.com

This card was issued for successful completion of the TIPS program

Signature

.....



November 16, 2021

Subject: T.I.P.S. Certification

To Whom It May Concern:

This letter is to confirm that the following individual has successfully completed the T.I.P.S. certification course approved by the State of Rhode Island. She is awaiting her Certification card in the mail. The trainer was Jarrod Cotton, Trainer # 36023. Any questions please feel free to contact me at (401)714-7604. Participant:

Stacey Steere

07/21/1973

Sincerely,

Jarrod E. Cotton

T.I.P.S. Trainer

1117 Douglas Ave. Unit 306

North Providence, RI

02904

.....

**TOWN OF SMITHFIELD
INTOXICATING BEVERAGE LICENSE**

NOTICE IS HEREBY GIVEN, by the Smithfield Town Council of Smithfield serving as the Smithfield Licensing Board, that an application for a License to sell intoxicating beverages under the provisions of Title 3, of the General Laws of R.I., 1956, and any amendments thereto has been made to said Council as follows:

**REQUEST FOR OUTDOOR SEATING AND BAR SERVICE
(Addendum to existing Class B-Victualler Beverage License)**

**The Orchard Grill, Inc. d/b/a "The Orchard Grille", 132 Pleasant View Avenue
in the Town of Smithfield**

The above named application will be in order for a hearing of the Town Council on May 21, 2024, at 7:00 p.m., Smithfield Town Hall, Council Chambers, 64 Farnum Pike at which time and place all respondents may make their objections. The public is welcome to any meeting of the Smithfield Town Council. 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.

By order of the Town Council: Lyn Antonuccio, MPA, CMC Town Clerk



Memorandum

DATE: May 15, 2024

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Conduct a Show-Cause Hearing for the May 21st Town Council Meeting

RECOMMENDED MOTION:

Conduct a Show-Cause Hearing for Tuesday, May 21, 2024, to consider the possible suspension, revocation, or other sanction regarding the Mobile Food Truck Licenses on the following listed establishments due to non-compliance with the conditions of renewal:

1. Farm to Sandwich, LLC d/b/a “Farm to Sandwich”, 14 Abbott Street, Cranston (failure to produce the necessary paperwork for renewal)
2. On the Rhode Café, LLC d/b/a “On the Rhode Café”, 73B Gene Allen Road, Foster (failure to produce the necessary paperwork for renewal)



Memorandum

DATE: May 15, 2024

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Conduct a Show-Cause Hearing for the May 21st Town Council Meeting

RECOMMENDED MOTION:

Conduct a Show-Cause Hearing for Tuesday, May 21, 2024, to consider the possible suspension, revocation, or other sanction regarding the Holiday Sales Licenses on the following listed establishments due to non-compliance with the conditions of renewal:

1. The Sevingy Group, LLC d/b/a “Smithfield Fitness”, 970 Douglas Pike (failure to pay outstanding tangible taxes)
2. Speedway, LLC d/b/a “Speedway #02821”, 263 Putnam Pike (failure to produce the necessary paperwork for renewal)



Memorandum

DATE: May 15, 2024

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: New Victualling License for AJL, LLC d/b/a “New England Lemonade” for the May 21st Town Council Meeting

BACKGROUND:

AJL, LLC d/b/a “New England Lemonade”, has applied for a new Victualling License for their business located at 3 Austin Avenue, Unit A.

TOWN REVENUE:

Fee for a Victualling License is \$50.00 per year

SUPPORTING DOCUMENTS:

Copy of application
Copy of BCI – No Record
Retail Sales Permit
Food Business License

RECOMMENDED MOTION:

Move that the Smithfield Town Council approve a new Victualling License for AJL, LLC d/b/a “New England Lemonade”, 3 Austin Avenue, Unit A as applied, subject to compliance with all State regulations, local ordinances and a Certificate of Occupancy from the Building Official/Zoning Official’s Office.

TOWN OF SMITHFIELD
OFFICE OF THE TOWN CLERK
LICENSE APPLICATION

FEE: 50.00

PLEASE PRINT:

Note: Please fill in ALL the necessary information.

Date of Application: 3-25-24

Type of License: Victualling - ONLY Check One: New Renewal Amended

Name of Applicant: Robert Lombardi

Date of Birth: 8-13-1961

Resident Address: 15 INDIAN HEAD TRAIL

Business Address: 3 AUSTIN AVE. UNIT A

Operating Under Trade Name of: NEW ENGLAND LEMONADE

Resident Telephone: 401-949-4234 Business Telephone: 578-8663

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: _____

Requested Hours of Operation: _____

Signature of Applicant: [Signature] Title: OWNER

Applies to business establishments only:

In case of emergency/person to contact

Name: JO-ANN LOMBARDI Address: 15 INDIAN HEAD TRAIL Phone: 949-4234 837-1690

Name: _____ Address: _____ Phone: _____

For Official Use Only

Police Chief: [Signature]
Building Official: SIGNATURE NOT REQUIRED
RI Dept. of Health:

Fire Chief: [Signature]
Owner of premises: [Signature] OWNER

At a meeting of the Smithfield Town Council, held on 5/31/24

() Approved () Denied

License #: 163 Date Issued: _____

the above stated application was:

No Disqualifying Record



Chief of Police

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

**POLICE CLEARANCE REPORT FOR
LICENSE APPLICATION**

DATE: 0 3/25/24

1. NAME OF CANDIDATE: (PRINT)

LOMBARDI Robert R
LAST FIRST MIDDLE

MAIDEN NAME

8.13.1961 WARWICK R.I.

2. DATE OF BIRTH

15 INDIAN HEAD TR.

3. PLACE OF BIRTH

NEW ENGLAND Lemonade

4. CURRENT ADDRESS

Frozen Lemonade Smithfield

5. NAME OF BUSINESS

3- AUSTIN AVE. SMITHFIELD

6. TYPE OF BUSINESS

7. BUSINESS ADDRESS

8. IS BUSINESS INCORPORATED

IF SO, LIST OFFICERS

401-274-3255
9. BUSINESS PHONE

401-949-4234
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
7/1997/	CURRENT	15 INDIAN HEAD TR	SMITHFIELD
1970-	1997	45 GAGE ST.	WARWICK

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. DAVE COOK | CONTINENTAL DRIVE | 640-3632 |
| NAME | ADDRESS | PHONE |
| 2. DAVE KEENE | TOWN DPW - GARAGE | 595-4009 |
| NAME | ADDRESS | PHONE |

CANDIDATE'S SIGNATURE:

Robert Lombardi

Witness:



State of Rhode Island
 Division of Taxation
 One Capitol Hill
 Providence, RI 02908-5800

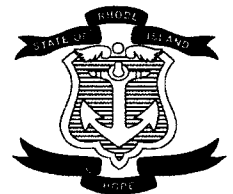


Phone: (401) 574-8955
 TTY Via 711
 Fax: (401) 574-8914
 Email: Tax.Excise@tax.ri.gov

MAY 06 2024 AM 10:02

AJL LLC NEW ENGLAND FROZEN LEMONADE
 280 DOUGLAS AVE
 PROVIDENCE, RI 02908-3764

State of Rhode Island
 DIVISION OF TAXATION



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

ID: 2-5849-9858

ISSUED TO:

AJL LLC NEW ENGLAND FROZEN LEMONADE
 3 AUSTIN AVE STE A
 GREENVILLE, RI 02828-1484

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 license number for this place 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 280-RICR-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.**

DATE ISSUED: 05/03/2024

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

NEENA S. SAVAGE
 TAX ADMINISTRATOR

State of Rhode Island



Department of Health Center for Food Protection

This is to certify that NEW ENGLAND LEMONADE located at 3 AUSTIN AVENUE, GREENVILLE RI 02828, , having given satisfactory evidence that said establishment is qualified in conformity with Chapter 21-27 of the General Laws of 1956, as amended, is hereby granted a

FOOD BUSINESS LICENSE

to operate a Food Business at the above address in the State of Rhode Island, for the period ending: **04/30/2025**

License Number: *FSV36662*

License: *Seats - Less than 50 - Scoop Ice Cream/Novelties (no manufact)*

THIS LICENSE IS NOT TRANSFERABLE.

This license must be posted where consumers can see it.



Memorandum

DATE: May 15, 2024

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Annual Renewal of one (1) Massage Establishment License for the May 21st Town Council Meeting

BACKGROUND:

The business listed below has filed their application for renewal.

TOWN REVENUE:

The cost to renew the Massage Establishment License is \$100.00 per year.

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) Massage Establishment License, as applied, subject to compliance with all State regulations and local ordinances:

1. Rhonda Rohelia d/b/a “Soothing Touch Spa”, 180C Pleasant View Avenue



Memorandum

DATE: May 15, 2024

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Annual Renewal of one (1) Massage Therapy License for the May 21st Town Council Meeting

BACKGROUND:

The business listed below has filed their application for renewal.

TOWN REVENUE:

The cost to renew the Massage Therapy License is \$75.00 per year.

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) Massage Therapy License, as applied, subject to compliance with all State regulations and local ordinances:

1. Rhonda Rohelia working at “Body Grateful Day Spa”, 180C Pleasant View Avenue



Memorandum

DATE: May 15, 2024

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Annual renewal of two (2) Holiday Sales Licenses for the May 21st Town Council Meeting

BACKGROUND:

The businesses listed below have filed their applications for renewal.

TOWN REVENUE:

The cost to renew the Holiday Sales 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 two (2) Holiday Sales License, as listed, as applied, subject to compliance with all State regulations and local ordinances.

1. DK Convenience, LLC d/b/a “DK Convenience”, 200 Pleasant View Avenue, Unit 3
2. Premium Brands Opco, LLC d/b/a “Loft #734”, 371 Putnam Pike



Memorandum

DATE: May 15, 2024

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Annual Renewal of one (1) Peddler's License for the May 21st Town Council Meeting.

BACKGROUND:

The business listed below has filed their application for renewal. As required, a background check has been conducted on the owner of the business, and background checks on all drivers will be done as they are hired.

TOWN REVENUE:

The cost to renew the Peddler's License is \$100.00 per year.

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) Peddler's License, as applied, subject to compliance with all State regulations and local ordinances.

1. A & W of Rhode Island, Inc. d/b/a "A & W", to sell Christmas Trees, plants and flowers, 460 Putnam Pike



Memorandum

DATE: May 15, 2024

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Request for Outdoor Seating for Cava Mezze Grill, LLC d/b/a “CAVA” to add to their current Victualling Only License for the May 21st Town Council Meeting

BACKGROUND:

Cava Mezze Grill, LLC d/b/a “CAVA”, has requested Outdoor Seating to be added to his current Victualling Only License, located at 473 Putnam Pike, Suite A2.

TOWN REVENUE:

There is no cost to add Outdoor Seating to an existing Victualling Only License.

SUPPORTING DOCUMENTS:

Copy of License Application
Copy of BCI – No Record
Retail Sales Permit
Food Business License
Diagram of Outdoor Seating

RECOMMENDED MOTION:

Move that the Smithfield Town Council approve a request for outdoor seating to be added to their current Victualling Only License, located at 473 Putnam Pike, Suite A2 subject to compliance with all State regulations, local ordinances and letter requesting outdoor seating.

TOWN OF SMITHFIELD
 OFFICE OF THE TOWN CLERK
 LICENSE APPLICATION

FEE: NO FEE

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.

OUTDOOR SEATING

Date of Application: 7/10/2023

Type of License: Victualling-Only

License Application Status: Renewal

Name of Applicant: Alexander Kennedy

Date of Birth: 7/24/1984

Resident Address: 32 Progressive St
Worcester MA 01614

Business Address: 473 Putnam Pike, Ste. A2
Smithfield RI 02828

Map:
 Lot:

Corporation Name: Cava Mezze Grill, LLC

Resident Telephone: (617) 708-5830

Business Telephone: (401) 355-7402

Operating Under
 Trade Name of: CAVA

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

Chief Legal Officer	Kenneth Bertram	14 Ridge Square NW, Suite 500 DC,20016
Chief Executive Officer	Brett Achulman	14 Ridge Square NW, Suite 500 DC,20016
Chief Financial officer	Tricia Tolivar	14 Ridge Square NW, Suite 500 DC,20016

Describe Operation of Business: Fast casual restaurant serving Mediterranean cuisine for lunch and dinner. No alcohol is served. (Limited Services Restaurant)

Required to fill requested Hours of Operation: Monday through Sunday 6:00 a.m. to 2:00 a.m.

Signature of Applicant: X [Signature] Title: X General Manager

APPLIES TO BUSINESS ESTABLISHMENTS ONLY:

In Case of Emergency/Person to Contact

Name: <u>Alex Kennedy</u>	Address: <u>32 Progressive St., Worcester, MA 01604</u>	Telephone: <u>(617) 708-5830</u>
Name: <u>Patrick Cartier</u>	Address: <u>34 Chandler St., Plymouth MA 02360</u>	Telephone: <u>(401) 919-7287</u>

Police Chief: X [Signature]

Building Official: [Signature]

RI Dept. of Health: _____

For Official Use Only

Fire Chief: X [Signature]

Owner of Premises: [Signature]
DAVID CHAMBERLAND

At a meeting of the Smithfield Town Council, held on _____ the above stated application was

() Approved () Denied License# _____ Date Issued: _____

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



POLICE CLEARANCE REPORT FOR LICENSE APPLICATION

DATE: 4/11/24

1. NAME OF CANDIDATE: (PRINT)

Kennedy Alexander Lee
 LAST FIRST MIDDLE

N/A

MAIDEN NAME
07/24/1994

2. DATE OF BIRTH
32 progressive ST, MA, 01604

St. Louis

3. PLACE OF BIRTH
CAVA Mezze Grill

4. CURRENT ADDRESS
Restaurant

5. NAME OF BUSINESS
423 Putnam Pike, RI, 02828

6. TYPE OF BUSINESS
N/A

7. BUSINESS ADDRESS

8. IS BUSINESS INCORPORATED

IF SO, LIST OFFICERS

401-355-7403

617-708-5830

9. BUSINESS PHONE

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
<u>7/22</u>	<u>current</u>	<u>32 Progressive</u>	<u>MA, 01604</u>
<u>7/21</u>	<u>7/22</u>	<u>18 Bonair</u>	<u>MA, 02145</u>

12. Have you ever been arrested or detained by any police agency? YES X 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. Kia Jeffery 32 progressive ST, MA, 01604 413-636-9296
 NAME ADDRESS PHONE
- 2. Dan Cartier 379 Putnam Pike, Smithfield 401-919-7287
 NAME ADDRESS PHONE

CANDIDATE'S SIGNATURE: _____

Witness: _____



State of Rhode Island
 Division of Taxation
 One Capitol Hill
 Providence, RI 02908-5800



Phone: (401) 574-8955
 TTY Via 711
 Fax: (401) 574-8914
 Email: Tax.Excise@tax.ri.gov

CAVA MEZZE GRILL LLC
 14 RIDGE SQ NW STE 500
 WASHINGTON, DC 20016-2908

State of Rhode Island
 DIVISION OF TAXATION



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

ID: 2-4713-0778

ISSUED TO:
 CAVA MEZZE GRILL LLC
 473 PUTNAM PIKE STE A2
 GREENVILLE, RI 02828-3004

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 license number for this place 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 280-RICR-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.**

DATE ISSUED: 08/31/2023

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

NEENA S. SAVAGE
 TAX ADMINISTRATOR



State of Rhode Island
Department of Health

CAVA

Address Information

473 PUTNAM PK STE A2
 GREENVILLE RI 02828

License Information

License No:	FSV35964	Profession:	Food Service	License Type:	Seats - 50 or More
License Status:	Active	Issue Date:	4/21/2023	Expiration Date:	4/30/2025
Secondary License Type:	Fast Food Service				

Specialty Information

No Specialty Information

Disciplinary Action

Disclaimer: The individual license information on the Licensee Lookup displays only the current license status (e.g., Active, Active Probation, Suspended, Revoked). For the disciplinary history of any individual licensee, please click on the link for the specific profession and then on the Disciplinary Actions link available on each professional board's webpage.

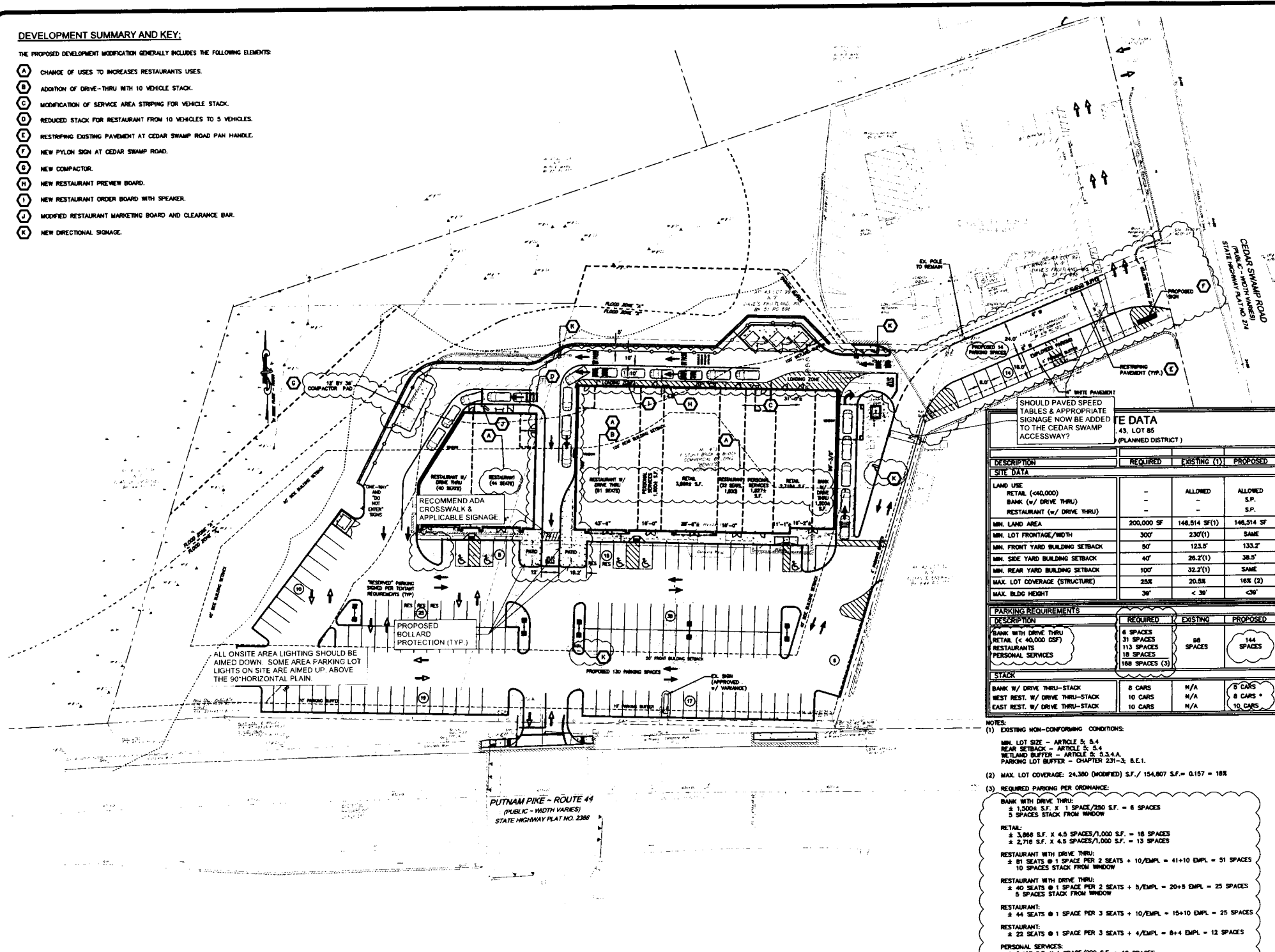
See Board Disciplinary Listings at <http://www.health.ri.gov/lists/disciplinaryactions>

CLOSE THIS WINDOW TO RETURN TO THE SEARCH RESULTS.

DEVELOPMENT SUMMARY AND KEY:

THE PROPOSED DEVELOPMENT MODIFICATION GENERALLY INCLUDES THE FOLLOWING ELEMENTS:

- (A) CHANGE OF USES TO INCREASE RESTAURANTS USES.
- (B) ADDITION OF DRIVE-THRU WITH 10 VEHICLE STACK.
- (C) MODIFICATION OF SERVICE AREA STRIPING FOR VEHICLE STACK.
- (D) REDUCED STACK FOR RESTAURANT FROM 10 VEHICLES TO 5 VEHICLES.
- (E) RESTRIPING EXISTING PAVEMENT AT CEDAR SWAMP ROAD PAN HANDLE.
- (F) NEW PYLON SIGN AT CEDAR SWAMP ROAD.
- (G) NEW COMPACTOR.
- (H) NEW RESTAURANT PREVIEW BOARD.
- (I) NEW RESTAURANT ORDER BOARD WITH SPEAKER.
- (J) MODIFIED RESTAURANT MARKETING BOARD AND CLEARANCE BAR.
- (K) NEW DIRECTIONAL SIGNAGE.



SHOULD PAVED SPEED TABLES & APPROPRIATE SIGNAGE NOW BE ADDED TO THE CEDAR SWAMP ACCESSWAY?

SITE DATA
43, LOT 85
(PLANNED DISTRICT)

DESCRIPTION	REQUIRED	EXISTING (1)	PROPOSED
SITE DATA			
LAND USE		ALLOWED	ALLOWED
RETAIL (<40,000)	-	-	S.P.
BANK (w/ DRIVE THRU)	-	-	S.P.
RESTAURANT (w/ DRIVE THRU)	-	-	S.P.
MIN. LAND AREA	200,000 SF	146,514 SF(1)	146,514 SF
MIN. LOT FRONTAGE/WIDTH	300'	230'(1)	SAME
MIN. FRONT YARD BUILDING SETBACK	50'	123.5'	133.2'
MIN. SIDE YARD BUILDING SETBACK	40'	26.2'(1)	38.5'
MIN. REAR YARD BUILDING SETBACK	100'	32.2'(1)	SAME
MAX. LOT COVERAGE (STRUCTURE)	25%	20.5%	16% (2)
MAX. BLDG HEIGHT	36'	< 36'	< 36'
PARKING REQUIREMENTS			
DESCRIPTION	REQUIRED	EXISTING	PROPOSED
BANK WITH DRIVE THRU	8 SPACES		144 SPACES
RETAIL (< 40,000 GSF)	31 SPACES	88 SPACES	
RESTAURANTS	113 SPACES		
PERSONAL SERVICES	18 SPACES		
	188 SPACES (3)		
STACK			
BANK W/ DRIVE THRU-STACK	8 CARS	N/A	8 CARS
WEST REST. W/ DRIVE THRU-STACK	10 CARS	N/A	8 CARS *
EAST REST. W/ DRIVE THRU-STACK	10 CARS	N/A	10 CARS

NOTES:

(1) EXISTING NON-COMFORMING CONDITIONS:

MIN. LOT SIZE - ARTICLE 5.5.4
 REAR SETBACK - ARTICLE 5.5.4
 WETLAND BUFFER - ARTICLE 5.3.3.4.A
 PARKING LOT BUFFER - CHAPTER 231-3, B.E.1.

(2) MAX. LOT COVERAGE: 24,380 (MODIFIED) S.F. / 154,807 S.F. = 0.157 = 16%

(3) REQUIRED PARKING PER ORDINANCE:

BANK WITH DRIVE THRU:
 ± 1,500 S.F. X 1 SPACE/250 S.F. = 6 SPACES
 3 SPACES STACK FROM WINDOW

RETAIL:
 ± 3,000 S.F. X 4.5 SPACES/1,000 S.F. = 18 SPACES
 ± 2,710 S.F. X 4.5 SPACES/1,000 S.F. = 13 SPACES

RESTAURANT WITH DRIVE THRU:
 ± 81 SEATS @ 1 SPACE PER 2 SEATS + 10/EMPL = 41+10 EEMPL = 51 SPACES
 10 SPACES STACK FROM WINDOW

RESTAURANT WITH DRIVE THRU:
 ± 40 SEATS @ 1 SPACE PER 2 SEATS + 5/EMPL = 20+5 EEMPL = 25 SPACES
 5 SPACES STACK FROM WINDOW

RESTAURANT:
 ± 44 SEATS @ 1 SPACE PER 3 SEATS + 10/EMPL = 15+10 EEMPL = 25 SPACES

RESTAURANT:
 ± 22 SEATS @ 1 SPACE PER 3 SEATS + 4/EMPL = 8+4 EEMPL = 12 SPACES

PERSONAL SERVICES:
 ± 3,427 S.F. X 1 SPACE/200 S.F. = 18 SPACES

TOTAL PARKING REQUIREMENT:
 8 + 18 + 13 + 51 + 25 + 12 + 15 = 148 SPACES A.P. 43, LOT 85
 CGRI GREENVILLE LLC

ZONING PLAN
 FOR
 RETAIL CENTER
 REDEVELOPMENT
 SITUATED ON
 AT 43 LOT 85
 PUTNAM PIKE, SMITHFIELD
 RHODE ISLAND
 PREPARED FOR
 CGRI GREENVILLE LLC

NO.	REVISION	BY	DATE
1	FINAL/PC SET	KTY	11/08/10
2	HC RAMP	SH	04/07/20
3	UPDATED TENANT CHANGES	KTY	04/15/21
4	UPDATED TENANT CHANGES	KTY	03/07/23

DRAFT

This plan is a "Draft" and is not to be used for construction. It is subject to change without notice. The user of this plan is advised that the user of this plan is not to be held responsible for any errors or omissions. The user of this plan is advised that the user of this plan is not to be held responsible for any errors or omissions.

GAROFALO
 GAROFALO & ASSOCIATES, INC.
 CIVIL & STRUCTURAL ENGINEERS/SURVEYORS
 LAND PLANNERS/ENVIRONMENTAL SCIENTISTS

85 CORLISS STREET
 P.O. BOX 6148
 PROVIDENCE, R.I. 02940
 TEL: 401-273-4000

JOB NO. 7156.00
 DWG. NO. 7156-00-Site.dwg
 SCALE: AS SHOWN
 DRAWN BY K.Y.Y.
 CHECK BY S.H.H.
 APPROVED S.B.G.
 DATE: OCTOBER 01, 2019

8 SHEET

C-3

7156-00 Proposed Bank Facility (Component) - Putnam Pike - Smithfield, RI (Site) - Current Zoning Map 7156-00-01 - Zoning Plan Map 03/07/2023 (Impervious) 1:11.4

NOTE: THIS PLAN IS INTENDED TO INDICATE CHANGES TO PREVIOUSLY APPROVED SITE PLANS PROPOSED IN ASSOCIATION WITH TENANT SELECTION AND HAS BEEN DEVELOPED SOLELY



CAVA SMITHFIELD, RI
 PROPOSED PATIO FURNITURE
 4.25.24

PROPOSED FURNITURE:
 - Qty. 2 4-top ADA compliant tables
 - Qty. 8 chairs
 - Qty. 1 Umbrella
 * Please reference the attached spec book for the furniture details.

CODED NOTES	
1	EXISTING TRASH ENCLOSURE.
2	EXISTING TRANSFORMER.
3	EXISTING ADA RAMP.
4	EXISTING DRIVE THRU LANES FOR ADJACENT TENANT.
5	EXISTING FIRE DEPARTMENT CONNECTION.
6	CARRYOUT PARKING SPACE. REFER TO 2 AND FOR CARRY OUT SIGNAGE DETAILS.

ARCHITECT
BKA
 ARCHITECTS
 Boston + Brockton
 142 Crescent
 Street
 Brockton, MA
 01902

CONSULTANT

SEAL

ISSUES & REVISIONS	
50 SET	08/19/2022
02 SET	09/16/2022
PERMIT SET	10/07/2022
IFC SET	11/04/2022

REV	DATE	ISSUED

OWNER/CLIENT

CAVA

PROJECT
 SMITHFIELD - SHOPS ON 44

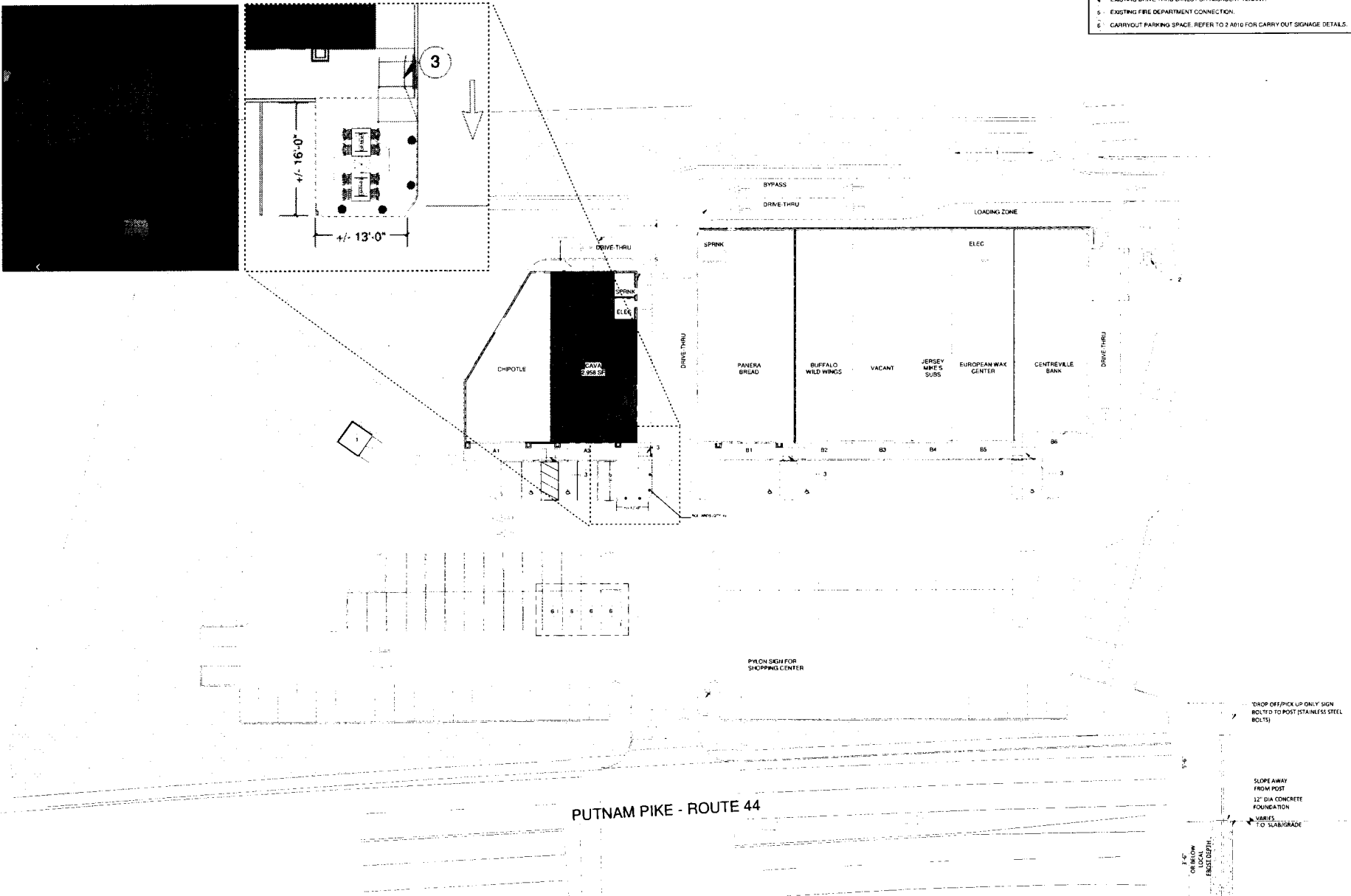
473 PUTNAM PIKE, #A2,
 SMITHFIELD, RI 02828

DRAWING TITLE
 SITE PLAN

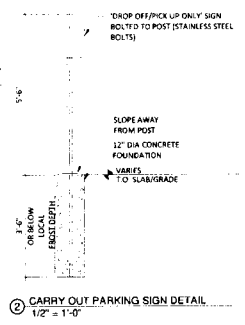
DRAWING INFORMATION
 Job Number: 222120
 Checked By: KTB
 Drawn By: CMD
 DRAWING NUMBER

A
010

ISSUE FOR CONSTRUCTION SET 11/04/2022*



1 FIRST FLOOR - SITE PLAN
 1" = 20'-0"



2 CARRY OUT PARKING SIGN DETAIL
 1/2" = 1'-0"

CAVA SMITHFIELD, RI
 PROPOSED PATIO FURNITURE
 4.25.24

PROPOSED FURNITURE:
 - Qty. 2 4-top ADA compliant tables
 - Qty. 8 chairs
 - Qty. 1 Umbrella
 * Please reference the attached spec book for the furniture details.

CODED NOTES	
1	EXISTING TRASH ENCLOSURE.
2	EXISTING TRANSFORMER.
3	EXISTING ADA RAMP.
4	EXISTING DRIVE THRU LANES FOR ADJACENT TENANT.
5	EXISTING FIRE DEPARTMENT CONNECTION.
6	CARRYOUT PARKING SPACE. REFER TO 2/A010 FOR CARRY OUT SIGNAGE DETAILS.

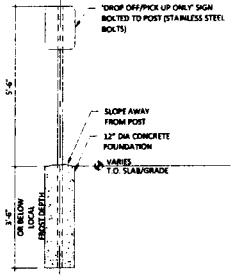
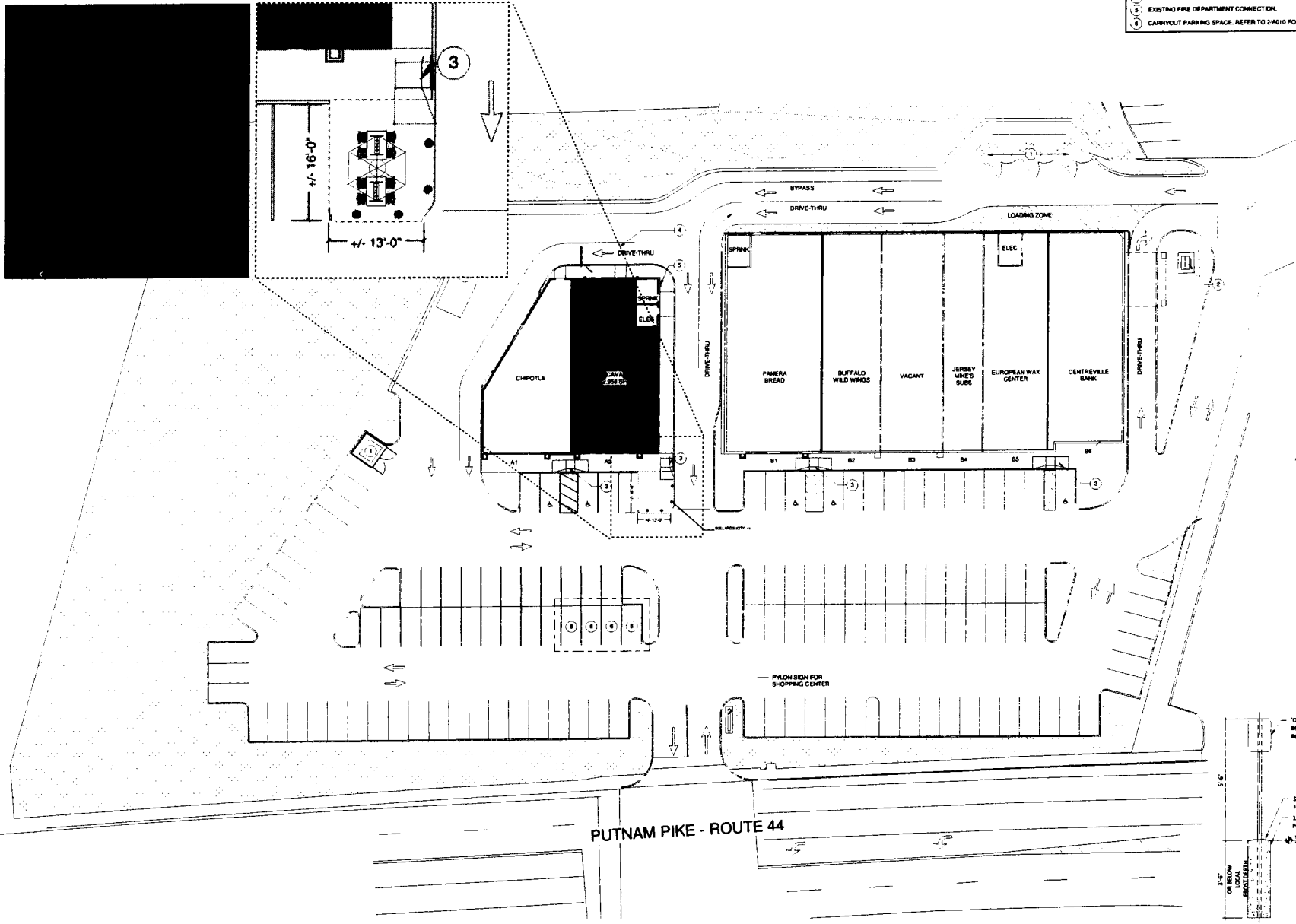
ARCHITECT
BKA ARCHITECTS
 Boston + Brockton
 142 Crescent
 Street
 Brockton, MA
 02607

CONSULTANT

SEAL

ISSUES & REVISIONS

NO	DATE	DESCRIPTION
SD SET	08/19/2022	
DD SET	08/19/2022	
PERMIT SET	10/07/2022	
IPC SET	11/04/2022	



1 FIRST FLOOR - SITE PLAN
 1" = 20'-0"

2 CARRY OUT PARKING SIGN DETAIL
 1/2" = 1'-0"

ISSUE FOR CONSTRUCTION SET 11 / 04 / 2022

OWNER/CLIENT
CAVA

PROJECT
 SMITHFIELD - SHOPS
 ON 44
 473 PUTNAM PIKE, #A2,
 SMITHFIELD, RI 02828

DRAWING TYPE
 SITE PLAN

DRAWING INFORMATION
 Job Number: Z22120
 Checked By: KTB
 Drawn By: CMD
 DRAWING NUMBER

A
010

1

UMBRELLA

Model No. 945466

Non Branded Black Umbrella Square Aluminum Chrome Ball on Top



6.5' Square

Dimensions

Overall Height: 102"

Clearance: 76"

Closed Clearance: 42"

Pole / Mast: 1.5"

Upper Pole: 69"

Lower Pole: 37"

Weight: 18 lbs.

Features

Made in the USA

Smooth and effortless double pulley system.

Ergonomically designed ribs maintain the shape and provide added strength

1.5a diameter 1/8a thick aluminum center pole provides incredible strength and durability

Solid marine grade chrome plated aluminum finial.

QTY. 1

2

UMBRELLA BASE



Model No. 841100

100 Lb Round Premium Aluminum Umbrella Base, Silver

Premium aluminum concrete filled umbrella base with wheels for easy relocation. Use as free standing wheel base or with a table. Accommodates Mast 1.5inches/38mm - 2inches/50mm. Matte silver finish.

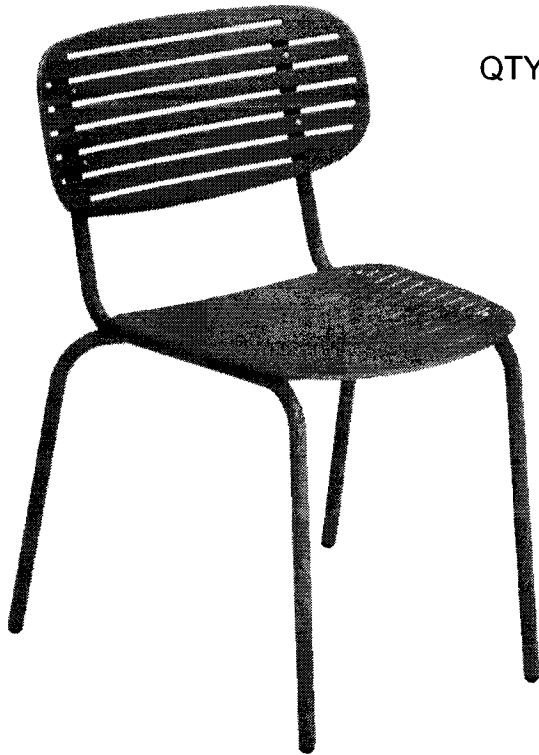
Product Dimensions:

Weight : 100lbs/45kg

QTY. 1

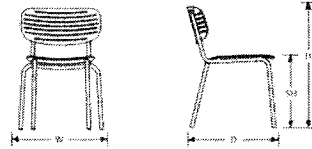
Height: 4 Inches/10cm

Diameter: 24 Inches/60cm



QTY. 8

DETAILS



H	W	D	SH	Lbs
30"	21"	22"	18"	15

Outdoor/Indoor Stacking Chair

E-coated powder coat finish

Frame: Tubular Steel

Seat/Back: Solid Steel

Stackability: 8

SHIPPING

Master Pack Quantity: 4

Master Pack Dimensions: 28.5"x22"x37.5"

Master Pack Weight: 71 Lbs.

Freight Class: 175

FOB: PA 17042

Quick Ship Finishes:

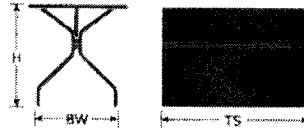
- 16
Marine
Blue
- 41
Bronze
- 50
Cherry
- 62
Curry
Yellow
- 73
Cement

Special Order Ship Finishes:

- 17
Military
Green
- 22 Iron
- 23
White
- 24
Black
- 26
Maple
Red
- 32 Ice
White
- 37 Moss
Grey
- 48 Navy
- 60
Green
- 61 Blue
- 71
Taupe
- 72
Cloud
Grey
- 75 Dark
Green
- 86
Corten
- 95
Sand

DETAILS

QTY. 2



H	BW	TS	Lbs
29.5"	25"	48"x32"	40.5

Outdoor/Indoor Table

E-coated powder coat finish

Top Thickness: 1 1/4"

Top: Extended Steel Mesh

Base: Tubular Steel Legs

Assembly Required: Yes

SHIPPING

Master Pack Quantity: 1






Master Pack Dimensions: 48.5"X3.5"X34"

Master Pack Weight: 47 Lbs.






Freight Class: 85

FOB: PA 17042

Quick Ship Finishes:

- 
 20 Glossy Aluminum
 LIMITED QTY
- 
 22 A/Iron
- 
 24 A/Black
- 
 41 A/Bronze
- 
 73 A/Cement

Special Order Ship Finishes:

- 
 23 A/White
- 
 37 A/Moss Grey
- 
 50 A/Cherry
- 
 60 A/Green
- 
 75 A/Dark Green



Memorandum

DATE: May 15, 2024

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Mobile Food Truck License Renewal for the May 21st Town Council Meeting

BACKGROUND:

The business listed below has filed their application for renewal.

TOWN REVENUE:

The cost for a Mobile Food Truck License is \$75.00 per year, however, if the Mobile Food Truck applicant has an existing restaurant then the fee would be \$50.00 per year.

APPROVAL STATUS:

All paperwork is complete for renewal by the Town Council.

RECOMMENDED MOTION:

Move that the Smithfield Town Council approve the renewal of one (1) Mobile Food Truck License, as applied, subject to compliance with all State regulations and local ordinances.

1. Baby Duck, LLC d/b/a “Tacofied”, to sell tacos and homemade potato chips from a truck with RI Reg. 85432, 38 Dean Avenue, Johnston, RI



Memorandum

DATE: May 15, 2024

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: Special Event License for Roots Heaven Farm, LLC for the May 21st Town Council Meeting

BACKGROUND:

Cinzia Uriati has applied for one (1) One-Day Special Event License to hold a “Yoga Event”, 540 Douglas Pike

TOWN REVENUE:

The cost for a Special Event License is \$50.00 Per Event with a fee of \$5.00 per diem

SUPPORTING DOCUMENTS:

Copy of application
Copy of BCI – No record
Letter describing events planned
Diagram of parking
Special Event License Checklist
Proof of Insurance

RECOMMENDED MOTION:

Move that the Smithfield Town Council approve one (1) One-Day Special Event License for Roots Heaven Farm, LLC for a “Yoga Event”, 540 Douglas Pike on the following date:

- Saturday, June 15, 2024 to hold a “Yoga Event”, from 10:00 a.m. to 12:30 p.m., with a rain date of Saturday, June 22, 2024

All Special Event Licenses for Roots Heaven Farm, LLC are subject to compliance with all State regulations, local ordinances and final tent inspection from the Smithfield Fire Department.

TOWN OF SMITHFIELD
OFFICE OF THE TOWN CLERK
LICENSE APPLICATION

FEE: \$50.00 +
~~Per Day~~ Per Diem \$5.00

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: 4/30/2024

Type of License: SPECIAL EVENT Check One: New () Renewal () Transfer ()

Name of Applicant: Jordana Tillinghast Ruggen Date of Birth: 7-25-1980

Resident Address: 46 Ridge Rd Smithfield RI Business Address: 540 Douglas Pike Plat Lot
Operating Under Trade Name of: Pass Heaven Farm LLC Resident Telephone: 401 618 5515 Business Telephone: 401 261 3417

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: FARM - Selling FARM Goods - Lavender Products
Hours of Operation: 9:00 AM - 4:00 PM

Signature of Applicant: Jordana Ruggen Tillinghast Title: Producer

Applies to business establishments only:

In case of emergency/person to contact

Name: CINZIO URANI Address: 14 Rose Bush circle Cranston RI Phone: 401-2613417
Name: Karen Htele Ruggen Address: 209 John Hawry Rd Smithfield RI Phone: 401-7420191

For Official Use Only

Police Chief: [Signature] Fire Chief:
Building Official: _____ Owner of premises: Jordana Ruggen Tillinghast
RI Dept. of Health: _____ SIGNATURE NOT REQUIRED

At a meeting of the Smithfield Town Council, held on 5/21/24 the above stated application was:

() Approved () Denied License #: 19 Date Issued: _____

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

POLICE CLEARANCE REPORT FOR
LICENSE APPLICATION

DATE: 4/29/2024

1. NAME OF CANDIDATE: (PRINT)

URIATI CINZIA _____
 LAST FIRST MIDDLE
Roscilli _____
 MAIDEN NAME

11-05-1975
 2. DATE OF BIRTH

SORA-FR-ITALY
 3. PLACE OF BIRTH

14 Rose Bush Circle Cranston RI
 4. CURRENT ADDRESS

ROOTS HEAVEN FRUIT
 5. NAME OF BUSINESS

FAIR
 6. TYPE OF BUSINESS

540 DOUGLAS PIKE SMITHFIELD RI 02917
 7. BUSINESS ADDRESS

NO
 8. IS BUSINESS INCORPORATED

IF SO, LIST OFFICERS

401-618-5515
 9. BUSINESS PHONE

401-2613417 cell
 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
<u>04-04-2015</u>	<u>TODAY</u>	<u>14 ROSE BUSH C</u>	<u>CRANSTON - RI 02921</u>
<u>02-01-2011</u>	<u>04-01-2015</u>	<u>212 SANDY COVE</u>	<u>W P E W I C K RI - 02886</u>
<u>11-10-2010</u>	<u>01-31-2011</u>	<u>VIA VIL FRANCESCA I</u>	<u>SORA FR - ITALY 02039</u>

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

- CARLO RUGGERI 21 LENNON RD LINCOLN RI 401-641-4578
 NAME ADDRESS PHONE
- JORDANA RUGGERI 46-RIDGE RD SMITHFIELD RI 401-612-3286
 NAME ADDRESS PHONE

CANDIDATE'S SIGNATURE: Cinzia Uriati Witness: Ces Tan

No Disqualifying Record

 Chief of Police

Roots Heaven Farm, llc
540 Douglas Pike
Smithfield, RI 02917
Phone 401-618.5515
Cinzia 401.261.3417

Description of Event

On June 15th we will be hosting a Pop-Up Yoga Event from 10am – 12:30. We will offer five types of yoga and a sound healing. The cost of the yoga classes will be \$20 and the options will be:

- Mindful Yoga
- Power Yoga
- Slow and stretchy yoga
- Yoga with the animals (goats and alpacas)
- Yoga with Puppies

The Sound healing will cost \$30 and it will be held in our lavender field.

Music will not be amplified.

There will be 2 to 5 vendors in total mostly offering services, no food.

We will be selling nonalcoholic beverages and products from the Farm (lavender products) We will collect and remit any sales tax due on those items.

Cinzia Onorati (PS Rating Day June 22nd 2024)



ENTRANCE

EXIT

DOUGLAS PIKE

CHRISTINA
Mindful
Vinyasa #1

OFFICE

bathrooms

shopping
Area

Parking # 1

Courtney
Stretch +
Restore #2

Heather
Slow flow
#4

Parking # 3

Parking # 2

Parking # 5

Parking # 4

PRIVATE
AREA

Elena
Downward-
goat #3

GOATS
AND
ALPACAS

AMANDA
HEALING
SOUND 11.15
Parking# 6

JoEllen
Strong Vinyasa
#5
10.00am

Parking # 6

RIDGE ROAD



Town of Smithfield

64 Farnum Pike
Esmond, Rhode Island 02917
(401) 233-1001 - Fax (401) 232-7244
E-mail: lantonuccio@smithfieldri.com

Lyn Antonuccio, MPA, CMC
Town Clerk

SPECIAL EVENT CHECKLIST

The following criteria must be met for the issuance of a Special Event License:

	Yes	No
Provide live entertainment Or amusement	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Open to the general public	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fee is charged	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Expected number of persons in attendance is More than 250	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Roots Heaven Farm LLC

NAME OF ORGANIZATION

CINZIA ORUCCI

PRINT NAME

Cinzia Orucci

SIGNATURE

4/30/2009

DATE



TORRHOL-01

GJACQUES

CERTIFICATE OF LIABILITY INSURANCEDATE (MM/DD/YYYY)
4/30/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Carey, Richmond & Viking Insurance Two Corporate Place Middletown, RI 02842	CONTACT NAME:		
	PHONE (A/C, No, Ext): (401) 683-3900	FAX (A/C, No): (401) 683-7329	
E-MAIL ADDRESS: info@crvinsurance.com			
INSURED Roots Heaven Farm, LLC 540 Douglas Pike Smithfield, RI 02917	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : The Burlington Ins Co		
	INSURER B : Arbella Mutual		17000
	INSURER C :		
	INSURER D :		
	INSURER E :		
INSURER F :			

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/>			145B522833	9/29/2023	9/29/2024	EACH OCCURRENCE \$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
GEN'L AGGREGATE LIMIT APPLIES PER: POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input checked="" type="checkbox"/> OTHER:							
B	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY <input checked="" type="checkbox"/>			1020131893	8/17/2023	8/17/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							Hired Phys Dama \$ 100,000
UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$							
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N N/A If yes, describe under DESCRIPTION OF OPERATIONS below							
PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>							
E.L. EACH ACCIDENT \$							
E.L. DISEASE - EA EMPLOYEE \$							
E.L. DISEASE - POLICY LIMIT \$							

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

Town of Smithfield RI 64 Farnum Pike Smithfield, RI 02917	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE <i>U. M. Hall</i>



Memorandum

DATE: May 15, 2024

TO: Smithfield Town Council

FROM: Carol Banville – License Coordinator

SUBJECT: New Victualling License for Early Eats, LLC d/b/a “Early Eats” for the May 21st Town Council Meeting

BACKGROUND:

Early Eats, LLC d/b/a “Early Eats”, has applied for a new Victualling License for their business located at 345 Waterman Avenue, Unit B.

TOWN REVENUE:

Fee for a Victualling License is \$50.00 per year

SUPPORTING DOCUMENTS:

Copy of application
Copy of BCI – No Record
Retail Sales Permit

RECOMMENDED MOTION:

Move that the Smithfield Town Council approve a new Victualling License for Early Eats, LLC d/b/a “Early Eats”, 345 Waterman Avenue, Unit B as applied, subject to compliance with all State regulations, local ordinances, final approval from the RI Department of Health and a Certificate of Occupancy from the Building/Zoning Official’s Office.

TOWN OF SMITHFIELD
OFFICE OF THE TOWN CLERK
LICENSE APPLICATION

FEE: \$50.00

PLEASE PRINT:

Note: Please fill in ALL the necessary information.

Date of Application: 04-01-2024

Type of License: Victualling ONLY Check One:

New Renewal Amended

Name of Applicant: Edgar Penafiel

Date of Birth: 01-14-1983

Resident Address: 464-CHALKSTONE AV, ^{PROV} ^{RI} ⁰²⁹⁰⁸

Business Address: 345 Waterman Ave Smithfield.

Operating Under Trade Name of: Early Eats LLC

Resident Business Telephone: (401) 757 6945 Business Unit B Telephone 559-0140

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: _____

Requested Hours of Operation: 6-AM - TO - 2 PM


Signature of Applicant: Edgar Penafiel Title: _____

Applies to business establishments only:

In case of emergency/person to contact

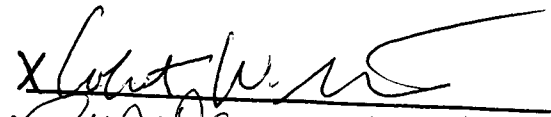
Name: _____	Address: _____	Phone: _____
Name: _____	Address: _____	Phone: _____

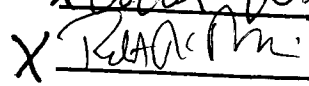
For Official Use Only

Police Chief: X 

Building Official: X SIGNATURE NOT REQUIRED

RI Dept. of Health: X

Fire Chief: X 

Owner of premises: X 

At a meeting of the Smithfield Town Council, held on

() Approved () Denied

License #: 162 Date Issued: 5/21/24

the above stated application was:

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



POLICE CLEARANCE REPORT FOR LICENSE APPLICATION

DATE: 03/27/24

1. NAME OF CANDIDATE: (PRINT)

Penafiel Edgar E
 LAST FIRST MIDDLE

MAIDEN NAME

2. DATE OF BIRTH

01/14/1983

3. PLACE OF BIRTH

Ecuador
Early Eats

4. CURRENT ADDRESS

464 CHALKSTONE AVE

5. NAME OF BUSINESS

345 Waterman Ave Smithfield RI 02917

6. TYPE OF BUSINESS

RESTAURANT

7. BUSINESS ADDRESS

8. IS BUSINESS INCORPORATED

IF SO, LIST OFFICERS

(401) 757-6945

9. BUSINESS PHONE

(401) 559 0140

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
<u>08/10</u>	<u>01/15</u>	<u>33 Bernon st</u>	<u>Providence RI</u>
<u>01/15</u>	<u>Current</u>	<u>464 Chalkstone Ave</u>	<u>Providence RI 02908</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. Providence for having license suspended.

13. List below two (2) character references

- | | | |
|---------------------------|--|-----------------------|
| 1. <u>Flavio Penafiel</u> | <u>1209 mount pleasant ave Prov RI</u> | <u>(401) 323 0383</u> |
| NAME | ADDRESS | PHONE |
| 2. <u>Klavel Leon</u> | <u>464 Chalkstone ave Prov RI</u> | <u>(401) 282 9535</u> |
| NAME | ADDRESS | PHONE |

CANDIDATE'S SIGNATURE: Edgar Penafiel Witness: _____

SMITHFIELD POLICE DEPARTMENT
 215 Pleasant View Avenue, Smithfield, RI 029
 (401-231-2500)



POLICE CLEARANCE REPORT FOR LICENSE APPLICATION

DATE: 03/27/24

1. NAME OF CANDIDATE: (PRINT)

Gonzalez Monica E
 LAST FIRST MIDDLE

MAIDEN NAME

12/08/1982

2. DATE OF BIRTH

464 Chalkstone Ave

4. CURRENT ADDRESS

Restaurant

6. TYPE OF BUSINESS

8. IS BUSINESS INCORPORATED

Ecuador

3. PLACE OF BIRTH

Early Eats

5. NAME OF BUSINESS

345 Waterman Ave Smithfield RI 02917

7. BUSINESS ADDRESS

IF SO, LIST OFFICERS

(401) 757-6945
 9. BUSINESS PHONE

(845) 6829369
 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
<u>661 Main 07/01/19</u>	<u>02/02/24</u>	<u>661 Main Ave</u>	<u>Providence RI 02909</u>
<u>60 10/01/16</u>	<u>07/01/19</u>	<u>60 Thomas Ave</u>	<u>Pawtucket RI 02880</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

1. Tony Dacosta Durrington RI (401) 369-6945
 NAME ADDRESS PHONE
2. Jafet Martinez Pawtucket RI (781) 900-6004
 NAME ADDRESS PHONE

CANDIDATE'S SIGNATURE:

[Handwritten Signature]

Witness: _____



State of Rhode Island
 Division of Taxation
 One Capitol Hill
 Providence, RI 02908-5800



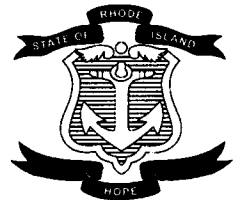
Phone: (401) 574-8955
 TTY Via 711
 Fax: (401) 574-8914
 Email: Tax.Excise@tax.ri.gov

EARLY EATS LLC EARLY EATS
 464 CHALKSTONE AVE
 PROVIDENCE, RI 02908-3729

State of Rhode Island
 DIVISION OF TAXATION

RETAIL SALES PERMIT

Valid From: 07/01/2023 to 06/30/2024



ID: 2-5956-6888

ISSUED TO:
 EARLY EATS LLC EARLY EATS
 345 WATERMAN AVE # B
 SMITHFIELD, RI 02917-2524

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 license number for this place 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 280-RICR-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.**

DATE ISSUED: 05/14/2024

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

NEENA S. SAVAGE
 TAX ADMINISTRATOR



CARLOS SANTOS
PURCHASING AGENT

Town of Smithfield

PURCHASING AGENT
FINANCE OFFICE, SMITHFIELD TOWN HALL
64 FARNUM PIKE
SMITHFIELD, RHODE ISLAND 02917
TELEPHONE: (401) 233-1000 EXT: 138
EMAIL: CSANTOS@SMITHFIELDRI.GOV

DATE: May 14, 2024
TO: Honorable Town Council
FROM: Carlos Santos, Purchasing Agent
CC: Randy R. Rossi, Town Manager
Caitlyn Choiniere, Finance Director
Scarlett Carreiro, Senior Center/Human Services Director

RE: Request for Proposal (RFP) # 240508 Smithfield Senior Center – Parking Lot Repairs.

SUBJECT:

The Smithfield Senior Center hereby requests that the Town Council authorize the advertisement of a new Request for Proposal (RFP) for Parking Lot Repairs.

Following your approval, the RFP will be advertised in the newspaper and posted/advertised on the various websites used by the Town. After the public bid openings, all submissions will be reviewed by an evaluation committee and a recommendation will be presented to the Town Council for award consideration.

ATTACHMENTS:

Copy of RFP.

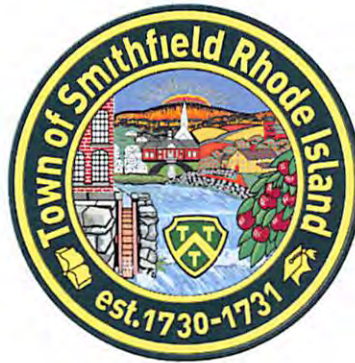
FINANCIAL:

Funding will be from a grant funded through the States/Small Cities Community Development Block Grant from the Office of Housing and Community Development, a State Agency.

MOTION:

That the Smithfield Town Council hereby authorizes the Purchasing Agent to advertise RFP # 240508 Smithfield Senior Center – Parking Lot Repairs, utilizing funds from a grant funded through the States/Small Cities Community Development Block Grant from the Office of Housing and Community Development, a State Agency.

TOWN OF SMITHFIELD
State of Rhode Island



Request for Proposals

RFP # 240508

Parking Lot Repairs at the Smithfield Senior Center

&

Also Utilizing
The State of RI Master Purchasing Agreement MPA 492

TOWN of SMITHFIELD
State of Rhode Island

Table of contents:

Page 1	Cover sheet
Page 2	Table of Contents & introduction
Pages 3 – 6	Proposal Terms – Requirements – Notice to Vendors
Pages 7 – 8	Scope of Work
Page 9	Attachment A - Cost Proposal form
Pages 10 – 12	Three (3) Pictures outlining areas of needed repair

Introduction:

The Town of Smithfield is seeking Proposals from qualified contractors to provide Parking lot repairs at the Smithfield Senior Center, located at 1 William J. Hawkins Jr. Trail, Smithfield, Rhode Island.

Work on this project shall include, but is not limited to, furnishing all labor, equipment and materials necessary to perform all operations in connection with replacing the curb stops, crack sealing, paving services and repainting parking lot markings as deemed necessary to complete the work to the satisfaction of the Senior Center Manager and the Town of Smithfield.

A Mandatory Site Visit will take place at 10:00AM on Wednesday, May 29, 2024, site visits are required for Town acceptance of proposal.

Proposals may be received at the Finance Office, to the attention of the Town Purchasing Agent, Smithfield Town Hall, 64 Farnum Pike, Smithfield, RI 02917 until 10:00am on Tuesday, June 11, 2024 (Electronic bids will also be accepted) at which time all bids will be publicly opened and read aloud.

TOWN OF SMITHFIELD, RI



Terms and Requirements for Request for Proposal

Item Description: Paving, Remarketing, Crack Sealing Services & Installing New Curb stops at the Smithfield Senior Center Parking Lot

Date and Time to be **OPENED: Tuesday, June 11, 2024 at 10:00 AM EST**

Proposals may be submitted up to **10:00 AM** on the above meeting date at the **Finance Office, to the attention of the Town Purchasing Agent**, 64 Farnum Pike, Smithfield, RI 02917, during normal business hours, 8:30 AM through 4:30 PM. All proposals will be publicly opened and read at the Town Hall Council Chambers, second floor, Town Hall.

Instructions

1. Bidders must submit sealed proposals in an envelope clearly labeled with the above captioned item or work. The proposal envelope and any information relative to the proposal must be addressed to the **Town Purchasing Agent**, Smithfield Town Hall, 64 Farnum Pike, Smithfield, RI, 02917. Any communications that are not competitive sealed proposals (i.e., product information or samples) should have “**NOT A BID**” written on the envelope or wrapper.
2. Proposals must meet the attached specifications. Any exceptions or modifications must be noted and fully explained.
3. Proposal responses must be in ink or typewritten.
4. The price or prices proposed should be stated both in **WRITING** and in **NUMERALS**, and any proposal not so stated may be rejected.
5. Proposals **SHOULD BE TOTALED** WHEN APPLICABLE. Do not group items: price each item individually. Awards may be made on the basis of *total* proposal or by *individual items*.
6. Each responder is required to state in their proposal their full name and place of residence; and must state the names of persons or firms with whom he/she is submitting a joint proposal. All proposals **SHOULD BE SIGNED IN INK**.
7. One original proposal and **three copies** shall be submitted.
8. **There shall be a Mandatory Site Visit held on Wednesday, May 29, 2024 at 10:00AM at the Smithfield Senior Center, 1 William J. Hawkins Jr. Trail, Smithfield, RI 02828 to familiarize potential responders with the scope of this project.**

NOTICE TO VENDORS

1. The Town of Smithfield reserves the right to waive any and all informalities and to award the contract on the basis of the lowest responsible evaluated bid proposal.
2. No proposal will be accepted if made in collusion with any other responder.
3. A responder who is an out-of-state corporation shall qualify or register to transact business in this State, in accordance with Rhode Island General Laws, as amended, Sections 7-1.2-1401.
4. The Town of Smithfield reserves the right to reject any and all proposals.
5. In determining the lowest responsible evaluated bid proposal, cash discounts for payments less than thirty (30) days will not be considered.
6. The Town of Smithfield reserves the right to award to one responder, or to split the award.
7. All proposals will be disclosed at the formal proposal opening. After a reasonable lapse of time, tabulation of proposals may be seen on the Town's website: (<https://www.smithfieldri.gov/departments/finance/purchasing-bids/closed-solicitations/-folder-135>)
8. As the Town of Smithfield is exempt from the payment of Federal Excise Taxes and Rhode Island Sales Tax, prices quoted are not to include these taxes.
9. In case of error in the extension of prices quoted, the unit price will be considered.
10. The contractor will not be permitted to either assign or underlet the contract, nor assign legally or equitably any moneys hereunder, or its claim thereto without the previous written consent of the Town Manager.
11. Delivery dates must be shown on your proposal. If no delivery date is specified, it will be assumed that an immediate delivery from stock will be made.
12. A certificate of insurance shall be required of a successful bidder within five (5) days of contract award. The Town of Smithfield shall be an *additionally named insured* in the title holder box of said certificate.
13. Proposals may be submitted on an "equal" in quality basis. The Town reserves the right to decide equality. Responders must indicate brand or make offered and submit detailed specifications if other than the brand requested.
14. For contracts involving construction, alteration and/or repair work, the provisions of State Labor Law concerning payment of prevailing wage rates apply (See R.I. General Law Sec. 37-13-1 et seq. as amended).
15. No goods should be delivered or work started without Notice from the Town.
16. In accordance with RI Gen. Law § 37-14.1-1, it is the policy of the State of Rhode Island to support the fullest possible participation of firms owned and controlled by minorities (MBEs) and women (WBEs). Pursuant to §§ 37-14.1- 2 and 37-14.1-6, MBEs and WBEs shall be included in all state purchasing, including, but not limited to, the procurement of goods, services, construction projects, or contracts funded in whole or in part with state funds, or funds which, in accordance with a federal grant or otherwise, the state expends or administers.

MBEs and WBEs shall be awarded a minimum of ten percent (10%) of the dollar value of the entire procurement or project.

MBE participation credit shall only be granted for firms duly certified as MBEs or WBEs by the State of Rhode Island, Department of Administration, Office of Diversity, Equity and Opportunity, MBE Compliance Office (MBECO).

The current directory of firms certified as MBEs or WBEs may be accessed at <http://odeo.ri.gov/offices/mbeco/mbe-wbe.php> or by contacting Dorinda Keene at the MBECO at (401) 574-8670 or via email at Dorinda.Keene@doa.ri.gov.

17. All Town of Smithfield projects utilizing Federal Funds (such as: Community Development Block Grant Programs (CDBG) contracts) will now include a section on debarred contractors that requires the Town to verify that contractors are not debarred. To that end, we will require all proposers to provide their UEI number so we can verify that they are not debarred.
 - (a) Contractors debarred, suspended, proposed for debarment, or voluntarily excluded, are excluded from receiving contracts. The Town of Smithfield will not solicit offers from, award contracts to, or consent to subcontracts with these contractors, unless the agency head determines that there is a compelling reason for such action. Contractors debarred, suspended, proposed for debarment, or voluntarily excluded, are also excluded from conducting business with the Town of Smithfield as agents or representatives of other contractors.

TOWN of SMITHFIELD
State of Rhode Island

CONSTRUCTION AND SERVICE PROPOSAL TERMS

1. The Town of Smithfield will not consider any proposal unless it is accompanied by **one** of the following and deposited with the Finance Director as a guarantee that the Contract will be signed and delivered by the responder:

- | |
|---|
| <ol style="list-style-type: none">a. A CERTIFIED CHECK for \$10,000; ORb. A Bid Bond in the amount of Ten (10) per centum of the proposed total price.
* The amount of such check or bid bond shall be retained for use by the Town as liquidated damages on account for any such default. |
|---|

2. It is hereby mutually understood and agreed that no payment for extra work shall or will be claimed or made unless ordered in writing by the Town Manager or his designee.
3. Awards will be made within ninety (90) days of the proposal opening. All proposal prices will be considered firm, unless qualified otherwise. Requests for price increases will not be honored.
4. Failure to deliver within the time quoted or failure to meet specifications may result in default action in accordance with law or the general specifications. It is agreed that deliveries and/or completion are subject to strikes, lockouts, accidents and Acts of God.
5. Only one shipping charge will be applied in the event of partial deliveries for blanket purchases or term contracts.
6. The successful responder shall, prior to commencing performance under the contract, attach and submit evidence that they have complied with the provisions of the Rhode Island Worker's Compensation Act Title 28, Section 29, et seq (R.I.G.L.). If the successful responder is exempt from compliance under the Worker's Compensation Act, an officer of the successful responder shall so state by way of sworn Affidavit which shall accompany the signed contract.
7. The successful responder shall, prior to commencing performance under the contract, attach and submit a certificate of insurance, in a form satisfactory to the Town by which the successful responder will indemnify and hold harmless the Town during the term of the contract from claims for personal injury or damages to property sustained by third person, or their agents, servants and/or claimed under them.
8. The successful responder shall, prior to commencing performance under the contract, post a **Performance and Payment Bond** with a satisfactory surety company in a sum equal to one hundred per centum (100%) of the amount of the award contract.

TOWN of SMITHFIELD
State of Rhode Island

SPECIFICATIONS

1. The Town of Smithfield is seeking proposals for Crack Sealing and Paving Services at the Smithfield Senior Center.
2. Award will be made on the basis of the lowest qualified evaluated bid price meeting all terms and specifications deemed to be in the best interest of the Town of Smithfield.
3. Scope of Work-
 1. Asphalt Paving-Approximately 9,400 square feet. See Attached picture of 'Lot 1 Paving'
 2. Ensure base strength.
 3. To include removal of existing asphalt.
 4. To include 3 inches of asphalt to be laid in total (including binder course & finished course).
 5. New Curb Stop Install - 18 new curb stoppers installed and pinned. (Includes disposal of existing curb stoppers). See Attached picture of 'Lot 1 Curb Stoppers'
 5. Re-striping-Repainting existing parking lot markings including parking spots and handicap stencils. Addition of Striping & Lettering to read 'Bus Parking Only.'
 6. Crack Filling- Approximately 1600 square feet. Attached 'Lot 2 Crack Filler'

REQUIREMENTS

1. Mandatory Site Visit to familiarize potential responders with the scope of project will be held on Wednesday, May 29, 2024 at 10:00AM at the Smithfield Senior Center, 1 William J. Hawkins Jr. Trail, Smithfield, RI 02828.
2. Request for UEI # due to project being federally funded.
3. Insurance - Contractor is required to provide evidence of auto liability, general liability and workers' compensation coverage in amounts acceptable to the Town.
4. Have sufficient manpower to provide the services as outlined in the Request for Proposal as determined by the Town.
5. Provide a list of at least three (3) client references. Including contact name, phone and type of services provided.
6. No allowance shall subsequently be made on behalf of the successful responder by reason of any error or neglect on his or her part.
7. Responder's must guarantee that the services can be provided to the Town of Smithfield, Senior Center within the time specified in the proposal documents.
8. Services which do not, in the opinion of the Town, meet the specified requirements will not be accepted.

9. Inquiries:

Inquiries concerning clarifications on any portion of RFP should be made to:

Carlos Santos
Purchasing Agent
csantos@smithfieldri.gov

Questions Due Date: 4:00PM on Tuesday, June 4, 2024

10. Proposal - To Include the following:

- a. A brief general statement describing your agency and its ability to provide the indicated services, including the total number of staff and support.
- b. List at least three (3) references of other clients that you have recently provided paving service, include the name and telephone number of a person to contact.
- c. List any past experience providing services to the Town.

11. Cost Proposal:

- d. The cost proposal should include the following information:
 - 1. The responder shall submit Attachment "A" filled out completely.
 - 11. The cost proposal should contain all pricing information relative to performing the services as described.
 - 111. The pricing shall remain for the duration of the contract.

11. Evaluation Criteria:

- a. An evaluation committee will review and evaluate each submitted proposal in accordance with the requirements of this RFP. The evaluation will include weighted criteria detailed below. If further information is desired, vendors may be requested to make additional written submissions or oral presentations to the Town.

- b. Proposal will be evaluated on the following :

	Criteria	Score
1.	Company Information and Years in Business	10
2.	Required documents stated in specifications	20
3.	Past Experience with the Town and References	25
4.	Business Location in Town	10
5.	Pricing	35
	Grand Total	100

12. Final Selection

- 1. The Smithfield Town Council will select a firm after taking into account the recommendation submitted by the evaluation committee. Following the notification of the firm selected, it is expected that a contract will be executed by the parties.
- 11. A firm's submission of a proposal indicates acceptance of the conditions contained in this Proposal Specification unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the Town of Smithfield and the firm selected.

TOWN OF SMITHFIELD

State of Rhode Island



ATTACHMENT A
COST PROPOSAL

Agrees to respond on: Parking Lot Paving Services at the Smithfield Senior Center Date and time to be opened: Thursday, May 11, 2023 at 2:00 PM	
VENDOR NAME:	
VENDOR ADDRESS:	
CITY, STATE, ZIP:	
Soc. Sec. # or Fed. ID #	

Lump Sum Cost – for Parking lot Paving – Remarking - Replace Curb Stop & Crack Filling:

_____ \$ _____
 (Total Cost in words) (Total Cost in Figures)

a. Total Cost for Paving (Marked Portion Only) & Remarking:

_____ \$ _____
 (Total Cost in words) (Total Cost in Figures)

b. Total Cost for parking area crack filling:

_____ \$ _____
 (Total Cost in words) (Total Cost in Figures)

c. Total Cost for New Curb Stop Install & Removal of old curb stop:

_____ \$ _____
 (Total Cost in words) (Total Cost in Figures)

PHONE: _____

EMAIL: _____

 CONTACT PERSON NAME TITLE

 AUTHORIZED SIGNATURE



Picture outlining area to be Paved

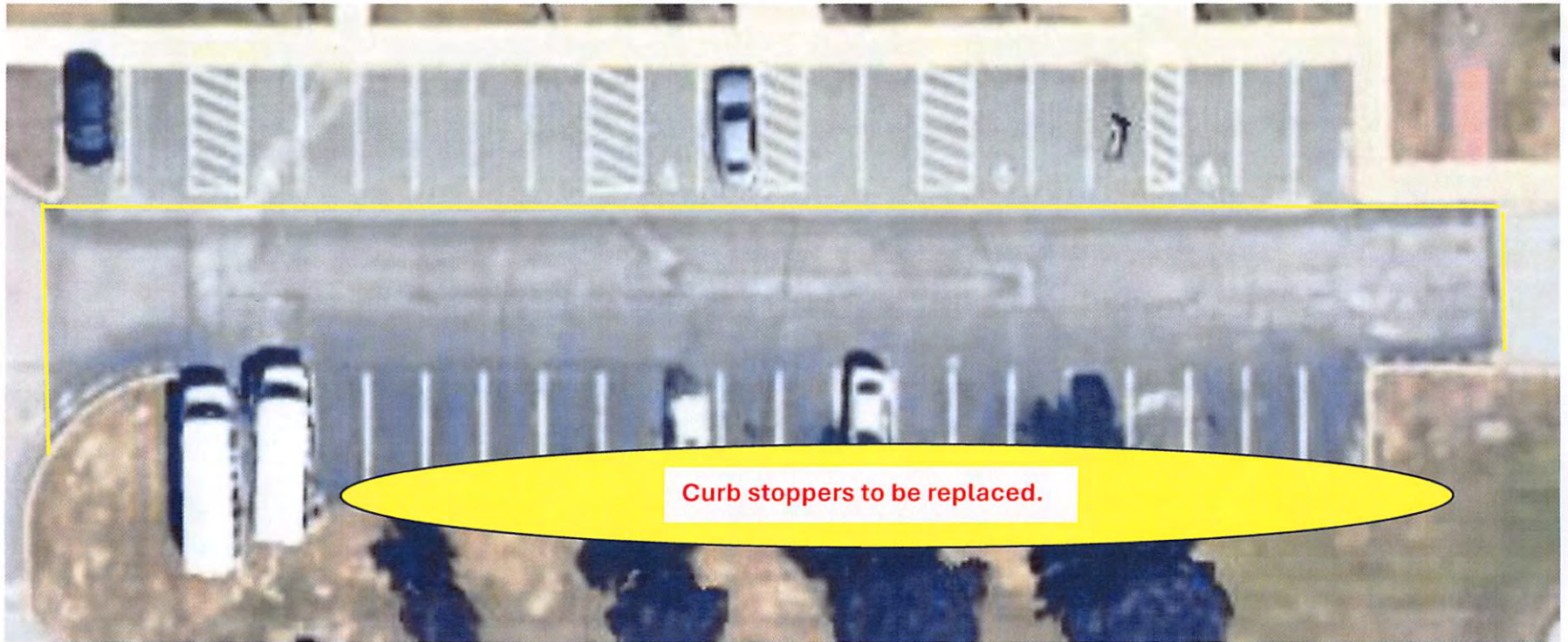
Crack Filler in this section...

Please note scattered cracks are present throughout, this is an estimate draft and not an exact number of cracks to be filled.

Yellow Lines are larger cracks to be filled.



Picture outlining areas with cracks to be filled



Picture showing area where to remove & replace Curb Stoppers



ON BEHALF OF THE
SMITHFIELD SCHOOL DEPARTMENT



SMITHFIELD

Town of Smithfield

PURCHASING AGENT
FINANCE OFFICE, SMITHFIELD TOWN HALL
64 FARNUM PIKE
SMITHFIELD, RHODE ISLAND 02917
TELEPHONE: (401) 233-1000 EXT: 138
EMAIL: CSANTOS@SMITHFIELDRI.GOV

DATE: May 13, 2024
TO: Honorable Town Council
FROM: Carlos Santos, Purchasing Agent
CC: Randy R. Rossi, Town Manager
Caitlyn Choiniere, Town Finance Director
Dawn Bartz, Superintendent of Schools
Melissa Devine, Director of Financial Operations
Angelo Mencucci, Director of Grounds & Buildings

RE: Town Council Approval to advertise a Request for Proposals (RFP)
240510 Landscape Services at three (3) school locations.

SUBJECT

The Town of Smithfield on behalf of the Smithfield School Department is requesting Town Council approval to advertise an RFP to solicit proposals for Landscape Services at three school locations per provided design specifications.

The locations are as follows:

- Old County Road School - 200 Old County Road.
- Pleasant View Elementary School - 90 Pleasant View Ave.
- LaPerche Elementary School - 11 Limerock Road.

This RFP is subject to Town Solicitor approval, and School Committee approval at their meeting at 6:00PM on Monday, May 20, 2024.

ATTACHMENTS:

Copy of Request for Proposals (RFP), copy of RIDE "Learning Inside Out Grant" funded by SBA Capital Fund.

MOTION:

That the Smithfield Town Council hereby authorize the advertisement of the RFP 240510 Landscape Services at three (3) school locations, subject to Town Solicitor approval, and School Committee approval at their meeting at 6:00PM on Monday, May 20, 2024.

TOWN OF SMITHFIELD, RI



ON BEHALF OF
THE SMITHFIELD SCHOOL DEPARTMENT



REQUEST FOR PROPOSALS

RFP # 240510

LANDSCAPE SERVICES AT THREE (3) SCHOOL LOCATIONS

TOWN OF SMITHFIELD, RI

TABLE OF CONTENTS:

Page 1	Cover page
Page 2	Table of Contents/Project Summary
Page 3	Terms and Requirements
Page 4	Notice to Vendors
Pages 5 – 7	Scope of Work (with embedded links to architectural plans)
Pages 8 – 9	Cost Proposal – “Attachment A”

PROJECT SUMMARY:

The Town of Smithfield on behalf of the Smithfield School Department is requesting sealed bids/proposals for supplying all materials and installation of the landscape design at three (3) School building locations in accordance with supplied specifications and drawings. The projects are based on the RIDE Outdoor Classroom Initiative. The focus of the projects are to support and enhance equitable access to natural resources for all students.

Sealed proposals will be received at the Finance Office, by the Purchasing Agent, located in Smithfield Town Hall, 64 Farnum Pike, Smithfield, RI 02917 until 10:00am on Wednesday, May 29, 2024 at which time all bids will be publicly opened in the Town Council Chambers 2nd floor of Town Hall.

TOWN OF SMITHFIELD, RI



ON BEHALF OF



SMITHFIELD
SCHOOL DEPARTMENT

THE SMITHFIELD SCHOOL DEPARTMENT

State of Rhode Island

Terms and Requirements for Request for Proposal

Item Description: **Landscaping services at three (3) School Locations**

Date and Time to be **OPENED: Wednesday, June 5, 2024 at 10:00 AM**

Mandatory Contractor Tour Date: Wednesday May 29, 2024 at 10:00 AM

Proposals may be submitted up to **10:00 AM** on the above meeting date at the Finance Office, Attention Purchasing Agent, Smithfield Town Hall 64 Farnum Pike, Smithfield, RI 02917, during normal business hours, 8:30 AM through 4:30 PM. All proposals will be publicly opened and read at the Town Hall Council Chambers, second floor, Town Hall.

Instructions

1. Bidders must submit sealed proposals in an envelope clearly labeled with the above captioned item or work. The proposal envelope and any information relative to the proposal must be addressed to the **Purchasing Agent**, Smithfield Town Hall 64 Farnum Pike, Smithfield, RI 02917. Any communications that are not competitive sealed proposals (i.e., product information or samples) should have "**NOT A BID**" written on the envelope or wrapper.
2. Proposals must meet the attached specifications. Any exceptions or modifications must be noted and fully explained.
3. Proposal responses must be in ink or typewritten.
4. The price or prices proposed should be stated both in **WRITING** and in **NUMERALS**, and any proposal not so stated may be rejected.
5. Proposals **SHOULD BE TOTALED** WHEN APPLICABLE. Do not group items: price each item individually. Awards may be made on the basis of **total** proposal or by **individual items**.
6. Each responder is required to state in their proposal their full name and place of residence; and must state the names of persons or firms with whom he/she is submitting a joint proposal. All proposals **SHOULD BE SIGNED IN INK**.
7. One original proposal and **three copies** shall be submitted.

TOWN OF SMITHFIELD, RI

NOTICE TO VENDORS

1. The Town of Smithfield reserves the right to waive any and all informalities and to award the contract on the basis of the lowest responsible evaluated bid proposal.
2. No proposal will be accepted if made in collusion with any other responder.
3. A responder who is an out-of-state corporation shall qualify or register to transact business in this State, in accordance with Rhode Island General Laws, as amended, Sections 7-1.2-1401.
4. The Town of Smithfield reserves the right to reject any and all proposals.
5. In determining the lowest responsible evaluated bid proposal, cash discounts for payments less than thirty (30) days will not be considered.
6. The Town of Smithfield reserves the right to award to one responder, or to split the award.
7. All proposals will be disclosed at the formal proposal opening. After a reasonable lapse of time, tabulation of proposals may be seen on the Town's website:
<https://www.smithfieldri.gov/departments/finance/purchasing-bids/closed-solicitations/-folder-135>
8. As the Town of Smithfield is exempt from the payment of Federal Excise Taxes and Rhode Island Sales Tax, prices quoted are not to include these taxes.
9. In case of error in the extension of prices quoted, the unit price will be considered.
10. The contractor will not be permitted to either assign or underlet the contract, nor assign legally or equitably any moneys hereunder, or its claim thereto without the previous written consent of the Town Manager.
11. A certificate of insurance shall be required of a successful bidder within five (5) days of contract award. The Town of Smithfield shall be an *additionally named insured* in the title holder box of said certificate.
12. For contracts involving construction, alteration and/or repair work, the provisions of State Labor Law concerning payment of prevailing wage rates apply (See R.I. General Law Sec. 37-13-1 et seq. as amended).
13. No goods should be delivered or work started without Notice from the Town.
14. In accordance with RI Gen. Law § 37-14.1-1, it is the policy of the State of Rhode Island to support the fullest possible participation of firms owned and controlled by minorities (MBEs) and women (WBEs). Pursuant to §§ 37-14.1- 2 and 37-14.1-6, MBEs and WBEs shall be included in all state purchasing, including, but not limited to, the procurement of goods, services, construction projects, or contracts funded in whole or in part with state funds, or funds which, in accordance with a federal grant or otherwise, the state expends or administers. MBEs and WBEs shall be awarded a minimum of ten percent (10%) of the dollar value of the entire procurement or project. MBE participation credit shall only be granted for firms duly certified as MBEs or WBEs by the State of Rhode Island, Department of Administration, Office of Diversity, Equity and Opportunity, MBE Compliance Office (MBECO). The current directory of firms certified as MBEs or WBEs may be accessed at <http://odeo.ri.gov/offices/mbeco/mbe-wbe.php> or by contacting **Dorinda Keene** at the MBECO at (401) 574-8670 or via email at Dorinda.Keene@doa.ri.gov.

Scope of Services / Product

Vendor will provide services in accordance with the elements below:

Protection - Furnish and install temporary protection for the construction area as well as existing trees on or near the construction site as identified on the three (3) embedded links below containing the landscape plan. Link for #1 Old County Road School – Link #2 for Pleasant View Elementary School – Link #3 for LaPerche Elementary School.

Site preparation – correct grading to make a level, ADA compliant surface for stone dust pathways within the outdoor classroom space

Irrigation – Furnish and install all materials, piping to extend the existing water line from the school building to a utility at the new outdoor classroom

Pathways – Furnish and install stone dust pathways according to the embedded landscape plan.

Fencing – Furnish and install new split rail fencing system as shown on the embedded landscape plan.

Raised bed installation – place twelve ADA raised planter beds as shown on the embedded landscape plan. NOTE: Planter beds will be purchased and provided by the District.

Embedded Links:

Link #1 – Landscape Design Plan for: Old County Road School
200 Old County Road
Smithfield, RI 02917

[RIDE-LIO Old County ES.PDF](#)

Link #2 – Landscape Design Plan for: Pleasant View Elementary School
90 Pleasant View Ave
Smithfield, RI 02917

[RIDE-LIO Pleasant View ES.PDF](#)

Link #3 – Landscape Design Plan for: LaPerche Elementary School
11 Limerock Road
Smithfield, RI 02917

[RIDE-LIO LaPerche ES.PDF](#)

The projects are based on the RIDE Outdoor Classroom Initiative. The focus of the projects are to support and enhance equitable access to natural resources for all students.

TOWN OF SMITHFIELD, RI

REQUIREMENTS:

1. There will be a **Mandatory Pre-Proposal Site Visit and Meeting held on May 29, 2024 at 10:00 AM** at the Pleasant View Elementary School, 100 Pleasant View Avenue.
2. Each responder shall be held as to have visited and examined the premises, the equipment as compared to specifications requirements, the condition of equipment, any obstructions, etc. that would interfere with satisfactorily carrying out the work prior to proposal submission.
3. No allowance shall subsequently be made on behalf of the successful responder by reason of any error or neglect on his or her part.
4. Responders must guarantee that the services can be provided to the Smithfield School Department within the time specified in the proposal form.
5. Services which do not, in the opinion of the Town, meet the specified requirements will not be accepted.
6. Inquiries:
Inquiries concerning clarification on any portion of this RFP should be made to:

Carlos Santos
Purchasing Agent
64 Farnum Pike
Smithfield, RI 02917
csantos@smithfieldri.gov

Cost Proposal:

- i. The cost proposal should include the following information:
 - a. The responder shall submit Attachment "A" filled out completely.
 - b. The cost proposal should contain all pricing information relative to performing the services as described in this specification.
 - c. The pricing shall remain for the duration of the contract.
7. Proposal – to include the following:
 - i. A brief general statement describing your agency and its ability to provide the indicated services, including the total number of staff, support and professional employees.
 - ii. Background information regarding the specific individuals who will be responsible for running this project from your agency.
 - iii. List at least three (3) references of other clients that are non-profit organizations, include the name and telephone number of a person to contact.
 - iv. List any prior services or products supplied to the Town of Smithfield.

TOWN OF SMITHFIELD, RI

8. Evaluation Criteria:

- i. The Town will review and evaluate each submitted proposal in accordance with the requirements of this RFP. The evaluation will include weighted criteria detailed below. If further information is desired, vendors may be requested to make additional written submissions or oral presentations to the Town.
- ii. Proposal will be evaluated on the following:

		Score
1.	Company Information and Years in Business	20
2.	Required documents stated in RFP	20
3.	Experience and References	20
4.	Business located in Smithfield	5
5.	Pricing	35
	Grand Total	100

9. No vendor questions will be accepted after May 31, 2024 at 4:00 PM

FINAL SELECTION:

- i. The Smithfield Town Council will select a firm after taking into account the recommendation submitted by the evaluation committee. The Smithfield School Committee will take final action as to whether to go forward with the project. Following the notification of the firm selected, it is expected a contract will be executed by the parties.
- ii. A firm’s submission of a proposal indicates acceptance of all the conditions contained in this RFP unless clearly and specifically noted in the proposal submitted.

TIMELINE:

Request for Proposals Issued	May 22, 2024 at 10:00 AM
Mandatory Pre-Proposal Site Visit & Meeting	May 29, 2024 at 10:00 AM
Deadline for questions from vendors	May 31, 2024 at 4:00 PM
Proposal Due Date and Opening	June 5, 2024 at 10:00 AM



ON BEHALF OF
THE SMITHFIELD SCHOOL DEPARTMENT



SMITHFIELD
SCHOOL DEPARTMENT

ATTACHMENT A
COST PROPOSAL FORM

Agrees to respond on: **Landscaping services at three (3) School Locations**
Date and time to be opened: **Wednesday, June 5, 2024 at 10:00 AM**

VENDOR NAME:	
VENDOR ADDRESS:	
CITY, STATE, ZIP:	
Soc. Sec. # or Fed. ID #	

#1 - BID (Includes all Material, Labor and Equipment): Old County Road School

\$ _____
(In numerals)

(In words)

#2 - BID (Includes all Material, Labor and Equipment): Pleasant View Elementary School

\$ _____
(In numerals)

(In words)

#3 - BID (Includes all Material, Labor and Equipment): LaPerche Elementary School

\$ _____
(In numerals)

(In words)

TOWN OF SMITHFIELD, RI

LUMP SUM COST FOR ALL THREE (3) SCHOOL BUILDING LOCATIONS:

Total Lump Sum Cost: _____
(In numerals)

Total Lump Sum Cost: _____
(In words)

CONTACT INFORMATION:

PHONE _____ FAX _____

EMAIL _____

CONTACT PERSON NAME TITLE

CONTACT PERSON SIGNATURE

**RHODE ISLAND DEPARTMENT OF EDUCATION
MEMORANDUM OF AGREEMENT for
the Learning Inside Out Initiative
SBA CAPITAL FUND**

In accordance with the May 23, 2023 approval by the Council on Elementary and Secondary Education, the Smithfield Public School Committee (the "Grantee") and the Rhode Island Department of Elementary and Secondary Education hereby enter into this Agreement with respect to the Learning Inside Out Initiative of the SBA Capital Fund.

Pursuant to Rhode Island General Law 45-38.2-4(e)(3), 45-38.2-2(7)(c), 16-105-2(2), and 16-105-3(9)(v) the School Building Authority shall ensure that funding from the School Building Authority Capital Fund has the greatest impact in state priority areas, providing high-quality educational opportunities for all public school students. The Learning Inside Out Initiative is intended to help create an array of outdoor classrooms and schoolyard habitats to bring Rhode Island students outdoor experiential education.

Scope of the Project:

RIDE is dedicated to supporting local schools with the new Learning Inside Out Initiative. This funding will create, enhance, and support access to natural resources for every youth in the State of Rhode Island, while directly addressing problems that threaten natural resources, including environmental literacy, climate change, inequitable access to the outdoors, habitat loss and degradation and community disconnection.

The Grantee can use funding to purchase items and services to create outdoor classrooms, pollinator gardens, nature trails and other learning spaces.

Approved Values:

<u>Project</u>	<u>Amount</u>	
a. Learning Inside Out	\$ 141,000	
<u>Funding</u>	<u>Amount</u>	<u>UCOA Fund #¹</u>
b. SBA Capital Fund	\$ 141,000	23911001
c. TOTAL AWARD	\$ 141,000	

**If this UCOA fund number is already in use, please use any of the additional SBA Capital Fund numbers 23911007 – 2391011*

Dollar Authorization (budget agreement): The parties to this Agreement understand and agree that total expenditures for this Approved Project shall not exceed \$ 141,000 (the "Grant") and can only be used for eligible expenses incurred between June 1, 2023 and August 30, 2024.

Timelines: The Grantee will commit to completing the SBA Capital Fund Learning Inside Out Initiative by August 30, 2024. The Grantee must procure and contract all services as RIDE will not be party to any local contractual agreements.

¹ If this fund number is already in use by the LEA, they have the option of using any of the additional SBA Capital Fund numbers 23911007 – 2391011.

RHODE ISLAND DEPARTMENT OF EDUCATION
MEMORANDUM OF AGREEMENT for
the Learning Inside Out Initiative
SBA CAPITAL FUND

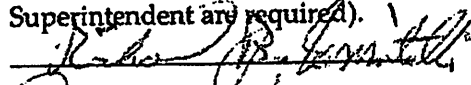
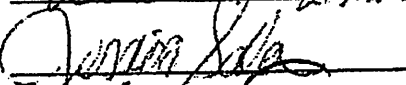
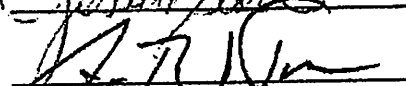


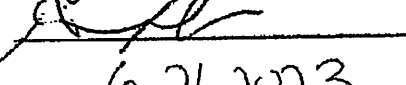
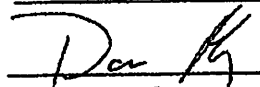
The Grantee will submit requisitions for 100% reimbursement throughout the project. Invoices, with associated back up documents, must be submitted electronically to SBA Tech Assist@ride.ri.gov.

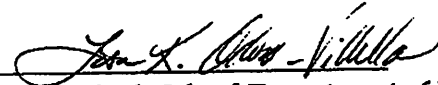
Special Contingencies (if any): The Grantee will provide the School Building Authority with updates and information, if requested. SBA Capital Funds can support larger projects, but any Housing Aid or Pay-As-You-Go funding requests shall be reduced by this amount, pursuant to RIGL 16-7-42. Any project, funded in whole or in part by SBA Capital Funds that exceeds \$500,000 must comply with the RIDE School Construction Regulations, if they apply. This funding cannot supplant any other previously awarded State or Federal funds.

Standing Contingency:

This agreement terminates once the Grantee submits invoices up to the approved value or once the end date of the agreement is reached, whichever comes first.

Smithfield Public School Committee (signatures of all members of the School Committee and the Superintendent are required).

	_____
	_____
	_____
	_____
	_____
	_____
Date <u>6-21-2023</u>	 Superintendent


For the Rhode Island Department of Elementary and Secondary Education
Date 6/27/23



TOWN OF SMITHFIELD
DEPARTMENT OF PUBLIC WORKS
PHONE: (401) 233-1034 FAX: (401) 233-1075

MEMORANDUM

Date: May 21, 2024
To: Honorable Town Council
Through: Randy R. Rossi, Town Manager
From: Gene Allen, Public Works Director

RE: Request for Proposals for DPW Main Garage Roof Replacement Services

BACKGROUND:

The main garage roof has several locations that have been leaking for many years and the existing roof membrane has become delaminated in several areas, creating blisters and large bubbles on the roof surface. This project will include removing the existing membrane, making repairs to the decking as needed, installing ridged insulation and installing a new fully adhered .60 roof membrane along with flashing, chimney pointing and other components as required.

FINANCIAL IMPACT:

Funding for this contract is included in the annual operating budget for the Public Works Department.

RECOMMENDATION:

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.

MOVED: *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.*

Town of Smithfield

Request for Proposals



Department of Public Works

RFP # 240501
Garage Structure Roof Replacement

Table of contents:

Page 1	cover sheet
Page 2	Table of Contents & introduction
Page 3	Proposal Terms/Requirements
Pages 4 – 5	Notice to Vendors
Pages 6 – 10	Proposal Terms
Pages 11 – 23	Specifications & Scope of Work
Page 24	Attachment A1 – Cost Proposal form

Introduction:

The Town of Smithfield is seeking qualified experienced contractors to provide a roof replacement at the town's Department of Public Works facility located at 3 Spragueville Road.

The project includes the provision of a complete WeatherBond EPDM (black) Adhered Roofing System membrane roofing system, or equal. This installation shall include all components required for a complete installation, including but not limited to Membrane, Insulation, Blocking, Edge Metal, Flashings (including chimney flashings and wall flashings), replacement of gutters & downspouts, Repointing of chimney, chimney cap, etc. This project shall also include the complete removal of the existing roofing systems down to existing roof deck & replacement of existing roof deck as required, as well as installation of EPDM Membrane on the full vertical wall between the lower and upper roof areas.

Sealed proposals may be received at the office of the Town Purchasing Agent, Smithfield Town Hall, 64 Farnum Pike, Smithfield RI 02917 until 10:00am on Monday, June 10, 2024 at which time all bids will be publicly opened and read aloud.

TOWN OF SMITHFIELD



Terms and Requirements for Request for Proposal

Item Description: **Department of Public Works Roof Replacement**
Date and Time to be **OPENED: Monday, June 10, 2024 at 10:00 AM**

Proposals may be submitted up to **10:00 AM** on the above meeting date at the **Finance Office, to the attention of the Town Purchasing Agent**, 64 Farnum Pike, Smithfield, RI 02917, during normal business hours, 8:30 AM through 4:30 PM. All proposals will be publicly opened and read at the Town Hall Council Chambers, second floor, Town Hall.

Instructions

1. Bidders must submit sealed proposals in an envelope clearly labeled with the above captioned item of work. The proposal envelope and any information relative to the proposal must be addressed to the **Town Purchasing Agent**, Smithfield Town Hall, 64 Farnum Pike, Smithfield, RI, 02917. Any communications that are not competitive sealed proposals (i.e., product information or samples) should have “**NOT A BID**” written on the envelope or wrapper.
2. Proposals must meet the attached specifications. Any exceptions or modifications must be noted and fully explained.
3. Proposal responses must be in ink or typewritten.
4. The price or prices proposed should be stated both in **WRITING** and in **NUMERALS**, and any proposal not so stated may be rejected.
5. Proposals **SHOULD BE TOTALED** WHEN APPLICABLE. Do not group items: price each item individually. Awards may be made on the basis of *total* proposal or by *individual items*.
6. Each responder is required to state in their proposal their full name and place of residence; and must state the names of persons or firms with whom he/she is submitting a joint proposal. All proposals **SHOULD BE SIGNED IN INK**.
7. One original proposal and **three copies** shall be submitted.
8. **There shall be a Non-Mandatory Pre-Proposal Site Visit and Meeting to consider and qualify perspective responders on Thursday, May 30, 2024 at 10:00AM** at the Smithfield Department of Public Works at 3 Spragueville Road, Smithfield, RI 02917.

TOWN OF SMITHFIELD
NOTICE TO VENDORS

1. The Town of Smithfield reserves the right to waive any and all informalities and to award the contract on the basis of the lowest responsible evaluated bid proposal.
2. No proposal will be accepted if made in collusion with any other responder.
3. A responder who is an out-of-state corporation shall qualify or register to transact business in this State, in accordance with Rhode Island General Laws, as amended, Sections 7-1.2-1401.
4. The Town of Smithfield reserves the right to reject any and all proposals.
5. In determining the lowest responsible evaluated bid proposal, cash discounts for payments less than thirty (30) days will not be considered.
6. The Town of Smithfield reserves the right to award to one responder, or to split the award.
7. All proposals will be disclosed at the formal proposal opening. After a reasonable lapse of time, tabulation of proposals may be seen on the Town's website:
<https://www.smithfieldri.gov/departments/finance/purchasing-bids/closed-solicitations/-folder-135>.
8. As the Town of Smithfield is exempt from the payment of Federal Excise Taxes and Rhode Island Sales Tax, prices quoted are not to include these taxes.
9. In case of error in the extension of prices quoted, the unit price will be considered.
10. The contractor will not be permitted to either assign or underlet the contract, nor assign legally or equitably any moneys hereunder, or its claim thereto without the previous written consent of the Town Manager.
11. Delivery dates must be shown on your proposal. If no delivery date is specified, it will be assumed that an immediate delivery from stock will be made.
12. A certificate of insurance shall be required of a successful bidder within five (5) days of contract award. The Town of Smithfield shall be an *additionally named insured* in the title holder box of said certificate.
13. Proposals may be submitted on an "equal" in quality basis. The Town reserves the right to decide equality. Responders must indicate brand or make offered and submit detailed specifications if other than the brand requested.
14. For contracts involving construction, alteration and/or repair work, the provisions of State Labor Law concerning payment of prevailing wage rates apply (See R.I. General Law Sec. 37-13-1 et seq. as amended).
15. No goods should be delivered or work started without Notice from the Town.

16. In accordance with RI Gen. Law § 37-14.1-1, it is the policy of the State of Rhode Island to support the fullest possible participation of firms owned and controlled by minorities (MBEs) and women (WBEs). Pursuant to §§ 37-14.1- 2 and 37-14.1-6, MBEs and WBEs shall be included in all state purchasing, including, but not limited to, the procurement of goods, services, construction projects, or contracts funded in whole or in part with state funds, or funds which, in accordance with a federal grant or otherwise, the state expends or administers. MBEs and WBEs shall be awarded a minimum of ten percent (10%) of the dollar value of the entire procurement or project. MBE participation credit shall only be granted for firms duly certified as MBEs or WBEs by the State of Rhode Island, Department of Administration, Office of Diversity, Equity and Opportunity, MBE Compliance Office (MBECO).

The current directory of firms certified as MBEs or WBEs may be accessed at <http://odeo.ri.gov/offices/mbeco/mbe-wbe.php> or by contacting Dorinda Keene at the MBECO at (401) 574-8670 or via email at Dorinda.Keene@doa.ri.gov.

17. All Town of Smithfield contracts utilizing Federal Funding sources including Community Development Block Grant Programs (CDBG) contracts will now include a section on debarred contractors that requires the Town to verify that contractors are not debarred. To that end, we will require all proposers to provide their UEI number so we can verify that they are not debarred.

(a) Contractors debarred, suspended, proposed for debarment, or voluntarily excluded, are excluded from receiving contracts. The Town of Smithfield will not solicit offers from, award contracts to, or consent to subcontracts with these contractors, unless the agency head determines that there is a compelling reason for such action. Contractors debarred, suspended, proposed for debarment, or voluntarily excluded, are also excluded from conducting business with the Town of Smithfield as agents or representatives of other contractors.

TOWN OF SMITHFIELD

CONSTRUCTION AND SERVICE PROPOSAL TERMS

1. The Town of Smithfield will not consider any proposal unless it is accompanied by **one** of the following and deposited with the Finance Director as a guarantee that the Contract will be signed and delivered by the responder:

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| <ol style="list-style-type: none">a. A CERTIFIED CHECK for \$10,000; ORb. A Bid Bond in the amount of Ten (10) per centum of the proposed total price. <p>* The amount of such check or bid bond shall be retained for use by the Town as liquidated damages on account for any such default.</p> |
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2. It is hereby mutually understood and agreed that no payment for extra work shall or will be claimed or made unless ordered in writing by the Town Manager or his designee.
3. Awards will be made within ninety (90) days of the proposal opening. All proposal prices will be considered firm, unless qualified otherwise. Requests for price increases will not be honored.
4. Failure to deliver within the time quoted or failure to meet specifications may result in default action in accordance with law or the general specifications. It is agreed that deliveries and/or completion are subject to strikes, lockouts, accidents and Acts of God.
5. Only one shipping charge will be applied in the event of partial deliveries for blanket purchases or term contracts.
6. The successful responder shall, prior to commencing performance under the contract, attach and submit evidence that they have complied with the provisions of the Rhode Island Worker's Compensation Act Title 28, Section 29, et seq (R.I.G.L.). If the successful responder is exempt from compliance under the Worker's Compensation Act, an officer of the successful responder shall so state by way of sworn Affidavit which shall accompany the signed contract.
7. For contracts involving construction, alteration and/or repair work, the provisions of State Labor Law concerning payment of prevailing wage rates apply (See R.I. General Law Sec. 37-13-1 et seq. as amended).
8. The successful responder shall, prior to commencing performance under the contract, attach and submit a certificate of insurance, in a form satisfactory to the Town by which the successful responder will indemnify and hold harmless the Town during the term of the contract from claims for personal injury or damages to property sustained by third person, or their agents, servants and/or claimed under them.
9. The successful responder shall, prior to commencing performance under the contract, post a **Performance and Payment Bond** with a satisfactory surety company in a sum equal to one hundred per centum (100%) of the amount of the award contract.

TOWN OF SMITHFIELD

I. INTRODUCTION

The Town of Smithfield is soliciting proposals from qualified contractor companies specializing in Building Renovations. The selected company should be experienced in roofing, roof deck repairs and experienced in chimney repointing. <https://www.beaconbid.com/solicitations/town-of-smithfield/open>

II. BACKGROUND

The Smithfield Department of Public Works main building was constructed circa 1950's with a roof deck consisting of tongue and groove timbers approximately 3-1/4-inches thick by 8-inches wide of varying lengths.

III. AVAILABILITY

1. Bid specifications may be obtained through the Town's website at: www.smithfieldri.com/purchasing.htm www.beaconbid.com/solicitations/town-of-smithfield/open or <https://www.bidnetdirect.com/private/buyer/solicitations?target=clear>
2. Bid Documents are made available only for the purpose of obtaining offers for this project. Their use does not grant a license or permit for other purposes.

IV. DEADLINES

The Purchasing Agent for the Town of Smithfield must receive one (1) original and three (3) copies of the proposal no later than **10:00 AM on Monday, June 10, 2024**. Any questions regarding this project can be directed to the Purchasing Agent via email to csantos@smithfieldri.gov.

Once the Contractor is selected and a contract signed, the Contractor shall have sixty (120) calendar days to complete the scope of work as outlined below.

V. PAYMENT TO CONSULTANT(S)

Consultants will be paid monthly based on progress of the work. Each invoice shall be accompanied by a progress report indicating hours spent during the reporting period and provide a written description of the work accomplished.

Any extra work, which is outside the scope of this proposal, will be subject to review and approval and the execution of appropriate contract documents prior to performance of that work. Any work outside the scope of this proposal, which is performed prior to approval, will not receive compensation.

VI. SCOPE OF SERVICES

The scope of services will consist of all materials, equipment and labor for the following:

The project includes the provision of a complete WeatherBond EPDM (black) Adhered Roofing System membrane roofing system, or equal. This installation shall include all components required for a complete installation, including but not limited to Membrane, Insulation, Blocking, Edge Metal, Flashings (including chimney flashings and wall flashings), replacement of gutters & downspouts, Repointing of chimney, chimney cap, etc. This project shall also include the complete removal and disposal of the existing roofing systems down to existing roof deck & unit cost for potential replacement of existing T&G roof deck in kind as well as installation of EPDM Membrane on the full vertical wall between the lower and upper roof areas.

VI. INSURANCE REQUIREMENTS

The selected Contractor shall be required to provide the Town of Smithfield with:

1. General Liability Insurance in the amount of One Million Dollars (\$1,000,000) each occurrence.
2. Automobile Liability Insurance in the amount of One Million Dollars (\$1,000,000) combined single limit.
3. Rhode Island Worker's Compensation and Employee's Liability Insurance in the amount of Five Hundred Thousand Dollars (\$500,000) each accident.
4. Professional Liability Insurance in the amount of One Million Dollars (\$1,000,000).

VII. GENERAL REQUIREMENTS

1. There will be a **Non-Mandatory Pre-Proposal Site Visit and Meeting** held on **Thursday, May 30, 2024 at 10:00AM** at the Smithfield Department of Public Works located at 3 Spragueville Road, Smithfield, RI 02917.
2. No allowance shall subsequently be made on behalf of the successful responder by reason of any error or neglect on his or her part.
3. Responders must guarantee that the services can be provided to the Smithfield Department of Public Works within the time specified in the proposal form.
4. Services which do not, in the opinion of the Town, meet the specified requirements will not be accepted.
5. Inquiries:
Inquiries concerning clarification on any portion of this RFP should be made to:

Carlos Santos
Purchasing Agent
Smithfield Town Hall
64 Farnum Pike
Smithfield, RI 02917
csantos@smithfieldri.gov

6. Cost Proposal to include the following:
 - i. The cost proposal should include the following information:
 - a. The responder shall submit Attachment "A" filled out completely.
 - b. The cost proposal should contain all pricing information relative to performing the services as described in this specification.
 - c. The pricing shall remain for the duration of the contract.
 - ii. A brief general statement describing your agency and its ability to provide the indicated services, including the total number of staff, support and professional employees.
 - iii. Background information regarding the specific individuals who will be responsible for running this project from your agency.
 - iv. List at least three (3) references of other clients that are non-profit organizations, include the name and telephone number of a person to contact.
 - v. List any prior services or products supplied to the Town of Smithfield.

7. Evaluation Criteria:

- i. The proposals from the contractor(s) will be evaluated and the contractor(s) selected based on the following criteria:
- ii. A description of the firm's background and relevant work experience as related to the proposal.
- iii. Demonstrate knowledge and responsiveness to the proposal.
- iv. Overall quality and responsiveness to the proposal.
 - v. Financial responsibility.
 - vi. Timeliness.
 - vii. Services offered.
- viii. Understanding of the scope of the project.
- ix. Experience of the consultant with similar type and size projects.
 - x. Personnel assigned to the project, resumes and hourly billing rates for the project personnel, including those of any consultant(s) who will be used in a joint venture.
- xi. Estimated lump sum fee to complete the Scope of Work, which follows under the Cost Proposal Form.
- xii. The Town will review and evaluate each submitted proposal in accordance with the requirements of this RFP. The evaluation will include the weighted criteria detailed above. If further information is desired, vendors may be requested to make additional written submissions or oral presentations to the Town.

8. No vendor questions will be accepted after **Wednesday, June 5, 2024 @ 4:00pm**

VIII. FINAL SELECTION

- i. The Smithfield Town Council will take final action as to whether to go forward with the project and select a firm after taking into account the recommendation submitted by the evaluation committee. Following the notification of the firm selected, it is expected a contract will be executed by the parties.
- ii. A firm's submission of a proposal indicates acceptance of all the conditions contained in this RFP unless clearly and specifically noted in the proposal submitted.

IX. TIMELINE

Request for Proposals Issued	May 22, 2024
Pre-Proposal Site Visit & Meeting (Non-Mandatory)	May 30, 2024
Deadline for questions from vendors	June 5, 2024
Proposal Due Date and Opening	June 10, 2024
Evaluation Committee Recommendation	June 12, 2024
Town Council Meeting (Approval Vote)	June 18, 2024
Projected Award date	June 20,2024
Anticipated project completion date	October 25, 2024

SPECIFICATIONS & SCOPE OF WORK

PART 1 GENERAL

1.01 DESCRIPTION

A. This is for the Smithfield DPW located in Smithfield RI.

B. The project consists of installing a complete WeatherBond EPDM (black) Adhered Roofing System as outlined below:

This installation shall include all labor, materials, tools, equipment & supervision necessary for a complete installation, including but not limited to Weatherbond 60 mil EPDM Membrane, Insulation, Blocking, Edge Metal, Flashings (including chimney flashings and wall flashings), replacement of gutters & downspouts, Repointing of chimney, chimney cap, etc. This project shall also include the complete removal and disposal of the existing roofing systems down to existing roof deck & unit cost for potential replacement of existing T&G roof deck in kind as well as installation of EPDM Membrane on the full vertical wall between the lower and upper roof areas.

C. Furnish and install complete roofing system, including:

- (a) Roofing Manufacturers requirements for the specified warranty.
- (b) Preparation of Roofing Substrates.
- (c) Wood nailers for roofing and accessory attachment.
- (d) Edge metal
- (e) Insulation.
- (f) Weatherbond 60 mil Adhered EPDM membrane.
- (g) Flashings.
- (h) Walkway pads.
- (i) Other roofing related items specified or indicated or otherwise necessary to provide a complete weatherproof system.

D. Disposal of demolition debris and construction waste is the responsibility of the contractor. Perform all disposal in a manner complying with all applicable federal, state and local regulations.

E. Commencement of work by the contractor shall constitute acknowledgement by the contractor that this specification can be satisfactorily executed, under the project conditions and with all necessary prerequisites for warranty acceptance by the roofing membrane manufacturer.

F. The roofing contractor shall be fully knowledgeable of all requirements of the contract documents and shall make themselves aware of all job site conditions that will affect their work.

G. The roofing contractor shall confirm all given information and advise the building owner, prior to bid, of any conflicts that will affect their cost proposal.

H. Any contractor who intends to submit a bid using a roofing system other than the approved manufacturer must submit for pre-qualification in writing. Any contractor who fails to submit all information as requested will be subject to rejection. Bids stating "as per plans and specs" will be unacceptable.

1.02 SUBMITTALS

- A. Prior to starting work, the roofing contractor must submit the following:
1. Shop drawings showing layout, details of construction and identification of materials.
 2. Sample of the manufacturer's warranty.

1.03 PRODUCT DELIVERY, STORAGE AND HANDLING

- A. Deliver materials to the job site in the manufacturer's original, unopened containers or wrappings with the manufacturer's name, brand name and installation instructions intact and legible. Deliver in sufficient quantity to permit work to continue without interruption.
- B. Comply with the manufacturer's written instructions for proper material storage.
1. Store materials between 60°F and 80°F in dry areas protected from water and direct sunlight. If exposed to lower temperature, restore to 60°F minimum temperature before using.
 2. Store materials containing solvents in dry, well ventilated spaces with proper fire and safety precautions. Keep lids on tight. Use before expiration of their shelf life.
- C. Insulation and underlayment products must be on pallets, off the ground and tightly covered with waterproof materials. Manufacturer's wrap does not provide sufficient waterproofing. Insulation and underlayment products that become wet or saturated are to be discarded.
- D. Any materials which are found to be damaged shall be removed and replaced at the contractor's expense.

1.04 WORK SEQUENCE

- A. Schedule and execute work to prevent leaks and excessive traffic on completed roof sections. Care should be exercised to provide protection for the interior of the building and to ensure water does not flow beneath any completed sections of the membrane system.
- B. Do not disrupt activities in occupied spaces.

1.05 USE OF THE PREMISES

- A. Before beginning work, the roofing contractor must secure approval from the building owner's representative for the following:
1. Areas permitted for personnel parking.
 2. Access to the site.
 3. Areas permitted for storage of materials and debris.

4. Areas permitted for the location of cranes, hoists and chutes for loading and unloading materials to and from the roof.

B. Interior stairs or elevators may not be used for removing debris or delivering materials, except as authorized by the building superintendent.

1.06 EXISTING CONDITIONS

If discrepancies are discovered between the existing conditions and those noted on the drawings, immediately notify the owner's representative by phone and solicit the manufacturer's approval prior to commencing with the work. Necessary steps shall be taken to make the building watertight until the discrepancies are resolved.

1.07 TEMPORARY FACILITIES AND CONTROLS

A. Temporary Utilities:

1. Water, power for construction purposes and lighting are available at the site and will be made available to the roofing contractor.
2. Provide all hoses, valves and connections for water from source designated by the owner when made available.
3. When available, electrical power should be extended as required from the source. Provide all trailers, connections and fused disconnects.

B. Temporary Sanitary Facilities

Sanitary facilities will not be available at the job site. The roofing contractor shall be responsible for the provision and maintenance of portable toilets or their equal.

C. Building Site:

1. The roofing contractor shall use reasonable care and responsibility to protect the building and site against damages. The contractor shall be responsible for the correction of any damage incurred as a result of the performance of the contract.
2. The roofing contractor shall remove all construction debris from the job site in a timely and legally acceptable manner so as to not detract from the aesthetics or the functions of the building.

D. Security:

Obey the owner's requirements for personnel identification, inspection and other security measures.

1.08 JOB SITE PROTECTION

- A. The roofing contractor shall adequately protect building, paved areas, service drives, lawn, shrubs, trees, etc. from damage while performing the required work. Provide canvas, boards and sheet metal (properly secured) as necessary for protection and remove protection material at completion. The contractor shall repair or be responsible for costs to repair all property damaged during the roofing application.
- B. During the roofing contractor's performance of the work, the building owner will continue to occupy the existing building. The contractor shall take precautions to prevent the spread of dust and debris, particularly where such material may sift into the building. The roofing contractor shall provide labor and materials to construct, maintain and remove necessary temporary enclosures to prevent dust or debris in the construction area(s) from entering the remainder of the building.
- C. Do not overload any portion of the building, either by use of or placement of equipment, storage of debris, or storage of materials.
- D. Protect against fire and flame spread. Maintain proper and adequate fire extinguishers.
- E. Take precautions to prevent drains from clogging during the roofing application. Remove debris at the completion of each day's work and clean drains, if required. At completion, test drains to ensure the system is free running and drains are watertight. Remove strainers and plug drains in areas where work is in progress. Install flags or other telltales on plugs. Remove plugs each night and screen drain.
- F. Store moisture susceptible materials above ground and protect with waterproof coverings.
- G. Remove all traces of piled bulk materials and return the job site to its original condition upon completion of the work.

1.09 SAFETY

The roofing contractor shall be responsible for all means and methods as they relate to safety and shall comply with all applicable local, state and federal requirements that are safety related. Safety shall be the responsibility of the roofing contractor. All related personnel shall be instructed daily to be mindful of the full time requirement to maintain a safe environment for the facility's occupants including staff, visitors, customers and the occurrence of the general public on or near the site.

1.10 WORKMANSHIP

- A. Contractors installing new roof, flashing and related work shall be factory trained and approved by the manufacturer they are representing.
- B. All work shall be of highest quality and in strict accordance with the manufacturer's published specifications and to the building owner's satisfaction.
- C. There shall be a supervisor on the job site at all times while work is in progress.
- D. All field seams and flashing details are to be completed according to manufacturer's specifications and details by the end of each work day.

1.11 QUALITY ASSURANCE

- A. The membrane must be manufactured by the material supplier. Manufacturer's supplying membrane made by others are not acceptable.
- B. The manufacturer must have a minimum of 30 years' experience in the manufacturing of vulcanized, black, thermoset sheeting.
- C. Unless otherwise noted in this specification, the roofing contractor must strictly comply with the manufacturer's current specifications and details.
- D. The roofing system must be installed by a contractor in compliance with shop drawings as approved by the manufacturer. The roofing contractor shall be thoroughly experienced and upon request be able to provide evidence of having at least five (5) years successful experience installing single-ply EPDM roofing systems and having installed at least one (1) EPDM roofing application or several similar systems of equal or greater size within one year.
- E. Provide adequate number of experienced workmen regularly engaged in this type of work who are skilled in the application techniques of the materials specified. Provide at least one thoroughly trained and experienced superintendent on the job at all times roofing work is in progress.
- F. There shall be no deviations made from this specification or the approved shop drawings without the prior written approval of the specifier. Any deviation from the manufacturer's installation procedures must be supported by a written certification on the manufacturer's letterhead and presented for the specifier's consideration.
- G. Upon completion of the installation, the contractor shall arrange for an inspection to be made by a non-sales technical representative of the membrane manufacturer in order to identify any needed corrective repairs that will be required for warranty issuance. Notify the building owner seventy-two (72) hours prior to the manufacturer's final inspection.
- H. Inspector shall be employed and trained by the manufacturer and have received product-specific training from the manufacturer of the products.
- I. The WeatherBond EPDM Membrane exceeds 41,580 kJ/m² under Xenon-Arc UV Light testing used for testing "Resistance to Outdoor (Ultraviolet) Weathering." (ASTM D 4637 Specification requires a 7560 kJ/m² minimum total radiant exposure at 70 W/m² irradiance at 176oF black panel temperature to pass.)The membrane shows no visible signs of cracking or crazing.
- J. The WeatherBond EPDM Membrane exceeds 35,320 kJ/m² under Xenon-Arc UV Light testing used for testing "Resistance to Outdoor (Ultraviolet) Weathering." (ASTM D 4637 Specification requires a 7560 kJ/m² minimum total radiant exposure at 70 W/m² irradiance at 176oF black panel temperature to pass.)The membrane shows no visible signs of cracking or crazing.
- K. WeatherBond Non-Reinforced EPDM, WeatherBond White EPDM, or WeatherBond Reinforced EPDM Membranes achieves a zero (no growth) rating in the ASTM G21 test for fungi growth.

1.12 JOB CONDITIONS, CAUTIONS AND WARNINGS

Refer to WeatherBond's EPDM Roofing System specification for General Job Site Considerations.

- A. Safety Data Sheets (SDS) must be on location at all times during the transportation, storage and application of materials.
- B. When positioning membrane sheets, exercise care to locate all field splices away from low spots and out of drain sumps. All field splices should be shingled to prevent bucking of water.
- C. When loading materials onto the roof, the roofing contractor must comply with the requirements of the building owner to prevent overloading and possible disturbance to the building structure.
- D. Proceed with roofing work only when weather conditions are in compliance with the manufacturer's recommended limitations, and when conditions will permit the work to proceed in accordance with the manufacturer's requirements and recommendations.
- E. Proceed with work so new roofing materials are not subject to construction traffic. When necessary, new roof sections shall be protected and inspected upon completion for possible damage.
- F. Provide protection, such as 3/4 inch thick plywood, for all roof areas exposed to traffic during construction. Plywood must be smooth and free of fasteners and splinters.
- G. The surface on which the insulation or roofing membrane is to be applied shall be clean, smooth, dry, and free of projections or contaminants that would prevent proper application of or be incompatible with the new installation, such as fins, sharp edges, foreign materials, oil and grease.
- H. New roofing shall be complete and weathertight at the end of the work day.
- I. Contaminants such as grease, fats and oils shall not be permitted to come in direct contact with the roofing membrane. An overlay of Epichlorhydrin membrane must be adhered around units which have the potential to emit solvents, grease or oil.

PART 2 PRODUCTS

2.01 GENERAL

- A. All components of the specified roofing system shall be products of WeatherBond or accepted by WeatherBond as compatible.
- B. Unless otherwise approved by the specifier and accepted by the membrane manufacturer, all products (including insulation, fasteners, fastening plates and edgings) must be manufactured and supplied by the roofing system manufacturer and covered by the warranty.

AND

Manufacturer of roof membrane shall also manufacture all polymeric components for the roofing system, including, but limited to, membrane, adhesives, primers, flashings, caulks and tapes.

2.02 MEMBRANE

Furnish WeatherBond 60-mil EPDM (Ethylene, Propylene, and Diene Terpolymer) in the largest sheet possible with 3" or 6" factory applied Peel & Stick Tape. (Splice tape shall be a butyl/EPDM based polymer with a minimum thickness of 25-mil.) The membrane shall conform to the minimum physical properties of ASTM D4637. When a 10 foot wide membrane is to be used, the membrane shall be manufactured in a single panel with no factory splices to reduce splice intersections.

2.03 INSULATION/UNDERLAYMENT

- A. When applicable, insulation shall be installed in multiple layers. The first and second layer of insulation shall be mechanically fastened or adhered to the substrate in accordance with the manufacturer's published specifications.
- B. Insulation shall be Polyiso as supplied by WeatherBond. Minimum R-value required is R-30.
1. WeatherBond XP Polyiso – A foam core insulation board covered on both sides with a medium weight fiber-reinforced felt facer meeting ASTM C 1289-06, Type II, Class 1, Grade 2 (20 psi) or Grade 3 (25 psi). The product is available in 4' x 8' standard size with a thickness from 1 to 4 inches. 4' x 4' tapered panels are also available.
 2. WeatherBond XFP HD Cover Board– a rigid insulation panel composed of a high-density, closed-cell polyisocyanurate foam core laminated to moisture resistant coated-glass fiber-mat facer for use as a cover board or recover board meeting ASTM 1289-06, Type II, Class 2 (100 psi). Available 1/2" thick 4' x 8' panel weight 11 lbs. with an R-value of 2.5.

2.04 FASTENING COMPONENTS

To be used for mechanical attachment of insulation and to provide additional membrane securement:

- A. Fasteners, Plates and Bars
1. HPW Fasteners: a threaded, #14 fastener with a #3 phillips drive used with steel and wood roof decks.
 2. Term Bar Nail-Ins: A 1-1/4" long expansion anchor with a zinc plated steel drive pin used for fastening the Termination Bar or Seam Fastening Plates to concrete, brick, or block walls.
 3. Insulation Fastening Plates: a nominal 3 inch diameter plastic or metal plate used for insulation attachment.
 4. WeatherBond Peel & Stick RPS (Reinforced Perimeter Strip): a 6" or 9" wide, nominal 45-mil thick clean, cured black reinforced EPDM membrane with 3" or 6" wide factory applied seam tape laminated along one edge. The 6" or 9" wide Peel & Stick RPS is used horizontally or vertically at the base of walls, curbs, etc., in conjunction with 2"

diameter securement plates or bars below the EPDM deck membrane for additional membrane securement.

2.05 ADHESIVES, CLEANERS AND SEALANTS

All products shall be furnished by WeatherBond and specifically formulated for the intended purpose.

A. **Low VOC Bonding Adhesive:** A low VOC (volatile organic compound) bonding adhesive (less than 250 grams/liter) used for bonding WeatherBond (Black or White) EPDM membranes to various surfaces. This product meets the <250 gpl VOC (volatile organic compound) content requirements of the OTC Model Rule for Single Ply Roofing Adhesives. Available in 5 gallon pails.

B. **CAV-GRIP 3V Low-VOC Adhesive/Primer:** a low-VOC, spray-applied aerosol contact adhesive and primer used for a variety of applications: adhering standard VersiWeld TPO and VersiGard EPDM membranes to horizontal and vertical surfaces, adhering VersiFleece membranes to vertical surfaces, as a primer for VapAir Seal 725TR, and as an unexposed asphalt primer for Flexible DASH for insulation attachment.

C. **Weathered Membrane Cleaner:** A clear, solvent-based cleaner used to loosen and remove dirt and other contaminants from the surface of exposed EPDM membrane (for repairs, etc.) prior to applying EPDM Primer. Weathered Membrane Cleaner can also be used when applying Splicing Cement. Available in 1 and 5-gallon pails.

D. **WeatherBond (Black or White) Peel & Stick Seam Tape (Factory Applied):** A 3" or 6" wide by 100' long splice tape used for splicing adjoining sections of EPDM membrane. Complies with the South Coast Air Quality Management District Rule 1168.

E. **Low-VOC EPDM Primer -** A low VOC (volatile organic compound) primer (less than 250 grams/liter) for use with Seam Tape or Peel & Stick products. Available in 1 gallon pails and pressurized cylinders.

F. **Lap Sealant:** A heavy-bodied material used to seal the exposed edges of a membrane splice. Available in tubes.

1. WeatherBond's Lap Sealant is a black sealant for use with WeatherBond EPDM (black) Roofing Systems.
2. WeatherBond's White Lap Sealant is a white sealant for use with WeatherBond White EPDM (white-on-black) Roofing Systems.

G. **Water Cut-Off Mastic:** A one-component, low viscosity, self-wetting, Butyl blend mastic used to achieve a compression seal between the EPDM membrane or Uncured EPDM Flashing and applicable substrates. Available in tubes.

H. **Pourable Sealer:** A black, two-component, solvent-free, polyurethane based product used for tie-ins and as a sealant around hard-to-flash membrane penetrating objects such as clusters of pipes and for a daily seal when the completion of flashings and terminations cannot be completed by the end of each work day.

- I. Universal Single-Ply Sealant A one-part polyether, non-sagging sealant designed for sealing expansion joints, control joints and counterflashings. Available in white or grey.
- J. CAV-GRIP III Low-VOC Aerosol Contact Adhesive/Primer: a low-VOC, methylene chloride-free adhesive that can be used for a variety of applications including: bonding WeatherBond EPDM and TPO membranes to various surfaces, enhancing the bond between WeatherBond's VapAir Seal 725TR and various substrates, and priming unexposed asphalt prior to applying Flexible DASH Adhesive. Coverage rate is approximately 2,000-2,500 sq. ft. per #40 cylinder and 4,000-5,000 sq. ft. per #85 cylinder as a primer, in a single-sided application and 750 sq. ft. per #40 cylinder and 1,500 sq. ft. per #85 cylinder as an adhesive for vertical walls, in a double-sided application.

2.06 METAL EDGING AND MEMBRANE TERMINATIONS

- A. General: All metal edgings shall be tested and meet ANSI/SPRI ES-1 standards and comply with International Building Code. All metal work is to be supplied and warranted by the manufacturer.
- B. VersiTrim 200: a coping or fascia, snap-on edge system consisting of a 24 gauge galvanized metal water dam and 24 gauge steel, Kynar 500 finish. Metal fascia color shall be as designated by the Owner's Representative. ANSI/SPRI ES-1 Certified. Coping FM Approved 1-90. Fascia FM Approved 1-195.
- C. Drip Edge: a metal fascia/edge system with a 22 or 24 gauge continuous anchor cleat and .032 inch thick aluminum or 24 gauge steel fascia. Metal fascia color shall be as designated by the Owner's Representative.
- D. VersiTrim Coping: incorporates a 20 gauge anchor cleat with 4 pre-slotted holes, a concealed joint cover and 10 foot continuous sections of coping cap; can accommodate minimum 5 " wide parapet walls. Metal coping cap color shall be as designated by the Owner's Representative.
- E. Termination Bar: a 1" wide and .098" thick extruded aluminum bar pre-punched 6" on center; incorporates a sealant ledge to support Lap Sealant and provide increased stability for membrane terminations.
- F. VersiTrim Term Bar Fascia: A 1.75" wide formed aluminum termination bar with pre-slotted fastening holes for ease of locating and installing. The decorative cover is available in 0.040" aluminum or 24-gauge galvanized steel. VersiTrim Term Bar Fascia is manufactured in 12' lengths for fewer joints/seams, fewer sections to handle and faster installation.

2.07 WALKWAYS

Protective surfacing for roof traffic shall be WeatherBond EPDM (black) Peel & Stick Walkway Pads (with factory applied tape on the underside of the walkway) adhered to the membrane surface in conjunction with WeatherBond's EPDM Primer.

2.08 OTHER MATERIALS

- A. VapAir Seal 725TR Air & Vapor Barrier / Temporary Roof: 725TR is a 40-mil composite consisting of 35-mils of self-adhering rubberized asphalt factory laminated to a 5-mil polyethylene film

with an adhesion textured surface. 725TR roll dimensions are 39" x 100' and the product is applied after priming an acceptable substrate with Cav-Grip III primer.

- B. Wood Nailers: PS 20 – Dimensional lumber, structural grade No. 2 or better Southern Pine, Douglas Fir or PS 1, APA Exterior Grade Plywood: Preservative Pressure Treated. Thickness to match roof insulation. Width shall be a minimum of 3 ½" or as wide as the roof edge nailing flange.
- C. Replacement of damaged roof deck. Provide unit cost as noted in the bid form for replacement of damaged/deteriorated T&G roof deck in kind.
- D. Provide in base bid, replacement of all soffit panels with new vinyl soffit, Color to match roof edge or as selected by owner from manufacturers full range.
- E. Provide in base bid, replacement of all Gutters & Downspouts with new 6" K Style Aluminum .032 gutters, downspouts to match existing removed. Finish & Color to match roof edge.
- F. Provide in base bid, repointing of existing to remain chimney, new flashing at chimney, elastomeric coating crown repair at chimney & new stainless steel chimney cap. Basis of design shall be Chimney Rx Brushable Crown repair or approved equal.

PART 3 EXECUTION

3.01 GENERAL

- A. Comply with the manufacturer's published instructions for the installation of the membrane roofing system including proper substrate preparation, jobsite considerations and weather restrictions.
- B. Position sheets to accommodate contours of the roof deck and shingle splices to avoid bucking water.

3.02 VAPOR RETARDERS

- A. General:

The use of a vapor retarder to protect insulation and reduce moisture accumulation within an insulated roofing assembly should be investigated, especially on projects with high interior humidity, such as, swimming pools, breweries, pulp mills, etc.

- B. In the generally temperate climate of the United States, during the winter months, water vapor flows upward from a heated, more humid interior toward a colder, drier exterior. Vapor retarders are more commonly required in northern climates than in southern regions, where downward vapor pressure may be expected and the roofing membrane itself becomes the vapor retarder.
- C. On cold storage/freezer facilities, the perimeter details must be selected to provide an air seal and prevent outside air from infiltrating and condensing within the roofing assembly.
- D. Consult the latest publications by ASHRAE (American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc.) and NRCA (National Roofing Contractors Association) for specific information.

E. If insulation is to be adhered to the vapor retarder with Flexible DASH Adhesive, the 725 TR vapor retarder must be compatible and shall be fully adhered to the substrate. Available products include WeatherBond supplied “peel and stick” rubberized asphalt membrane with compatible film coating (VapAir Seal 725TR Air and Vapor Barrier), and spray or roller applied butyl coatings. Installation requirements for 725 Air and Vapor Barrier are identified in published specification.

F. VapAir Seal 725TR Installation:

1. Surface Preparation: Concrete shall be in place for 7 days minimum and the substrate must be dry. The surface shall have a smooth finish and be free of voids, spalled areas, sharp protrusions, loose aggregate, laitance and form release agents. In the event of rain, concrete must be allowed to dry before primer is applied.
2. Primer: Surfaces to receive VapAir Seal 725TR Air and Vapor Barrier must be clean and dry. Prime with Cav-Grip III Primer. Apply Primer by spray, brush or with a long nap roller at the applicable coverage rate noted above. At 75°F allow primer to dry 1 hour minimum. Primer has a satisfactory cure when it will not transfer when touched. Prime only areas to be waterproofed the same day. Re-prime if area becomes dirty.
3. Application: Apply VapAir Seal 725TR Air and Vapor Barrier from low to high point, in a shingle fashion, so that laps will shed water. Overlap all edges at least 2-1/2". End laps shall be staggered. Place membrane carefully so as to avoid wrinkles and fish mouths. Immediately after installation, roll with a 150 pound segmented steel roller.
4. Insulation Installation: Ensure surface of VapAir Seal 725TR Air and Vapor Barrier is dry prior to installing insulation. Place insulation over the surface and mechanically fasten to the roof in accordance with this Specification.

G. For metal decks, VapAir Seal MD Air and Vapor Barrier is specifically designed for direct application to fluted steel decks. It may also be used in conjunction with either CAV-GRIP III on vertical wall surfaces, such as structural concrete, gypsum, Securock, DensDeck Prime, DensDeck StormX Prime and plywood substrates.

3.03 INSULATION PLACEMENT

A. Install insulation or membrane underlayment over the substrate with boards butted tightly together with no joints or gaps greater than 1/4 inch. Stagger joints both horizontally and vertically if multiple layers are provided.

B. Secure insulation to the substrate with the required mechanical fasteners or insulation adhesive, Flexible DASH Adhesive in accordance with the manufacturer’s specifications.

3.04 MEMBRANE PLACEMENT AND BONDING

- A. Unroll and position membrane without stretching. Allow the membrane to relax for approximately 1/2 hour before bonding. Fold the sheet back onto itself so half the underside of the membrane is exposed.
- B. Apply the Bonding Adhesive in accordance with the manufacturer's published instructions and coverage rates, to both the underside of the membrane and the substrate. Allow the adhesive to dry until it is tacky but will not string or stick to a dry finger touch.
1. Roll the coated membrane into the coated substrate while avoiding wrinkles. Brush down the bonded half of the membrane sheet with a soft bristle push broom to achieve maximum contact.
 2. Fold back the unbounded half of the membrane sheet and repeat the bonding procedure.
- C. Install adjoining membrane sheets in the same manner, overlapping edges approximately 4 inches. Do not apply bonding adhesive to the splice area.

3.05 MEMBRANE SPLICING

- A. Position membrane sheet to allow for required splice overlap. Mark the bottom sheets with an indelible marker approximately 1/4" to 1/2" from the top sheet edge. The pre-marked line on the membrane edge can also be used as a guide for positioning splice tape.
- B. When the membrane is contaminated with dirt, fold the top sheet back and clean the dry splice area (minimum 3" wide) of both membrane sheets by scrubbing with clean natural fiber rags saturated with WeatherBond's Weathered Membrane Cleaner. When using WeatherBond EPDM Black Clean (No Dust) membrane, cleaning the splice area is not required unless contaminated with field dirt or other residue.
- C. Apply Low VOC EPDM Primer to splice area and permit to flash off. Primer must be applied to both the top membrane layer and the bottom membrane layer.
- D. When adhering Factory applied Peel & Stick Seam Tape, pull the poly backing from Seam Tape beneath the top sheet and allow the top sheet to fall freely onto the exposed primed surface. Press top sheet on to the bottom sheet using firm even hand pressure across the splice towards the splice edge
- E. For end laps, apply 3" or 6" Peel & Stick Seam Tape to the primed membrane surface in accordance with the manufacturer's specifications. Remove the poly backing and roll the top sheet onto the mating surface.
- F. Tape splices must be a minimum of 2-1/2" wide using 3" wide (Butyl/EPDM) Seam Tape that is a minimum 25-mil thick. Seam Tape must extend 1/8" minimum to 1/2" maximum beyond the splice edge. Field splices at roof drains must be located outside the drain sump.

Note: For projects where a 90-mil membrane is specified, splice enhancements are required.

G. Immediately roll the splice using positive pressure when using a 2” wide steel roller. Roll across the splice edge, not parallel to it. When WeatherBond Peel & Stick Seam Tape is used, a Stand-Up Seam Roller can be used to roll parallel to the splice edge.

H. At all field splice intersections, apply Lap Sealant along the edge of the membrane splice to cover the exposed Peel & Stick Seam Tape 2” in each direction from the splice intersection. Install WeatherBond’s Peel & Stick “T” Joint Covers or a 6” wide section (with rounded corners) of WeatherBond’s Peel & Stick Uncured Flashing over the field splice intersection.

3.06 FLASHING

A. Wall and curb flashing shall be cured EPDM membrane. Continue the deck membrane as wall flashing where practicable. Use Peel & Stick Curb Wrap when possible to flash curb units.

B. Follow manufacturer’s typical flashing procedures for all wall, curb, and penetration flashing including metal edging/coping and roof drain applications.

3.07 WALKWAYS

A. Install walkways at all traffic concentration points (such as roof hatches, access doors, rooftop ladders, etc.) and all locations as identified on the specifier’s drawing.

B. Adhere walkways pads to the EPDM membrane in accordance with the manufacturer’s specifications.

3.08 DAILY SEAL

A. On phased roofing, when the completion of flashings and terminations is not achieved by the end of the work day, a daily seal must be performed.

3.09 CLEAN UP

A. Perform daily clean-up to collect all wrappings, empty containers, paper, and other debris from the project site. Upon completion, all debris must be disposed of in a legally acceptable manner.

B. Prior to the manufacturer’s inspection for warranty, the contractor must perform a pre-inspection to review all work and to verify all flashing has been completed as well as the application of all caulking.

END OF SPECIFICATION

TOWN OF SMITHFIELD, RI



**ATTACHMENT A
COST PROPOSAL FORM**

AGREES TO RESPOND ON: Department of Public Works – Roof Replacement	
DATE AND TIME TO BE OPENED: MONDAY, JUNE 10, 2024 AT 10:00 AM	
VENDOR NAME:	
VENDOR ADDRESS:	
CITY, STATE, ZIP:	
SOC. SEC. # OR FED. ID#:	

WHEREAS, the TOWN OF SMITHFIELD has duly asked for proposals for performance of services and/or supply of goods in accordance with the indicated specifications.

The person or entity does irrevocably offer to perform the services and/or furnish the goods in accordance with the specifications, which are hereby incorporated by reference in exchange for the proposal price below.

This offer will remain open and irrevocable until the TOWN OF SMITHFIELD has accepted this proposal or another proposal on the specifications or abandoned the project.

The bidder agrees that acceptance by the TOWN OF SMITHFIELD will transform the proposal into a contract. This proposal and contract will be secured by Bonds, if required by the specifications.

1. LUMP SUM: Roofing Replacement Cost Proposal:

_____ \$ _____
(In words) (In figures)

ITEMIZED COSTS

2. DECK REPLACEMENT Per/Sq. ft.

_____ \$ _____
(In words) (In figures)

CONTRACTOR INFORMATION

EMAIL: _____

PHONE _____ FAX _____

CONTACT NAME _____ TITLE _____

AUTHORIZED SIGNATURE

Recommended Motion:

That the Smithfield Town Council hereby authorizes Change Order Requests #19, #20 and #21 to J.G. Edwards Construction for Phase 1B renovation work at the East Smithfield Neighborhood Center in an amount not to exceed five thousand, two hundred seventy-three dollars and zero cents (\$5,273.00).



AHARONIAN & ASSOCIATES INC. - ARCHITECTS

310 George Washington Highway - Suite 100 - Smithfield, Rhode Island 02917 T 401-232-5010 F 401-232-5080

Date: **May 10, 2024**

To: **Mr. Randy Rossi**
Smithfield Town Manager
64 Farnum Pike
Smithfield, RI 02917

Re: **East Smithfield Neighborhood Center** **AA# 19175**
7 Esmond Street
Smithfield, RI 02917
Phase 1B – Change Order Request # 19
Phase 1B – Change Order Request # 20
Phase 1B – Change Order Request # 21

Message:

Mr. Rossi:

We have received Two (3) Change Order Requests related to the East Smithfield Neighborhood Center Project as referenced above from the General Contractor J.G. Edwards Construction. Our office has reviewed these Change Order Requests and is in support of their approval to facilitate completion of Phase 1b. Below please find brief descriptions of the work associated with each Change Order. These items provide enhancements to the use of the space and end user experience.

Change Order Request #19 – related to Phase 1b. This change proposal provides additional convenience outlets for the end user use and for seasonal lighting or displays.

Change Order Request #20 – Related to Phase 1b. This change proposal will add two recessed task lights to the Wellness office. This change is meant to enhance the end user experience in the space.

Change Order Request #21 – Related to Phase 1b. This change proposal will add electrical rough in for a future washer and dryer. This equipment will be a component of the next phase but due the location where it will be installed, it will be more cost effective to install the wiring during the current construction phase while the walls are open.

Please contact us if you have any questions or need additional information.

Signed: **David R. Horton, RA**
Project Architect
Aharonian & Associates Inc



120 Hargraves Dr, PO Box 100, Portsmouth, RI 02871 – Office (401) 683-9110

CHANGE ORDER REQUEST

COR # 19
Date 04/02/2024

Submitted to:
David Horton, Aharonian & Associates
Copy:
Robert Leach, RA
Randy Rossi, Town of Smithfield
John Aharonian, Aharonian & Associates

Project Phase 1B Renovations to
East Smithfield Neighborhood Center

Submitted by:
James Edwards, J.G. Edwards Construction

Subject: Floor Outlets at Wood Platform

Please find below the cost to add two (2) duplex electrical receptacles in floor boxes with brass covers in the wood framed platform in Entry 101. We will need a decision on this request ASAP, so the wiring can be tied into the electrical panel before gypsum board is installed.

Attached is a copy of Change Order Proposal #5, dated 3/29/24, from Wyman & Sons Electric Inc. with product data for the floor outlets.

Floor boxes, covers, devices, and wiring	825.00
Electrical labor, 12 hours	<u>1,279.00</u>
Subtotal	\$2,104.00
GC Markup (10%)	210.00
Increased subcontractor liability insurance (1.3%)	27.00
Increased Performance & Payment Bond (2%)	<u>47.00</u>
Total Additional Cost	<u><u>\$2,388.00</u></u>



Committed to Exceed Standards Since 1993

CHANGE ORDER PROPOSAL

PROJECT: _____ DATE: _____ CHANGE ORDER # _____

DESCRIPTION: _____

MATERIAL:	QUANTITY	UNIT COST	TOTAL
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

MATERIAL SUBTOTAL: \$ _____

LABOR:	QUANTITY	UNIT COST	TOTAL
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

LABOR SUBTOTAL: \$ _____

QUOTES/SUBCONTRACTORS/EQUIPMENT:	QUANTITY	UNIT COST	TOTAL
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

QUOTES/SUBCONTRACTORS/EQUIPMENT SUBTOTAL: \$ _____

MATERIAL: \$ _____

LABOR: \$ _____

QUOTES/SUBCONTRACTORS: \$ _____

OVERHEAD ____%: \$ _____

PROFIT ____%: \$ _____

NET TOTAL: \$ _____

NO WORK WILL BE PERFORMED WITHOUT SIGNED APPROVAL OF PROPOSED CHANGES.

CONTRACTOR SIGNATURE

DATE

OWNER SIGNATURE

DATE



Takeoff

29 Mar 2024 13:18:34

Phase: ADD 2 FLOOR OUTLETS

Item #	Qty	U/M	Q/M	Size	Description	Material Unit	Material Result	Labor Unit	Labor Result
TITLE	2.00	EA	M	#12 MC CABLE	WOOD FLOOR 1G DX 20A COML	0.0000	0.00	0.0000	0.00
140016	2.00	EA	M	20A	DX RECEPT COMMERCIAL GRADE	8.0300	16.06	0.3000	0.60
151612	2.00	EA	M	1G	STEEL RECTANGLE WOOD FLOOR BOX	120.0000	240.00	1.0000	2.00
151672	2.00	EA	M	1G	RECTANGLE WOOD FLOOR CARPET FLANGE-BRASS	113.0000	226.00	0.3000	0.60
151644	2.00	EA	M	DUPLEX FLAP	1G RECT SINGLE SERVICE COVER-BRASS	111.0000	222.00	0.2000	0.40
100139	1.00	EA	M	#18 to 8	WIRE-NUT MED -RED	0.2030	0.20	0.0600	0.06
100137	6.00	EA	M	#18 to 10	WIRE-NUT SML -YELLOW	0.1381	0.83	0.0500	0.30
70509	44.00	FT	M	12/2	MC CABLE - ALUM JKT W/G	1.0000	44.00	0.0260	1.14
670074	4.00	EA	M	3/8 (38AST)	AC/MC SNAP2IT AC/MC CON W/INS THROAT	1.2708	5.08	0.1000	0.40
161828	10.00	EA	M	14/2 - 10/4	AC/MC 1-HOLE STRAP PLTD	0.7495	7.50	0.0300	0.30
161271	10.00	EA	M	#12 x 1"	SHEET METAL SCREW	0.1480	1.48	0.0600	0.60
500254	6.00	EA	M	3/4	DRILL HOLE IN WOOD STUD	0.0000	0.00	0.1000	0.60
500249	2.00	EA	M	4	DRILL HOLE & PATCH	0.0000	0.00	2.5000	5.00
Phase Totals:						763.15	12.00		
Job Totals:						763.15	12.00		



WIREMOLD® 861 Series™ Floor Box

Combination Raised Floor/Wood Floor Box – Provides an Innovative Open Space Solution

861 Series™ Floor Boxes bring power or communication services directly to the point-of-use for open space applications. 861 Series Floor Boxes have been designed for use in both raised and wood-constructed floors and are available with a variety of cover options. These boxes will accept Wiremold flush-style poke-thru cover assemblies which are available in dedicated power, communication or pass-through versions. They will also accept 895 and 896 Series Single Service Covers that are available in brass, brushed aluminum, and nonmetallic materials.

861 Series Floor Boxes are an ideal solution for bringing power or communication to board rooms, commercial offices or upscale residences. And all 861 Series Floor Boxes include TopGuard protection, an industry-leading design that not only meets but exceeds UL scrub water exclusion requirements for tile, wood, and carpeted floors.



861 Series Floor Box – an ideal solution for power or communication needs.


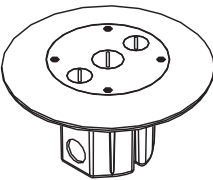
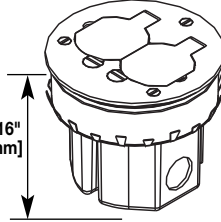
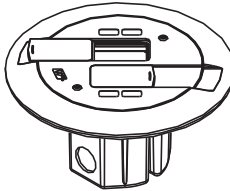
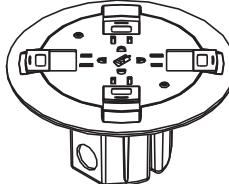
FEATURES & BENEFITS

- **Individual slide covers on flush poke-thru-style cover assemblies.** Protects power and communication devices. Power slide cover snaps back into place when receptacle is not in use. 861AMDTC Floor Box is the only all-communications unit available with slide cover protection.
- **Suitable for use in air-handling spaces.** In accordance with Sec. 300-22(C) of the National Electrical Code.
- **Provides flexibility with a single floor box unit.** 861QTC has a 15A quad receptacle that can be wired in either standard or isolated ground configuration.
- **“Step-on-it” installation.** Reduces labor cost by eliminating the need for a routed opening on carpet and tile applications or special tools for installation. Allows all wiring to be completed at floor level.
- **Meets ADA Accessibility Guidelines.** The trim flanges for this product have been designed to meet the ADA Accessibility Guidelines as it pertains to ADA Standard 4.5 which addresses changes in floor and ground surface levels. The poke-thru trim flanges are beveled so the slope is no greater than 1:2 ratio.
- **Reusable and accessible flip top disposable cover plate.** Prevents unit from seating too far into the sub floor. Saves time and money during installation by allowing wire connections to be made at the time of installation, prior to activating the floor box.
- **Supported by one of the most complete lines of activation covers in the industry.** Compatible with 895 and 896 Series Covers that are available in brass, brushed aluminum, and polycarbonate, as well as a variety of aesthetically-pleasing flush, poke-thru style cover options to meet any decor and can accommodate most power or data requirements.
- **Datacom connectivity option.** Accepts industry standard and proprietary devices from a wide range of manufacturers to provide a seamless and aesthetically pleasing interface for voice, data, audio and video applications at the point-of-use.
- **TopGuard protection.** An integral design which keeps out water, dirt, and debris from the power and communication compartments. Whenever you see the TopGuard protection icon applied to any Wiremold product, you will know that the product meets and exceeds the new UL scrub water exclusion requirement.
- **UL Listed to U.S. and Canadian safety standards for tile, terrazzo, and the UL requirements under UL514A and UL514C for the scrub water exclusion test for carpet and wood floors.**

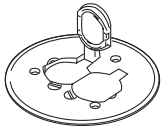
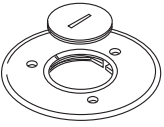
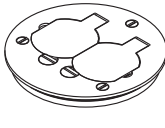
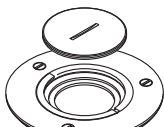
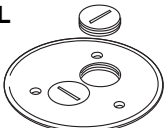
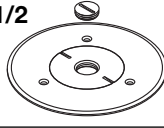
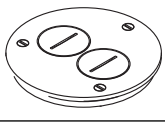
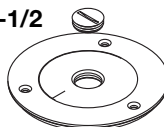
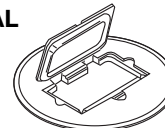
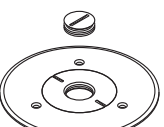
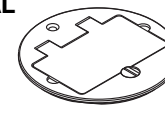
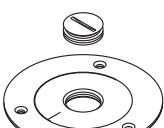
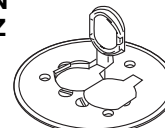
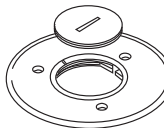

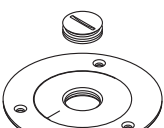
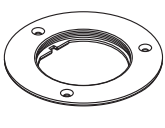
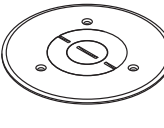
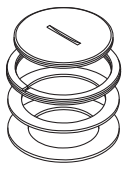


Protection from
water, dirt,
and debris.

861 Series Floor Box Ordering Information

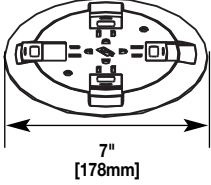
Catalog No./Item	Description/Specifications	Catalog No./Item	Description/Specifications
861 	Raised Floor/Wood Floor Box – Die-cast aluminum construction with three 1/2" trade size knockouts; two on the sides and one on the bottom. 18 cu. in. [295 cu. cm] capacity. Requires a 4" [102mm] diameter hole. Comes complete with a disposable cover. Receptacle and activation sold separately.	861FFTCGY 861FFTCBK 861FFTCAL 861FFTCBS 861FFTCVY 	Furniture Feed Raised Floor/Wood Floor Box Assembly – Cover has two 1/2" trade size conduits and one 3/4" trade size threaded conduit opening for feeding cables and wires through floor. Flush flanges available in painted gray (GY), black (BK), ivory (VY), or brushed metal finishes in aluminum (AL) and brass (BS). Die-cast aluminum construction with three 1/2" trade size knockouts; two on the sides and one on the bottom, 18 cu. in. [295 cu. cm] capacity. Requires a 4" [102mm] diameter hole.
861DB 	Raised Floor/Wood Floor Box Assembly – Complete with 20A duplex receptacle and brass cover plate. Die-cast aluminum construction with three 1/2" trade size knockouts; two on the sides and one on the bottom. 18 cu. in. [295 cu. cm] capacity. Requires a 4" [102mm] diameter hole.	NOTE: Assembled with scrub water gasket. For use in floors with tile, wood, or carpet covering.	
861AMDTCGY 861AMDTCBK 861AMDTCAL 861AMDTCBS 861AMDTCAB 861AMDTCVY 	Raised Floor/Wood Floor Box Assembly – All communication floor boxes accept up to four UTP connectors. Flush flanges available in painted gray (GY), black (BK), ivory (VY), or brushed metal finishes in aluminum (AL) and brass (BS). Slide covers match painted flange colors: gray, black. Aluminum and brass flanges shipped with black slide cover. Brass flange also available with nonmetallic brass-color (AB) slide holder. Die-cast aluminum construction with three 1/2" trade size knockouts; two on the sides and one on the bottom. 18 cu. in. [295 cu. cm] capacity. Requires a 4" [102mm] diameter hole. Includes two (2) Wiremold Open System adapters, two (2) Ortronics® TracJack adapters and two (2) Ortronics® Series II adapters.	861QTCGY 861QTCBK 861QTCAL 861QTCBS 861QTCAB 861QTCVY 	Raised Floor/Wood Floor Box Assembly – Complete with prewired 15A quad receptacle can be wired as standard or isolated ground. Flush cover is available in painted gray (GY), black (BK), ivory (VY), or brushed metal finishes in aluminum (AL) and brass (BS). Slide covers match painted flange colors: gray, black. Aluminum and brass flanges shipped with black slide cover. Brass flange also available with nonmetallic brass color slide holder (AB). Die-cast aluminum construction with three 1/2" trade size knockouts; two on the sides and one on the bottom, 18 cu. in. [295 cu. cm] capacity. Requires a 4" [102mm] diameter hole.
NOTE: Assembled with scrub water gasket. For use in floors with tile, wood, or carpet covering.		NOTE: Assembled with scrub water gasket. For use in floors with tile, wood, or carpet covering.	

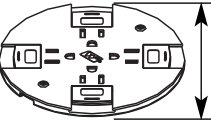
861 Series Floor Boxes Single Service Cover Plates Ordering Information

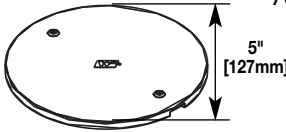
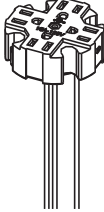
Catalog No./Item	Description/Specifications	Catalog No./Item	Description/Specifications
895 895TCAL	 Duplex Cover Plate with Flip Lids – Brass (895) or brushed aluminum (895TCAL) duplex cover plate with flip lids, 5 1/2" [140mm] for carpet.	896CK	 Cover Plate – Brass communication or power cover plate with 2 1/4" [57mm] threaded opening for carpet.
895T 895TAL	 Duplex Cover Plate with Flip Lids – Brass (895T) or brushed aluminum (895TAL) duplex cover plate with flip lids, 4 1/4" [108mm] for tile.	896TCK	 Cover Plate – Brass communication or power cover plate with 2 1/4" [57mm] threaded opening for tile.
895SP 895SPCAL	 Cover Plate with Two Screw Plug Openings* – Brass (895SP) or brushed aluminum (895SPAL) cover plate with two screw plug openings, 5 1/2" [140mm] diameter for carpet.	896CK-1/2 896CKAL-1/2	 Cover Plate – Brass or brushed aluminum cover plate with 1/2" [12.7mm] threaded opening for tile.
895TSP	 Cover Plate with Two Screw Plug Openings – Brass cover plate with two screw plug openings, 4 1/4" [108mm] for tile.	896TCK-1/2 896TCKAL-1/2	 Cover Plate – Brass or brushed aluminum cover plate with 1/2" [12.7mm] threaded opening for tile.
895GFI 895GFICAL	 GFI Receptacle Cover Plate – Brass (895GFI) or brushed aluminum (895GFICAL) GFI receptacle cover plate, 5 1/2" [140mm] for carpet.	896CK-3/4	 Cover Plate – Brass cover plate with 3/4" [19.1mm] threaded opening for carpet.
895TGFI 895TGFIAL	 GFI Receptacle Cover Plate – Brass (895TGFI) or brushed aluminum (895TGFIAL) GFI receptacle cover plate, 4 1/4" [108mm] for carpet.	896TCK-3/4	 Cover Plate – Brass cover plate with 3/4" [19.1mm] threaded opening for tile.
895P-BLK 895P-BRN 895P-BRZ 895P-AL	 Duplex Cover Plate with Flip Lids – Black polycarbonate duplex cover plate with flip lids for carpet. [140mm] diameter. Cover available in black (BLK), brown (BRN), bronze (BRN) and aluminum (AL).	896CK-1	 Cover Plate – Brass cover plate with 1" [25mm] threaded opening for carpet.
896	 Cover Plate – Brass communication or power cover plate with 2 5/8" [67mm] threaded opening for carpet. Abandonment Plug (825CK) sold separately.	896TCK-1	 Cover Plate – Brass cover plate with 1" [25mm] threaded opening for tile.
896T	 Cover Plate – Brass communication or power cover plate with 2 5/8" [67mm] threaded opening for tile. Abandonment Plug (825CK) sold separately.	896PCK-BLK 896PCK-BRN 896PCK-BRZ 896PCK-AL	 Brass Polycarbonate Communications or Power Plate – One plug with 1 1/8" [29mm] opening, one plug with 1 15/16" [33mm] opening for pass-through only. Available in black (BLK), brown (BRN), bronze (BRZ) and aluminum (AL).
		825CK	 Conversion Kit – Brass conversion kit includes plug, adapter ring, gaskets, and gasket support plate. For carpet or tile installations.

NOTE: All 895 Series Cover Plates are furnished with gasket and three screws. All carpet cover plates are 5 1/2" [140mm] in diameter. All tile cover plates are 4 1/4" [108mm] in diameter.

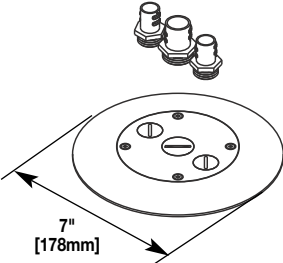
Flush Quad Power Poke-Thru Style Cover Ordering Information

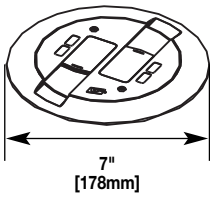
Catalog No./Item	Description/Specifications
RC9CTCGY RC9CTCBK RC9CTCAL RC9CTCBS RC9CTCAB RC9CTCVY RC9CTCAA	<p>Finish Flange & Slide Holder Assembly - Flange available in painted gray (GY), black (BK), ivory (VY), and brushed metal finishes in aluminum (AL) and brass (BS). Aluminum and brass flanges shipped with black cover. Brass flange also available with brass colored cover assembly (AB). Aluminum flange also available with aluminum colored cover assembly (AA).</p> <p>NOTE: Quad Receptacle sold separately. When RC9CTC is ordered for the 861 Wood Floor Box the RC9REC must be purchased at the same time.</p>
 <p>7" [178mm]</p>	
<p>NOTE: Assembled with scrub water gasket. For use in floors with tile, wood, or carpet covering.</p>	

Catalog No./Item	Description/Specifications
RC9SHTCGY RC9SHTCBK RC9SHTCBS RC9SHTCVY RC9SHTCAA	<p>Nonmetallic Slide Holder Assembly - Available in gray (GY), black (BK), ivory (VY), nonmetallic brass (BS) and nonmetallic aluminum (AA).</p> <p>NOTE: Assembled with scrub water gasket. For use in floors with tile, wood, or carpet covering.</p>
 <p>5" [127mm]</p>	

Catalog No./Item	Description/Specifications
RC9APTCBK	<p>Abandonment Plate - Available in black (BK).</p>
 <p>5" [127mm]</p>	
RC9REC	<p>Replacement Receptacle - Prewired 15A quad receptacle can be wired as standard receptacle or isolated ground. Available only in black. See installation instructions with replacement receptacle for complete installation details.</p>
	
<p>NOTE: When ordering the RC9REC to assemble into the 861 a RC9CTC must be purchased at the same time.</p>	

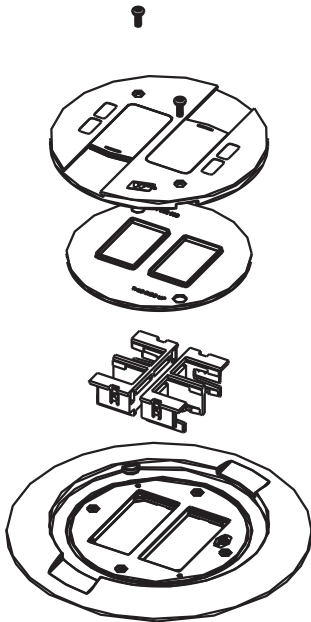
Flush Communication Poke-Thru Style Cover Ordering Information

Catalog No./Item	Description/Specifications
RC7CFFTCGY RC7CFFTCBK RC7CFFTCAL RC7CFFTCBS	<p>Finish Flange & Conduit Adapter Assembly - Complete with one 3/4" [19.1mm] conduit and two 1/2" trade size adapters and closure plugs. Colors available in painted black (BK), gray (GY), forged brushed aluminum (AL), and brass (BS). Use with RC7STC Insert to form a complete poke-thru assembly.</p>
 <p>7" [178mm]</p>	
<p>NOTE: Assembled with scrub water gasket. For use in floors with tile, wood, or carpet covering.</p>	

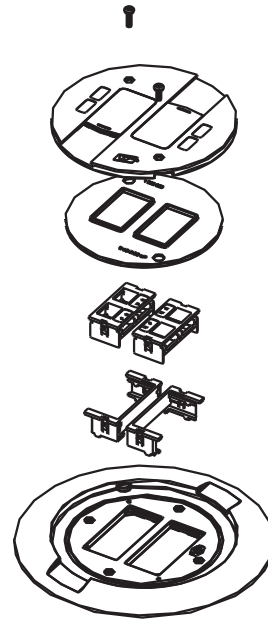
Catalog No./Item	Description/Specifications
RC9CMDTCGY RC9CMDTCBK RC9CMDTCAL RC9CMDTCBS RC9CMDTCAB RC9CMDTCVY RC9CMDTCAA	<p>Finish Flange & Slide Holder Assembly - Flange available in painted gray (GY), black (BK), ivory (VY), and brushed metal finishes in aluminum (AL) and brass (BS). Aluminum and brass flanges shipped with black cover. Brass flange also available with brass colored cover assembly (AB). Aluminum flange also available with aluminum colored cover assembly (AA). Includes two (2) Wiremold Open System inserts. Includes bezels to accept four (4) Ortronics® TracJack inserts, and bezels to accept two dual Ortronics® Series II modular inserts. TracJack and Series II devices sold separately.</p>
 <p>7" [178mm]</p>	
<p>NOTE: Assembled with scrub water gasket. For use in floors with tile, wood, or carpet covering.</p>	

861 Series Floor Boxes Exploded Views

Flush Communications Poke-Thru Style Exploded Views



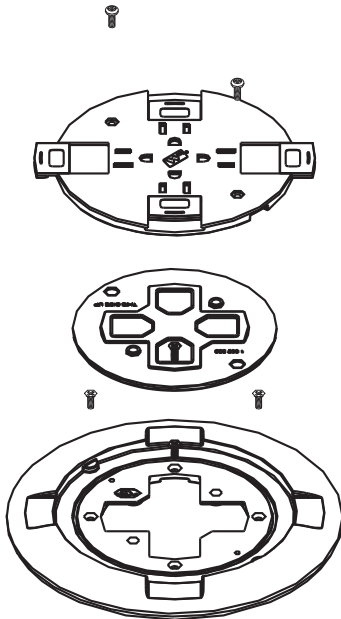
NOTE: RC9CMDTC Cover Assembly shown with two Ortronics® TracJack bezels. (Modular adapters sold separately.)



NOTE: RC9CMDTC Cover Assembly shown with Wiremold® Open System inserts. (Modular adapters sold separately.)

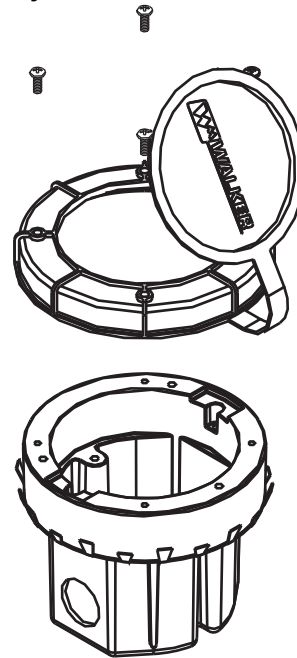
Flush Quad Power Poke-Thru Style Exploded View

RC9CTC Cover Assembly



Single Service Floor Box Exploded View

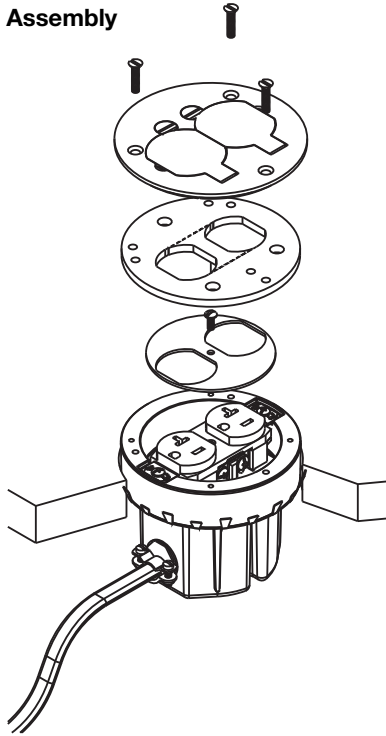
861 Box Assembly



861 Series Floor Boxes Exploded Views (continued)

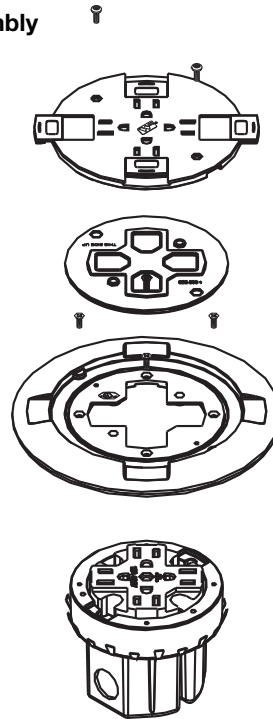
Single Service Wood Floor Box Exploded View

861DB Box Assembly



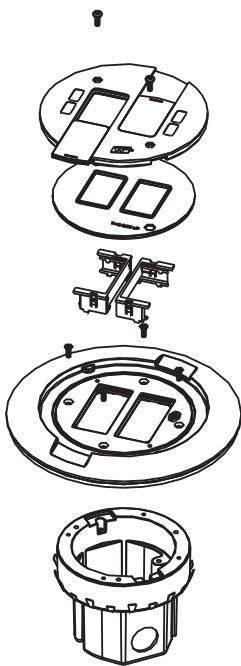
Flush Quad Power Poke-Thru Style Floor Box Exploded View

861QTC Box Assembly



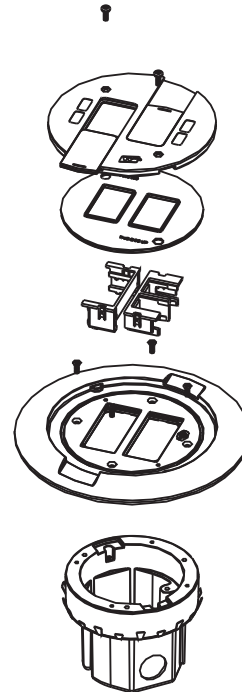
Flush Communications Poke-Thru Style Series Exploded Views

Open System



NOTE: 861AMDTC Box Assembly shown with adapter that holds the Activate and Open System inserts

Ortronics®



NOTE: 861AMDTC Box Assembly shown with Ortronics® Series II and TracJack adapters.



120 Hargraves Dr, PO Box 100, Portsmouth, RI 02871 – Office (401) 683-9110

CHANGE ORDER REQUEST

COR # 20
Date 04/02/2024

Submitted to:
David Horton, Aharonian & Associates
Copy:
Robert Leach, RA
Randy Rossi, Town of Smithfield
John Aharonian, Aharonian & Associates

Project Phase 1B Renovations to
East Smithfield Neighborhood Center

Submitted by:
James Edwards, J.G. Edwards Construction

Subject: Recessed Can Lights at Wellness

Please find below the cost to add two (2) recessed LED can lights in the soffit above the counter in Wellness 105. We will need a decision on this request ASAP, so the wiring can be tied into the electrical panel before gypsum board is installed.

Attached is a copy of Change Order Proposal #4, dated 3/29/24, from Wyman & Sons Electric Inc. with product data for the light fixtures.

Light fixtures & wiring	385.00
Electrical labor, 7 hours	729.00
Subtotal	\$1,114.00
GC Markup (10%)	111.00
Increased subcontractor liability insurance (1.3%)	14.00
Increased Performance & Payment Bond (2%)	25.00
Total Additional Cost	\$1,264.00



Committed to Exceed Standards Since 1993

CHANGE ORDER PROPOSAL

PROJECT: _____ DATE: _____ CHANGE ORDER # _____

DESCRIPTION: _____

MATERIAL:	QUANTITY	UNIT COST	TOTAL
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

MATERIAL SUBTOTAL: \$ _____

LABOR:	QUANTITY	UNIT COST	TOTAL
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

LABOR SUBTOTAL: \$ _____

QUOTES/SUBCONTRACTORS/EQUIPMENT:	QUANTITY	UNIT COST	TOTAL
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

QUOTES/SUBCONTRACTORS/EQUIPMENT SUBTOTAL: \$ _____

MATERIAL: \$ _____

LABOR: \$ _____

QUOTES/SUBCONTRACTORS: \$ _____

OVERHEAD _____%: \$ _____

PROFIT _____%: \$ _____

NET TOTAL: \$ _____

NO WORK WILL BE PERFORMED WITHOUT SIGNED APPROVAL OF PROPOSED CHANGES.

CONTRACTOR SIGNATURE

DATE

OWNER SIGNATURE

DATE



Takeoff

29 Mar 2024 14:59:16

Phase: ADD RECESSED CANS

Item #	Qty	U/M	Q/M	Size	Description	Material Unit	Material Result	Labor Unit	Labor Result
TITLE	2.00	EA	M	#12 MC	LED ROUND REC HI-HAT/GYP/WD-STD	0.0000	0.00	0.0000	0.00
120006	2.00	EA	M	#12 MC	LED RECESSED ROUND HI-HAT FIXTURE	96.0000	192.00	1.2500	2.50
161257	8.00	EA	M	#10 x 1"	WOOD SCREW	0.1398	1.12	0.0600	0.48
160415	8.00	EA	M	#10	PLTD FLAT WASHER	0.0618	0.49	0.0070	0.06
100137	2.00	EA	M	#18 to 10	WIRE-NUT SML -YELLOW	0.1381	0.28	0.0500	0.10
100139	4.00	EA	M	#18 to 8	WIRE-NUT MED -RED	0.2030	0.81	0.0600	0.24
70509	20.00	FT	M	12/2	MC CABLE - ALUM JKT W/G	1.0000	20.00	0.0260	0.52
161815	2.00	EA	M		ROMEX-BX STAPLES	0.1500	0.30	0.0045	0.01
670074	1.00	EA	M	3/8 (38AST)	AC/MC SNAP2IT AC/MC CON W/INS THROAT	1.2708	1.27	0.1000	0.10
670094	2.00	EA	M	3/8 (383810AST)	AC/MC DX SNAP2IT SCR-CLP INS	3.5051	7.01	0.0750	0.15
TITLE	1.00	EA	M	#12 MC	20A 1P-SW COMM	0.0000	0.00	0.0000	0.00
140459	1.00	EA	M	20A	1P TOGGLE COMMERCIAL -GRADE	6.0000	6.00	0.2500	0.25
140727	1.00	EA	M	1-TOGGLE	1G NYLON PLATE	0.9100	0.91	0.1000	0.10
150047	1.00	EA	M	2-1/8"D	4"SQ CMB-KO CV- BRKT	26.9831	26.98	0.3000	0.30
150066	1.00	EA	M	5/8"RISE 4.8-CI	1G 4"SQ PLASTER-RING	7.3689	7.37	0.0800	0.08
161264	2.00	EA	M	#10 x 1"	TEK SCREW	0.0709	0.14	0.0600	0.12
100159	1.00	EA	M	#12 SOL	8" PIGTAIL W/GRD SCREW	2.1399	2.14	0.0600	0.06
100139	1.00	EA	M	#18 to 8	WIRE-NUT MED -RED	0.2030	0.20	0.0600	0.06
100137	1.00	EA	M	#18 to 10	WIRE-NUT SML -YELLOW	0.1381	0.14	0.0500	0.05
70509	15.00	FT	M	12/2	MC CABLE - ALUM JKT W/G	1.0000	15.00	0.0242	0.36
161815	2.00	EA	M		ROMEX-BX STAPLES	0.1500	0.30	0.0045	0.01
670074	1.00	EA	M	3/8 (38AST)	AC/MC SNAP2IT AC/MC CON W/INS THROAT	1.2708	1.27	0.1000	0.10
670099	1.00	EA	M	3/8 (3838AST)	AC/MC DX SNAP2IT INSUL	3.4049	3.40	0.1000	0.10
70509	25.00	FT	M	12/2	MC CABLE - ALUM JKT W/G	1.0000	25.00	0.0260	0.65
161815	5.00	EA	M		ROMEX-BX STAPLES	0.1500	0.75	0.0045	0.02
670074	2.00	EA	M	3/8 (38AST)	AC/MC SNAP2IT AC/MC CON W/INS THROAT	1.2708	2.54	0.1000	0.20
500254	2.00	EA	M	3/4	DRILL HOLE IN WOOD STUD	0.0000	0.00	0.1000	0.20

WYMAN & SONS ELECTRIC

Phone:
Web:

Phase: ADD RECESSED CANS

Item #	Qty	U/M	EA	Q/M	Size	Description	Material Unit	Material Result	Labor Unit	Labor Result
271065	1.00	EA		M	441W-WH	4" LV LENSED SHOWER LIGHT - WHITE	27.9800	27.98	0.0200	0.02
Phase Totals:								343.41		6.84
Job Totals:								343.41		6.84

WYMAN & SONS ELECTRIC

Phone:
Web:

Current total: \$158.91
Gift Card Savings: - \$10.00
Cost after savings: \$148.91

Pay ~~\$158.91~~ \$148.91 for this order. Get a \$10 Amazon Gift Card upon approval for the Amazon Store Card. No annual fee.



Find out how

Shopping Cart

Price

Part of your order qualifies for FREE Shipping. Choose this option at checkout. See details



Juno Lighting 12 WWH Incandescent Recessed Shower

\$27.98

Only 2 left in stock - order soon.

Shipped from: Ama-Zooms

FREE delivery Apr 4 - 9

Gift options not available. Learn more

Qty: 1 Delete Save for later

Compare with similar items Share

Subtotal (2 items): \$123.98

This order contains a gift

Proceed to checkout



Juno IC1LED G4 09LM 120 FRPC 30K, 90CRI-4" IC-Rated New

\$96.00

In Stock

FREE delivery Mon, Apr 8 available at checkout

FREE Returns

This is a gift Learn more

Style: 900 lumens

Color: Bright White

Size: 120V

Qty: 1 Delete Save for later Share

Customers Who Bought Items in Your Recent History Also Bought



Juno Lighting 14 WWH 14W-WH 4-Inch... 40

\$13.26

Add to Cart



Juno 17 WWH Incandescent Recessed... 4

\$28.77

Add to Cart



Juno Lighting 17HZ-WH 4-Inch Aluminum... 5

\$38.04

Add to Cart



GECXGY MR16 Halogen Light Bulbs 50W 12V ... 302

\$16.99

Add to Cart

Subtotal (2 items): \$123.98

The price and availability of items at Amazon.com are subject to change. The Cart is a temporary place to store a list of your items and reflects each item's most recent price. Learn more
Do you have a gift card or promotional code? We'll ask you to enter your claim code when it's time to pay.

Customers who bought Juno Lighting 12 WWH Incandescent Recessed Shower ... also bought these items from other categories:



120 Hargraves Dr, PO Box 100, Portsmouth, RI 02871 – Office (401) 683-9110

CHANGE ORDER REQUEST

COR # 21
Date 04/02/2024

Submitted to:
David Horton, Aharonian & Associates
Copy:
Robert Leach, RA
Randy Rossi, Town of Smithfield
John Aharonian, Aharonian & Associates

Project Phase 1B Renovations to
East Smithfield Neighborhood Center

Submitted by:
James Edwards, J.G. Edwards Construction

Subject: Electrical Rough-in for Washer/Dryer in Janitor Closet

Please find below the cost to rough in electrical for a future washer/dryer in Janitor Closet #108.. We will need a decision on this request ASAP, so the wiring can be tied into the electrical panel before gypsum board is installed.

Attached is a copy of Change Order Proposal #3, dated 3/29/24, from Wyman & Sons Electric Inc.

Wiring & devices	419.00
Electrical labor, 10 hours	<u>1,008.00</u>
Subtotal	\$1,427.00
GC Markup (10%)	143.00
Increased subcontractor liability insurance (1.3%)	19.00
Increased Performance & Payment Bond (2%)	<u>32.00</u>
Total Additional Cost	<u><u>\$1,621.00</u></u>



Committed to Exceed Standards Since 1993

CHANGE ORDER PROPOSAL

PROJECT: _____ DATE: _____ CHANGE ORDER # _____

DESCRIPTION: _____

MATERIAL:	QUANTITY	UNIT COST	TOTAL
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

MATERIAL SUBTOTAL: \$ _____

LABOR:	QUANTITY	UNIT COST	TOTAL
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

LABOR SUBTOTAL: \$ _____

QUOTES/SUBCONTRACTORS/EQUIPMENT:	QUANTITY	UNIT COST	TOTAL
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

QUOTES/SUBCONTRACTORS/EQUIPMENT SUBTOTAL: \$ _____

MATERIAL: \$ _____

LABOR: \$ _____

QUOTES/SUBCONTRACTORS: \$ _____

OVERHEAD _____%: \$ _____

PROFIT _____%: \$ _____

NET TOTAL: \$ _____

NO WORK WILL BE PERFORMED WITHOUT SIGNED APPROVAL OF PROPOSED CHANGES.

CONTRACTOR SIGNATURE

DATE

OWNER SIGNATURE

DATE



Takeoff

29 Mar 2024 13:36:38

Phase: ADD WASHER AND DRYER OUTLETS

Item #	Qty	U/M	Q/M	Size	Description	Material Unit	Material Result	Labor Unit	Labor Result
TITLE	1.00	EA	M	#12 MC	20A 1G GFCl COML	0.0000	0.00	0.0000	0.00
140037	1.00	EA	M	20A	DUPLEX GFCl RECEPT COMM GRADE	29.9900	29.99	0.3500	0.35
140740	1.00	EA	M	1-DECORA	1G NYLON PLATE	1.7500	1.75	0.1000	0.10
150047	1.00	EA	M	2-1/8"D	4"SQ CMB-KO CV- BRKT	26.9831	26.98	0.3000	0.30
150066	1.00	EA	M	5/8"RISE 4-8-CI	1G 4"SQ PLASTER-RING	7.3689	7.37	0.0800	0.08
161270	6.00	EA	M	#10 x 1"	SHEET METAL SCREW	0.0966	0.58	0.0600	0.36
100159	1.00	EA	M	#12 SOL	8" PIGTAIL W/GRD SCREW	2.1399	2.14	0.0600	0.06
100139	2.00	EA	M	#18 to 8	WIRE-NUT MED- RED	0.2030	0.41	0.0600	0.12
70509	25.00	FT	M	12/2	MC CABLE - ALUM JKT W/G	1.0000	25.00	0.0260	0.65
161815	6.00	EA	M		ROMEX-BX STAPLES	0.1500	0.90	0.0045	0.03
630295	3.00	EA	M	14-2>10-3 & 3/8	AC/FLEX HGR PUSH-IN MTL/WOOD/STUD	1.0330	3.10	0.0700	0.21
670074	1.00	EA	M	3/8 (38AST)	AC/MC SNAP2IT AC/MC CON W/INS THROAT	1.2708	1.27	0.1000	0.10
670099	1.00	EA	M	3/8 (3838AST)	AC/MC DX SNAP2IT INSUL	3.4049	3.40	0.1000	0.10
630310	1.00	EA	M		METAL/WOOD STUD PROTECTION PLATE	0.3686	0.37	0.0700	0.07
TITLE	1.00	EA	M	#10 MC	30A 3P3W 125/250V N10-30R SGL RECP	0.0000	0.00	0.0000	0.00
140118	1.00	EA	M	30A 3P3W	FLUSH RECEPT 125/250V N10-30R	5.6000	5.60	0.4000	0.40
140668	1.00	EA	M	30>50A 2.15" HOLE	2G PLASTIC SGL RECEPT PLATE	5.8800	5.88	0.1200	0.12
150047	1.00	EA	M	2-1/8"D	4"SQ CMB-KO CV- BRKT	26.9831	26.98	0.3000	0.30
150075	1.00	EA	M	5/8"RISE 7.5-CI	2G 4"SQ PLASTER-RING	6.1528	6.15	0.1500	0.15
161270	6.00	EA	M	#10 x 1"	SHEET METAL SCREW	0.0966	0.58	0.0600	0.36
100155	1.00	EA	M		GROUND SCREW	0.0659	0.07	0.0275	0.03
70523	25.00	FT	M	10/3	MC CABLE - ALUM JKT W/G	3.1069	77.67	0.0320	0.80
630342	7.00	EA	M	.500-.718 CABLE OD	AC/MC/L-VLT-CBL SNP-CLP PSH-ON-3/16-FLNG	1.0894	7.63	0.0700	0.49
630295	3.00	EA	M	14-2>10-3 & 3/8	AC/FLEX HGR PUSH-IN MTL/WOOD/STUD	1.0330	3.10	0.0700	0.21
670078	2.00	EA	M	1/2 (851AST)	AC/MC 45D SNAP TITE CONN	4.7984	9.60	0.1400	0.28
630310	1.00	EA	M		METAL/WOOD STUD PROTECTION PLATE	0.3686	0.37	0.0700	0.07
500254	4.00	EA	M	3/4	DRILL HOLE IN WOOD STUD	0.0000	0.00	0.1000	0.40

WYMAN & SONS ELECTRIC

Phone:
Web:

Phase: ADD WASHER AND DRYER OUTLETS

Item #	Qty	U/M	Q/M	Size	Description	Material Unit	Material Result	Labor Unit	Labor Result
181320	1.00	EA	M	20/1	CUTLER-HAMMER TYPE BR PLUG-IN BREAKER	39.4700	39.47	0.3400	0.34
181363	1.00	EA	M	30/2	CUTLER-HAMMER TYPE BR PLUG-IN BREAKER	88.0200	88.02	0.5800	0.58
100565	6.00	EA	M	12	WIRE TERMINATION LBR	0.0000	0.00	0.1600	0.96
100566	8.00	EA	M	10	WIRE TERMINATION LBR	0.0000	0.00	0.1800	1.44
Phase Totals:							374.38		9.45
Job Totals:							374.38		9.45

Recommended Motion:

That the Smithfield Town Council hereby adopts a resolution to amend the Rules of Procedure for the Smithfield Town Council sponsored by Council Members Rachel S. Toppi and Michael P. Iannotti.

**TOWN OF SMITHFIELD
RESOLUTION OF THE TOWN COUNCIL**

**A RESOLUTION AMENDING THE RULES OF PROCEDURE FOR THE
SMITHFIELD TOWN COUNCIL**

BE IT HEREBY RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD, RHODE ISLAND:

WHEREAS, the Rules of Procedure for Town Council Meetings are hereby amended as follows:

ADD: SECTION 21A.

All new projects in collaboration with the Town proposed by a private party shall be placed on the Town Council agenda for an initial presentation prior to any final Council action on the proposal. The matter shall then be placed on the Council agenda for its next regularly scheduled meeting or for a subsequent meeting. At that time there shall be a discussion and vote as to whether to schedule the proposal for a final vote or determine if further action should be taken including but not limited to scheduling a public hearing. Prior to any final vote, the Town Manager and Town Solicitor shall formulate and submit to the Council a Final Plan which shall include the performance obligations of the parties, the resolution of any legal or insurance issues, the drafting of any contracts and Memoranda of Understanding that may be necessary, and a detailed financial analysis as to the fiscal impact of the proposal.

WHEREAS, this Resolution will take effect immediately upon its passage by the Town Council.

PASSED: May 21, 2024

APPROVED:

T. Michael Lawton, President
Smithfield Town Council

Lyn M. Antonuccio, CMC
Town Clerk

RESOLUTION TO ADOPT RULES OF PROCEDURE FOR THE SMITHFIELD TOWN COUNCIL

RESOLVED: To establish Rules of Procedure for Town Council Meetings, as follows:

SECTION 1. The order of procedures herein contained shall govern deliberations and the conduct of meetings of the Town Council.

SECTION 2. Regular meetings of the Town Council shall be conducted on the first and third Tuesdays of each month. Meetings shall take place at the Smithfield Town Hall, unless the Town Council President designates a different location.

SECTION 3. Special meetings may be called at any time by the President of the Council or by three (3) or more members, subject to availability of a quorum and with notice to each member at least forty-eight (48) hours in advance (forty-eight (48) hour notice is waived in the case of an emergency).

SECTION 4. At all meetings of the Council, a majority of its members shall constitute a quorum for the transaction of business. Votes made at all meetings shall be recorded by the Clerk or Clerk Pro Tempore. No action of the Town Council, except for filling vacancies or compelling attendance of absent members in accordance with Sections 2.07 and 2.11 of the Charter, shall be valid or binding unless adopted by the affirmative vote of three (3) or more members of the Council.

SECTION 5. All meetings of the Council shall be presided over by the Council President, or in his or her absence, by the Council Vice President; in the absence of both, a President Pro Tempore may be appointed by the members in attendance at the meeting.

SECTION 6. The Town Clerk shall serve as the Clerk of the Town Council, or in his or her absence, the Deputy Clerk. In the absence of both, the Council shall appoint a Clerk Pro Tempore for the official recording of Council business at all meetings of the Council.

SECTION 7. The order of business at all meetings of the Council and for those special meetings open to the public, shall be as follows:

- (1) Call to order by the presiding officer;
- (2) Prayer and Salute to the Flag;
- (3) Emergency evacuation and health notification;
- (4) Presentations;
- (5) Consider approving minutes of previous meetings;
- (6) Consideration of all items on the agenda;
- (7) Opening of meeting for comments from the public;
- (8) Adjournment

The above order shall not be changed except by a vote of a majority of all members of the Council; and upon the motion to change the order, no debate shall be allowed.

NOTE: (Public Hearings shall be held in the sequence in which they appear on the agenda unless a majority of the Council members in attendance at the meeting decide otherwise).

SECTION 8. No person, not a member of the Council, shall be allowed to address the same while in session without recognition of the presiding officer. Public comment on any matter shall generally be limited in the discretion of the presiding officer to the comment period reserved for interested citizens and to the public discussion period on a particular agenda item, if one is authorized by the presiding officer. Speakers shall identify themselves by name and address.

SECTION 9. Motions made at any session shall be reduced to writing if so requested by any other Council member. Resolutions shall be reduced to writing in all cases and entered into the official minutes of the meetings kept by the Clerk of the Council.

SECTION 10. Motions to reconsider any matter previously resolved by vote shall be entertained only from a Council member who voted with the majority at the time of the initial decision at the next regular Council Meeting after appropriate notice of the motion to reconsider.

SECTION 11. The Clerk shall keep a correct record of all Council meetings, and, at the request of any Council member, on any vote taken shall record verbatim any dissenting opinion rendered.

SECTION 12. All questions of order shall be decided by the presiding officer. Any Council member may appeal such a procedural ruling to the full Council for a final ruling. All questions of procedure not provided for in these Rules shall be decided by reference to Robert's Rules of Order, Newly Revised.

SECTION 13. The presiding officer may, at his or her discretion, call upon any member to take the chair temporarily for the purpose of allowing said former presiding officer to make a motion on any issue.

SECTION 14. It shall be the duty of each Council member to vote on all matters put to the Council; except when a Council member has a personal or financial interest in the matter, whether direct or indirect, he or she shall recuse from such vote.

SECTION 15. All meetings of the Council, except those exempted by the open meetings law, shall be conducted publicly, and no ordinance, resolution, rule,

regulation, order, or directive shall be adopted at any session except a regular or special meeting that has been properly noticed.

- SECTION 16.** A motion to adjourn, or to recess for a stated period of time, shall always be in order and shall be entertained by the presiding officer.
- SECTION 17.** The rules and procedures of this Resolution may be altered, amended, or temporarily suspended by the affirmative vote of three (3) or more members of the Council.
- SECTION 18.** In order to conduct Town Council investigations and inquiries pursuant to Charter Section 2.09 or to compel the attendance of an absent Council member pursuant to Charter Section 2.11(c), the Council may authorize its President or Vice President to issue subpoena(s) commanding the presence of witness(es) or an absent Council member at any meeting of the Council. A Council member failing to comply with a duly authorized subpoena shall be subject to censure by a majority vote of the remaining Council members.
- SECTION 19.** The Town Manager shall forward the Council Meeting Agenda to all Council members by the Friday preceding a regular Council meeting for review and shall also post the Agenda with back-up information on the Town website.
- SECTION 20.** It shall be the duty of the presiding officer at any Council Meeting to:
- (1) Call the meeting to order;
 - (2) Keep the meeting to its order of business;
 - (3) Re-state each motion made and require a second to that motion before allowing discussion;
 - (4) Control discussions to assure order by:
 - a) Enforcing the provisions of this Resolution;
 - b) Allowing all Council members wishing to speak the opportunity to do so, one at a time;
 - c) Giving pro and con speakers alternating opportunities to speak, if feasible;
 - d) Controlling public participation in accordance with Section 8 hereof;
 - e) Requiring all speakers to maintain a civil, non-confrontational tone of voice and to direct their comments to the Council;
 - f) Closing the discussion and putting the issue to a vote when it is clear the matter has been adequately addressed by all Council Members;
 - g) Permitting audience participation when appropriate;
 - h) Keeping discussions to the question or issue only;
 - i) Suggesting, but not making, motions for recess or adjournment.

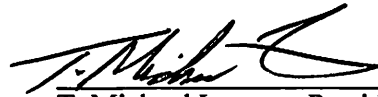
SECTION 21. An item may be placed on the agenda of a regular meeting of the Town Council provided such item is presented to the Town Manager, by a member of the Council, in writing, by 12 noon of the Wednesday prior to the regular Council meeting. The item must be accompanied by sufficient back-up information which, in the judgment of the Town Manager, will allow for meaningful discussion of the item, otherwise it will not be placed on the agenda.

SECTION 22. All proposed ordinances shall be in the form required by Charter Section 2.13(a), shall be approved as to form by the Town Solicitor prior to introduction, and shall be advertised in accordance with the Charter prior to the public hearing.

SECTION 23. All regular and special Town Council meetings shall adjourn no later than 11:00 P.M., unless the Council temporarily suspends this requirement for a particular meeting in accordance with Section 17 hereof.

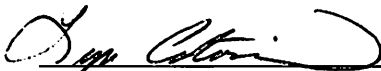
PASSED: January 3, 2023

APPROVED:



T. Michael Lawton, President
Smithfield Town Council

ATTEST:



Lyn M. Antonuccio
Acting Town Clerk

