## Exhibit 1

## RECEIVED City of Woonsocket WOONSOCKET CITY CLERK Rhode Island

7019 DEC 20 P 2: 11:



December 2, A.D. 2019

# Ordinance Chapter

# AMENDING THE CODE OF ORDINANCES, CITY OF WOONSOCKET, RHODE ISLAND, IN CONNECTION WITH COMMUNITY DEVELOPMENT BLOCK GRANTS

- WHEREAS, the Home Rule Charter of the City of Woonsocket, Chapter IV, Section 3(c) states that it shall be the duty of the mayor "To keep the council informed as all times concerning the financial condition and needs of the city..."; and
- WHEREAS, the Mayor has been remiss in complying with that charter requirement in the preparation, completion and submission of the City of Woonsocket Annual Action Plan of the Community Development Block Grant (CDBG) Program to the U.S. Department of Housing and Urban Development (HUD); and
- WHEREAS, the Home Rule Charter of the City of Woonsocket, Chapter III, Section 3(b) states that an Ordinance is required "To make an appropriation"; and
- WHEREAS, an appropriation is defined by the Merriam-Webster Dictionary as "something that has been appropriated, i.e., money set aside by a formal action for a specific use"; and
- WHEREAS, the City of Woonsocket is annually allotted a sum of money by HUD under the CDBG Program; and
- WHEREAS, the budget for the spending of CDBG funds, subject to HUD approval constitutes an appropriation of the funds to be received under the CDBG program as with all funds received by the City of Woonsocket through all of the means received for appropriation; and
- WHEREAS, the City Council of the City of Woonsocket has historically received a report of the budget recommendations of the CDBG Advisory Board and subsequently approved the spending plan, subject to any amendments of the city council; and
- WHEREAS, CDBG funds received by the City are not credited to the city's General Fund but are instead credited to and accounted for in certain special funds that require Council action via Ordinance pursuant to the City Charter, Sec. 9. Establishment of Funds, "The general fund shall comprise the resources and liabilities of the city not specifically belonging to other funds. Capital funds and other special funds may be created by ordinance and the council shall specify the source of receipts and the purposes for which expenditures from special funds shall be made. All revenues of the city not required to be paid into other funds shall be paid into the general fund".

IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET AS FOLLOWS:

#### Section 1.

The Code of Ordinances, City of Woonsocket, Chapter 2, Article I, Section 2-13 is hereby amended as follows:

[ADD] Sec. 2-13.3. Community Development Block Grant (CDBG) Program.

The City of Woonsocket Annual Action Plan for the application of CDBG funding, as prepared and proposed by the CDBG Advisory Committee, the Mayor and city administration shall be subject to amendment and approval of the City Council by an appropriation ordinance prior to the filing of the plan to the U.S. Department of Housing and Urban Development.

42 U.S.C. Title 42, Chapter 69, Sec. 5304(a)(2)(C) requires that one or more public hearings be held to obtain the views of citizens on community development and housing needs. At least one public hearing shall be held as part of the regular city council meeting which includes the appropriation ordinance of the annual plan under consideration.

The complete Annual Action Plan shall be posted publically on the City of Woonsocket web page at least ten business days prior to inclusion on the city council agenda.

Section 2.

This Ordinance shall take effect on the eleventh consecutive day following its passage by the City Council as provided in Chapter III, Section 9 of the Woonsocket Home Rule Charter and all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

John Ward, Councilor

Daniel Gendron, Council President

Jon Brien, Council Vice-President

James Cournoyer, Councilor

IN CITY COUNCIL December 2, 2019 - Read by title, amended and passed as amended for the first time unanimously.

AMENDMENT: Delete 2nd "Whereas" in its entirety.

IN CITY COUNCIL December 16, 2019 - Read by title and passed unanimously.

IN CITY COUNCIL January 13, 2020 - Veto withdrawn by Mayor Baldelli-Hunt.

WOOKSOCKET CITY CLERK

2019 DEC 20 P 2: 11 i

Kiss Baldell-Hunt
Planoma los 20 2019

## Exhibit 2



# WOONSOCKET CITY CLERKCITY OF WOONSOCKET, RHODE ISLAND LAW DEPARTMENT

July 28, 2021

Christina Harmon, City Clerk Woonsocket City Hall 169 Main Street Woonsocket, RI 02895

Subject:

Legal Opinion Request Regarding Ordinance 19-O-70 &

Ordinance 21-O-33

#### Ms. Harmon:

On July 23<sup>rd</sup>, I received a written request for an official legal opinion from City Council Vice-President John Ward following a discussion during the City Council Special Meeting of July 22<sup>nd</sup>, 2021 (attached to this opinion as required by the Woonsocket Charter). In response to this request, I reviewed the following documents:

- Woonsocket Ordinance 19-O-70, "Amending the Code of Ordinances, City of Woonsocket, Rhode Island, In Connection with Community Development Block Grants" (Passed December 16, 2019)
- Woonsocket Ordinance 21-O-33, "Establishing A Special Restricted Fund For 'American Rescue Plan' Proceeds" (Passed May 3, 2021)
- Woonsocket City Charter (Revised November 8, 2011)
  - o Chapter I, Sec. 5, "Exercise of Powers"
  - o Chapter IV, Sec. 3, "Duties Enumerated"
  - o Chapter VII, Art. 3, Sec. 9, "Establishment of Funds"
  - o Chapter VIII, Sec. 10, "City Council Confirmation"
- City of Woonsocket Financial Audit for Year Ended June 30, 2020 –
   "Governmental Funds" (provided by City Council President Daniel Gendron)
- Samples of Community Development Block Grant Approval Processes
   Implemented in Other Municipalities Across the United States of America That
   Require City Council Input and Approval (provided by Councilmember James
   Cournoyer)
- United States Government Accountability Report "Community Development Block Grants: Entitlement Communities' and States' Methods of Distributing Funds Reflect Program Flexibility" (dated September 2010; provided by City Council Vice-President John Ward)
- Housing and Community Development Act of 1974
  - o 102(a)(1), "Definitions" (cited by Brian Hull during July 22, 2021, presentation)

- Code of Federal Regulations
  - o Title 24. Chapter V, Sec. 91.5, "Definitions" " (cited by Brian Hull during July 22, 2021, presentation)
  - o Title 24. Chapter V, Sec. 91.105, "Citizen Participation Plan; Local Governments" (cited by Brian Hull during July 22, 2021, presentation)
  - o Title 24. Chapter V, Sec. 91.115, "Citizen Participation Plan; States" (cited by Brian Hull during July 22, 2021, presentation)
  - o Title 24. Chapter V, Sec. 91.500, "HUD Approval Action" (cited by Brian Hull during July 22, 2021, presentation)
  - o Title 24. Chapter V, Sec. 91.520, "Performance Reports" (cited by Brian Hull during July 22, 2021, presentation)
  - o Title 24. Chapter V, Sec. 570.3, "Definitions" (provided by Brian Hull and Councilmember James Cournoyer)
  - o Title 24. Chapter V, 570.200(f), "Means of Carrying Out Eligible Activities" (provided by Councilmember James Cournoyer)
- Memorandum dated February 10, 1987, from Vincent R. Landau, Assistant General Counsel Block Grants Division, GCB to Jeremy F. Beitz, Chief Counsel, "Milwaukee Final Statement, Section 570.303(b) Certification" (provided by City Council Vice-President John Ward)
- Memorandum dated March 16, 1994, from Nelson A. Diaz to Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, "Demolition/Disposition of Public Housing Units – Level of Approval Required for Replacement Housing Plans"
- Presentation Materials Provided by Brian Hull for the July 22, 2021, Woonsocket City Council Special Meeting

As part of my research, I also held two phone conferences. The first was at 11:00 AM on July 27, 2021, and included Brian Hull, CEW Advisors; Bianca Policastro, Interim Director of Planning & Development; Amy Devereaux, Legal Assistant; Peter Wasylyk, Assistant City Solicitor; and Lisa Baldelli-Hunt, Mayor. It lasted 68 minutes. The second phone call occurred at 10:40 AM on July 28, 2021, with Brian Hull, CEW Advisors. This call lasted 22 minutes.

The following opinions are provided to you in accordance with Charter – Chapter X, Art. 1, Sec. 4: "All legal opinions furnished to the council and to all city officers, departments, and agencies which shall be in writing shall be filed by the city solicitor with the city clerk, as a public record, together with the resolution, letter, or other memorandum requesting the opinion."

1. Is the Mayor of the City of Woonsocket obligated to comply with the orders of the following Ordinances as approved by the Woonsocket City Council?

19-O-70 Community Development Block Grant Program 21-O-33 American Rescue Plan Act

Answer: Yes, the Mayor of the City of Woonsocket is obligated to comply with the provisions of both Ordinances, Ordinance 19-O-70 regarding Community Development

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Block Grant Programs and Ordinance 21-O-33 regarding the American Rescue Plan Act. Both Ordinances were duly passed and are legal. There are no provisions within Federal or State law or Federal or State guidelines that contradict the Ordinances or prevent the required compliance with the Ordinances.

2. In order for the Mayor to sign the Community Development Block Grant Program application each year, an application that represents a five year contract with the U.S. Department of Housing and Urban Development (HUD) for the expenditure of federal grant funds, does the signing and filing of such an application constitute entering into a multi-year contract with HUD and require the approval of the Woonsocket City Council as described in Chapter VIII, Section 10 of the Woonsocket Home Rule Charter wherein it states the following: "All purchases or contracts in the nature of lease purchase shall not be awarded until approved by resolution of the city council. All purchases or contracts in excess of one hundred thousand dollars (\$100,000.00) or purchases or contracts scheduled to be performed beyond one (1) year shall not be awarded until approved by resolution of the city council."?

Answer: As previously stated in my Answer to Question 1, the provisions of 19-O-70 and 21-O-33 are lawful and must be complied with. Accordingly, the City Council must approve the CDBG Plan prior to its submission to/filing with HUD. Subsequently, any contract/agreement in furtherance of an award or acceptance by HUD of which performance is over one (1) year in duration or in excess of \$100,000.00 in expenditure shall require prior Council approval by Resolution pursuant to Chapter VIII, Sec. 10 of the Home Rule Charter.

Moreover, to the extent that the City provides funding to sub-recipients or sub-grantees resulting in any agreement/contract, those too are agreements/contracts that require City Council approval if they are for amounts in excess of \$100,000.00 (e.g., the recent River Street road reconstruction contract with Hartford Paving) or for periods exceeding one (1) year in duration.

3. Further to that section, for any purchases in excess of \$100,000 wherein the funds are derived exclusively through a federal grant (CDBG, ARPA), or any other sourced grant, is the administration obligated to request the approval of the city council by resolution?

Answer: Yes, as noted above in connection with Question 2, any contract/agreement that the City enters into with a value in excess of \$100,000.00 or for a term greater than one year requires City Council approval, regardless of the funding source.

Under Woonsocket City Charter, Chapter X, Art. 1, Sec. 2(c), "The City Solicitor shall decide all questions and controversies relative to the legal construction of any and all laws and ordinances affecting the City as well as the City Charter and the division of powers and duties created or implied therein." Accordingly, the herein opinions shall be binding upon the City and all its officers, departments, and agencies.

Should you have any further questions, please contact my office.

Sincerely,

John J. DeSimone, Esq. Oity Solicitor

JJD/tad

Attachment

#### Theresa Dunigan

From:

Duarte, Chris

Sent:

Wednesday, July 28, 2021 11:31 AM

To:

Theresa Dunigan

Subject:

FW: Legal opinion request

From: John Ward <jfward.ri@gmail.com> Sent: Friday, July 23, 2021 8:23 AM

To: John J. DeSimone < jjd@desimonelaw.net>; JJD < Jdesimone735@gmail.com>

Cc: Duarte, Chris <cduarte@woonsocketri.org>; Daniel M. Gendron <dangendron1@verizon.net>; James C. Cournoyer

<jcournoyer9999@verizon.net>; anthony sierra <theburritoco@hotmail.com>; Gonzalez, Valerie

<valeriegonzalezcc@gmail.com>; Soucy, David <dsoucy61@outlook.com>; Amy Devereaux

<Adevereaux@woonsocketri.org>; Baldelli-Hunt, Mayor Lisa <lbaldellihunt@woonsocketri.org>; Bianca Policastro

<bpolicastro@woonsocketri.org>; Chamberland, Chris <CChamberland@woonsocketri.org>; Lauren Clem

<lauren@valleybreeze.com>; Russ Olivo <rolivo@woonsocketcall.com>; Dave Richards <dave@onworldwide.com>;

Roger Bouchard-WNRI < wnriroger@yahoo.com>

Subject: Legal opinion request

#### Good morning Solicitor DeSimone:

During last night's meeting, we discussed the process for requesting an official opinion from your office. However, a quick review of the city charter makes it clear that such a request may come through a variety of sources.

#### Sec. 4. Rendering, filing of legal opinions.

All legal opinions furnished to the council and to all city officers, departments and agencies which shall be in writing shall be filed by the city solicitor with the city clerk, as a public record, together with the resolution, letter or other memorandum requesting the opinion.

(Election of 5-24-77)

This request is made as a result of the Mayor's statement at our Special Meeting of July 22, 2021 wherein she stated that, in her opinion, she is not bound by the council ordinances because the funds are exclusively derived from Federal grants and do not involve the spending of local funds.

During the meeting, I made reference to several sections of the city charter that I believe to be relevant to any discussion of authority over sch matters and I hope you consider my statements and references when considering these questions.

So, with that in mind, please consider this a formal request that you provide an official opinion on the following questions.

## 1. Is the Mayor of the City of Woonsocket obligated to comply with the orders of the following Ordinances as approved by the Woonsocket City Council?

19 O 70 Community Development Block Grant Program

21 O 33 American Rescue Plan Act

An additional question arose for which I request an opinion from your office.

Councilman James Cournoyer made reference to purchases over \$100,000 and contracts in excess of one year requiring city council approval. As described in the Woonsocket Home Rule Charter, Chapter VIII, Section 10

- "All purchases or contracts in the nature of lease purchase shall not be awarded until approved by resolution of the city council. All purchases or contracts in excess of one hundred thousand dollars (\$100,000.00) or purchases or contracts scheduled to be performed beyond one (1) year shall not be awarded until approved by resolution of the city council."
- 2. In order for the Mayor to sign the Community Development Block Grant Program application each year, an application that represents a five year contract with the U.S. Department of Housing and Urban Development (HUD) for the expenditure of federal grant funds, does the signing and filing of such an application constitute entering into a multi-year contract with HUD and require the approval of the Woonsocket City Council as described in the referenced section of the city charter?
- 3. Further to that section, for any purchases in excess of \$100,000 wherein the funds are derived exclusively through a federal grant (CDBG, ARPA), or any other sourced grant, is the administration obligated to request the approval of the city council by resolution?

I eagerly await your evaluation of these questions, the response to the city council and the filing of your opinion with the city clerk as a matter of public record.

Thank you.

John F. Ward Woonsocket City Council

## Exhibit 3

## City of Woonsocket Rhode Island



August 16, A.D. 2021

#### Ordinance

# Chapter

# APPROVING AND AUTHORIZING SUBSTANTIAL AMENDMENTS TO THE 2019-2020 and the 2020-2021 COMMUNITY DEVELOPMENT BLOCK GRANT/HOME/ESG ACTION PLANS AND THE 2021-2022 CDBG/HOME/ESG PROPOSED ACTION PLAN APPLICATIONS AND ALLOTMENTS

- WHEREAS, The United States Department for Housing & Urban Development awarded grants to the City of Woonsocket for Community Development Block Grants, HOME Investment Partnership grants ("HOME"), and Emergency Solutions Grants ("ESG") for the program years 2019-2020 and 2020-2021; and
- WHEREAS, it is anticipated that the United States Department for Housing & Urban Development will award grants to the City of Woonsocket for Community Development Block Grants, HOME, and ESG for the program year 2021-2022, requiring the City to submit an application to HUD for the 2021-2022 Action Plan; and
- WHEREAS, Amendments to the allotments / allocations for the 2019-2020 and 2020-2021 Actions Plans had been proposed by the Mayor resulting in amended total funding allocations as noted in the first column of Exhibit A entitled "Proposed by Mayor", which had previously been subjected to public comment; and
- WHEREAS, Proposed allotments / allocations for the 2021-2022 Action Plan had been proposed by the Mayor as noted in the first column of Exhibit B entitled "Proposed by Mayor", which had previously been subjected to public comment; and

- 2020 and 2020-2021, as noted in the last column of Exhibit A entitled "Final Approved Allocations"; and
- WHEREAS, on August 5, 2021, the City Council via Resolution 21-R-57, after public comment, approved final allotments / allocations for the program year 2021-2022, as noted in the last column of Exhibit B entitled "Final Approved Allocations"; and
- WHEREAS, pursuant to the requirements of Ordinance 19-O-70, the aforementioned Action Plans and related allotments "shall be subject to amendment and approval by the City Council by an appropriation ordinance..."; and
- WHEREAS, in order to memorialize, via an appropriation ordinance, the amendments and approvals passed by the City Council on August 5, 2021 via Resolution 21-R-57.

## IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET, RHODE ISLAND, AS FOLLOWS:

- SECTION 1. The amended funding allocations for the Community Development Block Grants, HOME, and ESG for the program years 2019-2020 and 2020-202, as presented in the "Final Approved Allocations" column of Exhibit A, is hereby approved, accepted and adopted.
- SECTION 2. The funding allocations for the Community Development Block Grants, HOME, and ESG for the program year 2021-2022, as presented in the "Final Approved Allocations" column of Exhibit B, is hereby approved, accepted and adopted.
- SECTION 3. That the Mayor of the City of Woonsocket is hereby authorized to sign and submit any pertinent HUD documents in connection with the submittal to HUD of the attached allotments as noted in the "Final Approved Allocations" columns of Exhibit A and Exhibit B.
- SECTION 4. This Ordinance shall take effect on the eleventh consecutive day following its passage by the City Council as provided in Chapter III, Section 9 of the Woonsocket Home Rule Charter and all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

Daniel Gendron, City Council President

IN CITY COUNCIL August 16, 2021 - Read by title and passed unanimously.

#### **Exhibit A**

		Proposed by Mayor	Council Adjustments	Final Approved Allocations *	
Amendmendments to 2019 & 2020 CDBG Projects			-		
Administration of CDBG Programs	16.9%	311,808.60		311,808.60	16.9%
Cass Park Improvements	8.3%	152,728.50	(25,000.00)	127,728.50	6.9%
Code Enforcement	5.8%	107,664.35		107,664.35	5.8%
Commericial Façade	3.8%	70,000.00	(20,000.00)	50,000.00	2.7%
Acquisition, Demolition, Clearance	14.1%	260,000.00	(260,000.00)	-	0.0%
Demolition, Clearance - 719 River Street	0.0%	*	100,000.00	100,000.00	5.4%
Lead Reduction Program	4.1%	75,000.00		75,000.00	4.1%
Woonsocket Redevelopment Agency	2.7%	50,000.00	(50,000.00)		0.0%
Dog Park	2.4%	44,107.20		44,107.20	2.4%
Infrastructure Improvements	39.4%	728,875.23	132,500.00	861,375.23	46.6%
ADA Improvments	2.7%	50,000.00		50,000.00	2.7%
Small Business Loan & Grant Program for Property Improvements	0.0%	90	25,000.00	25,000.00	1.4%
Youth Sports League - Woonsocket Warriors Football & Cheer	0.0%		7,500.00	7,500.00	0.4%
Youth Sports League - Woonsocket Little League	0.0%	9	7,500.00	7,500.00	0.4%
Fund Internship for Woonsocket Youth at Local Businesses	0.0%	8	7,500.00	7,500.00	0.4%
City Park - Ice Rink at River Island Art Park	0.0%	:=	75,000.00	75,000.00	4.1%
Total	-	1,850,183.88	1.5	1,850,183.88	

<sup>\*</sup> Final allocations approved via Resolution 21-R-57 on August 5, 2021

		Proposed by Mayor	Council Adjustments	Final Approved Allocations *	
Amendments to Program Year 2021-2022					
CDBG Program					
Administration of CDBG Programs	17.2%	219,418.40		219,418.40	17.2%
Infrastructure Improvements	27.8%	353,893.60	(115,715.00)	238,178.60	18.7%
Parks & Playgounds	5.9%	75,000.00	(75,000.00)	2	0.0%
Skate Park	0.0%	2	45,000.00	45,000.00	3.5%
Cumberland Hill Animal Shelter Improvements	0.0%	7.	30,000.00	30,000.00	2.4%
Acquistion, Demo & Clearance	7.9%	100,000.00	(100,000.00)	-	0.0%
Façade Improvement	9.0%	115,000.00	(65,000.00)	50,000.00	3.9%
Match Funding for Lead Program	2.0%	25,000.00		25,000.00	2.0%
Match for Brownfield Remediation	3.9%	49,280.00		49,280.00	3.9%
Fire Equipment	0.8%	10,000.00	300,215.00	310,215.00	24.4%
Facility Improvements	0.8%	10,000.00	(7,000.00)	3,000.00	0.2%
Woonsocket Feet on the Beat	2.0%	25,000.00		25,000.00	2.0%
Woonsocket Health & Wellness Program	0.8%	10,000.00	(10,000.00)	4	0.0%
Woonsocket Redevelopment Agency	3.9%	50,000.00	(50,000.00)	100	0.0%
Code Enforcement	18.0%	229,500.00		229,500.00	18.0%
Small Business Loan & Grant Program for Property Improvements	0.0%	8	25,000.00	25,000.00	2.0%
Youth Sports League - Woonsocket Warriors Football & Cheer	0.0%	*	7,500.00	7,500.00	0.6%
Youth Sports League - Woonsocket Little League	0.0%	×	7,500.00	7,500.00	0.6%
Fund Internship for Woonsocket Youth at Local Businesses	0.0%	2	7,500.00	7,500.00	0.6%
CDBG Total		1,272,092.00		1,272,092.00	
Home Program					
Administration of Home Programs	10.0%	45,153.70		45,153.70	10.0%
CHDO Set Aside	15.0%	67,730.55		67,730.55	15.0%
Affordable Housing Development	75.0%_	338,652.75		338,652.75	75.0%
HOME Total	-	451,537.00		451,537.00	
ESG Program					
Administration of ESG Programs	7.5%	8,545.20		8,545.20	7.5%
Homeless Prevention	43.9%	50,000.00		50,000.00	43.9%
Rapid Rehousing	39.5%	45,000.00		45,000.00	39.5%
Shelter Operations	9.1%_	10,390.80		10,390.80	9.1%
ESG Total	9	113,936.00		113,936.00	
Grand Total	_	1,837,565.00		1,837,565.00	

<sup>\*</sup> Final allocations approved via Resolution 21-R-57 on August 5, 2021

### City of Woonsocket Rhode Island



August 5, A.D. 2021

#### Resolution

# AUTHORIZING SUBSTANTIAL AMENDMENTS TO THE 2019-2020 and the 2020-2021 COMMUNITY DEVELOPMENT BLOCK GRANT/HOME/ESG ACTION PLANS AND THE 2021-2022 CDBG/HOME/ESG PROPOSED ACTION PLAN ALLOTMENTS

- WHEREAS, The United States Department for Housing & Urban Development awarded grants to the City of Woonsocket for Community Development Block Grants, HOME Investment Partnership grants ("HOME"), and Emergency Solutions Grants ("ESG") for the program years 2019-2020 and 2020-2021; and
- WHEREAS, in anticipation of the United States Department for Housing & Urban Development awarding grant to the City of Woonsocket for Community Development Block Grants, HOME, and ESG for the program year 2021-2022, the City will be submitting an application to HUD for the 2021-2022 Action Plan; and
- WHEREAS, Amendments to the 2019-2020 and 2020-2021 Actions Plans have been proposed resulting in amended total funding allocations as noted in Exhibit A, which has previously been subjected to public comment; and
- WHEREAS, The proposed Action Plan for 2021-2022, Exhibit B, has previously been subjected to public comment.

## IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET, RHODE ISLAND, AS FOLLOWS:

- SECTION 1. The Amended Action Plan and funding allocations for the Community

  Development Block Grants, HOME, and ESG for the program years 2019-2020
  and 2020-202 as presented in Exhibit A, and as may be further amended by the
  City Council, is hereby approved, accepted and adopted.
- SECTION 2. The Proposed Action Plan and funding allocations for the Community Development Block Grants, HOME, and ESG for the program year 2021-2022, as presented in Exhibit B, and as may be further amended by the City Council, is hereby approved, accepted and adopted.
- SECTION 3. That the Mayor of the City of Woonsocket is hereby authorized to sign and submit any pertinent HUD documents in connection with the submittal to HUD of the attached amendment and budget allotments as noted in Exhibit A and Exhibit B, as amended by the City Council.

SECTION 4. This Resolution shall take effect upon passage of the City Council.

Daniel Gendron, City Council President

1

IN CITY COUNCIL August 5,2021 - Read by title, amended and passed unanimously. AMENDMENTS: (See Attached spreadsheet).

#### CDBG, HOME and ESG Plan / Allocations

		Proposea by
		Mayor
Proposed Amended Allocations for the 2019-2020 and 2020-2021 Plan Years		
Administration of CDBG Programs	16.9%	311,808.60
Cass Park Improvements	8.3%	152,728.50
Code Enforcement	5.8%	107,664.35
Commericial Façade	3.8%	70,000.00
Acquisition, Demolition, Clearance	14.1%	260,000.00
Lead Reduction Program	4.1%	75,000.00
Woonsocket Redevelopment Agency	2.7%	50,000.00
Dog Park	2.4%	44,107,20
Infrastructure Improvements	39.4%	728,875.23
ADA Improvments	2.7%	50,000.00
Total Control of the	-	\$1,850,183.88

### **CDBG, HOME and ESG Plan / Allocations**

		Proposed by Mayor
Proposed Allocations for Program Year 2021-2022		
CDBG Program		
Administration of CDBG Programs	17.2%	219,418.40
Infrastructure Improvements	27.8%	353,893.60
Parks & Playgounds	5.9%	75,000.00
Acquistion, Demo & Clearance	7.9%	100,000.00
Façade Improvement	9.0%	115,000.00
Match Funding for Lead Program	2.0%	25,000.00
Match for Brownfield Remediation	3.9%	49,280.00
Fire Equipment	0.8%	10,000.00
Facility Improvements	0.8%	10,000.00
Woonsocket Feet on the Beat	2.0%	25,000.00
Woonsocket Health & Wellness Program	0.8%	10,000.00
Woonsocket Redevelopment Agency	3.9%	50,000.00
Code Enforcement	18.0%	229,500.00
CDBG Total	-	\$1,272,092.00
Home Program		
Administration of Home Programs	10.0%	45,153.70
CHDO Set Aside	15.0%	67,730.55
Affordable Housing Development	75.0%	338,652.75
HOME Total	-	\$451,537.00
SG Program		
Administration of ESG Programs	7.5%	0.545.20
Homeless Prevention	43.9%	8,545.20
Rapid Rehousing	43.9% 39.5%	50,000.00
Shelter Operations	39.5% 9.1%	45,000.00
SG Total	9.1%_	10,390.80
	=	\$113,936.00
Grand Total	=	\$1,837,565.00

#### Amendments to Resolution 21-R-57: CDBG, HOME and ESG Plan / Allocations - August 5, 20121

		Proposed by	Council	Final Approved	
		Mayor	Adjustments	Allocations	
EXHIBIT A - Amendmendments to 2019 & 2020 CDBG Projects					
Administration of CDBG Programs	16.9%	311,808.60		311,808.60	16.9%
Cass Park Improvements	8.3%	152,728.50	(25,000.00)	127,728.50	6.9%
Code Enforcement	5.8%	107,664.35		107,664.35	5.8%
Commericial Façade	3.8%	70,000.00	(20,000.00)	50,000.00	2.7%
Acquisition, Demolition, Clearance	14.1%	260,000.00	(260,000.00)		0.0%
Demolition, Clearance - 719 River Street	0.0%	-	100,000.00	100,000.00	5.4%
Lead Reduction Program	4.1%	75,000.00		75,000.00	4.1%
Woonsocket Redevelopment Agency	2.7%	50,000.00	(50,000.00)		0.0%
Dog Park	2.4%	44,107.20		44,107.20	2.4%
Infrastructure Improvements	39.4%	728,875.23	132,500.00	861,375.23	46.6%
ADA Improvments	2.7%	50,000.00		50,000.00	2.7%
Small Business Loan & Grant Program for Property Improvements	0.0%	120	25,000.00	25,000.00	1.4%
Youth Sports League - Woonsocket Warriors Football & Cheer	0.0%	963	7,500.00	7,500.00	0.4%
Youth Sports League - Woonsocket Little League	0.0%		7,500.00	7,500.00	0.4%
Fund Internship for Woonsocket Youth at Local Businesses	0.0%	5€	7,500.00	7,500.00	0.4%
City Park - Ice Rink at River Island Art Park	0.0%	357	75,000.00	75,000.00	4.1%
Total	-	1,850,183.88		1,850,183.88	

		Proposed by Mayor	Council Adjustments	Final Approved Allocations	
Exhibit B - Amendments to Program Year 2021-2022					
CDBG Program					
Administration of CDBG Programs	17.2%	219,418.40		219,418.40	17.2%
Infrastructure Improvements	27.8%	353,893.60	(115,715.00)	238,178.60	18.7%
Parks & Playgounds	5.9%	75,000.00	(75,000.00)	12	0.0%
Skate Park	0.0%	~	45,000.00	45,000.00	3.5%
Cumberland Hill Animal Shelter Improvements	0.0%		30,000.00	30,000.00	2.4%
Acquistion, Demo & Clearance	7.9%	100,000.00	(100,000.00)		0.0%
Façade Improvement	9.0%	115,000.00	(65,000.00)	50,000.00	3.9%
Match Funding for Lead Program	2.0%	25,000.00		25,000.00	2.0%
Match for Brownfield Remediation	3.9%	49,280.00		49,280.00	3.9%
Fire Equipment	0.8%	10,000.00	300,215.00	310,215.00	24.4%
Facility Improvements	0.8%	10,000.00	(7,000.00)	3,000.00	0.2%
Woonsocket Feet on the Beat	2.0%	25,000.00		25,000.00	2.0%
Woonsocket Health & Wellness Program	0.8%	10,000.00	(10,000.00)	-	0.0%
Woonsocket Redevelopment Agency	3.9%	50,000.00	(50,000.00)		0.0%
Code Enforcement	18.0%	229,500.00	363	229,500.00	18.0%
Small Business Loan & Grant Program for Property Improvements	0.0%	*	25,000.00	25,000.00	2.0%
Youth Sports League - Woonsocket Warriors Football & Cheer	0.0%		7,500.00	7,500.00	0.6%
Youth Sports League - Woonsocket Little League	0.0%		7,500.00	7,500.00	0.6%
Fund Internship for Woonsocket Youth at Local Businesses	0.0%		7,500.00	7,500.00	0.6%
CDBG Total		1,272,092.00		1,272,092.00	
Home Program					
Administration of Home Programs	10.0%	45,153.70		45,153.70	10.0%
CHDO Set Aside	15.0%	67,730.55		67,730.55	15.0%
Affordable Housing Development	75.0%	338,652.75		338,652.75	75.0%
HOME Total	-	451,537.00		451,537.00	
ESG Program					
Administration of ESG Programs	7.5%	8,545.20		8,545.20	7.5%
Homeless Prevention	43.9%	50,000.00		50,000.00	43.9%
Rapid Rehousing	39.5%	45,000.00		45,000.00	39.5%
Shelter Operations	9.1%	10,390.80		10,390.80	9.1%
ESG Total		113,936.00		113,936.00	
Grand Total		1,837,565.00		1,837,565.00	

## Exhibit 4



#### RECEIVED WOONSOCKET CITY CLERK

## CITY OF WOONSOCKET, RHODE ISLAND 2021 AUG 25 P 3: 03 LAW DEPARTMENT

August 25, 2021

Christina Harmon, City Clerk Woonsocket City Hall 169 Main Street Woonsocket, Rhode Island 02895

Subject:

Legal Opinion Request Regarding Whether the Mayor and/or Members Of the Administration Can Be Removed from Office Pursuant to Chapter XVI, Article 2 of the City Charter

Ms. Harmon:

the following documents:

On August 16, 2021, at a regular City Council meeting, Councilwoman Denise Sierra (minutes of meeting attached hereto) requested a legal opinion as to whether or not the Mayor or members of the Administration can be removed in connection with actions and activities associated with Resolutions 18-O-111 and 19-O-37: RFP BID #5878, and RFP BID #5911, all of which related to the construction of a shade pavilion specifically for the animal shelter at 105 Cumberland Hill Road. In response to this request, I reviewed

- City Charter Chapters I, IV, VII, and XVI
- Poirier v. Martineau, 136 A.2d 814 (1957)
- Rhode Island General Laws
- Woonsocket Resolution 18-R-111 and 19-R-37
- Documents pertaining to BID #5878, and BID #5911

The following opinions are provided in accordance with Charter – Chapter X, Art. 1, Sec. 4: "All legal opinions furnished to the council and to all city officers, departments, and agencies which shall be in writing shall be filed by the City Solicitor with the City Clerk, as a public record, together with the resolution, letter or other memoranda requesting the opinion."

## 1. Based on the facts and circumstances, are there grounds for impeachment as it relates to the Mayor?

Answer: It is my opinion that the City Charter bestows upon the City Council the power and authority to impeach or remove a Mayor from office provided the criteria and grounds enumerated in Chapter XVI, Article 2, Sections 1-5 are followed and adhered to.

The pertinent provisions of Chapter XVI of the City Charter state as follows:

#### ARTICLE 2. REMOVAL FROM OFFICE / RECALL.

#### Sec. 1. Authorized.

The Council, by Resolution, may remove from office any of its members and may remove any other elective or appointive officers of the City, **including the Mayor**. (Emphasis added.)

#### Sec. 2. Grounds.

The following causes shall constitute causes for impeachment:

- (1) Willful violation of any provisions of the charter or ordinances;
- (2) Incompetency to perform the duties of this office;
- (3) Substance abuse;
- (4) Willful neglect of duty:
- (5) Corrupt or willful malfeasance in office; and
- (6) Willful misconduct to the injury of public service. (Election of 11-6-01)

#### Sec. 3. Initiation of proceedings.

Removal proceedings may be initiated by any member of the Council or by any fifty (50) electors as hereinafter provided. Upon the filing with the Council of a complaint in writing specifying any matter or thing made cause for removal under this charter, which complaint shall be signed by at least one member of the Council or by not less than fifty (50) electors of the City, which said complaint, in either case, shall be verified by the oath of at least one of the signers, the Council shall proceed to hear and determine the matter as herein provided.

#### Sec. 4. Copy of charges required; hearing required.

No officer shall be removed unless he is first furnished with a copy of the charges in writing and allowed to be heard in his defense with the aid of counsel; and for such purposes the Council shall have the power to compel the attendance of witnesses and the production of papers by subpoena or written order, and the Council shall compel the attendance of such witnesses and the production of such papers by subpoena or written order for such hearing as such officer may in writing request.

#### Sec. 5. Time for hearing.

The Council shall hear and determine said charges within ten (10) days after the officer against whom the charges have been brought has been furnished with a copy of said charges, unless said proceedings shall be adjourned for cause to a time not exceeding thirty (30) days in all, or unless, through no fault of the Council, the charges cannot be heard and determined within the time hereinabove set forth, in which case the Council shall hear and determine the charges within the time hereinabove set forth when the cause for delay has been removed.

Clearly, the above provisions of the City Charter give the City Council inherent power to remove the Mayor from office. Moreover, the Charter sets out the procedures and necessary steps for the orderly removal process. However, whether or not grounds exist for removal are also within the sole discretion of the City Council. Essentially, the Council has the responsibility to gather the facts at hand to determine whether the circumstances sufficiently warrant removal, not the Solicitor. In fact, I am careful not to sway the minds of the Council, ensuring that bias cannot be alleged, thereby delaying or causing confusion to any proceedings which may occur. I quote *Poirier v. Martineau*, 136 A.2d 814 (1957), wherein the Rhode Island Supreme Court, in reviewing the Woonsocket City Charter, stated, "It is clear that the only tribunal which can try this so-called **impeachment** is the **city council**." (Emphasis added.) *Id.* at 816. I find that case pertinent for many obvious reasons, one of which was that it contained allegations of bias which caused the matter to go to court. Accordingly, I am mindful and cautious about proceeding in a manner that may not be interpreted as causing bias.

Notwithstanding the above, I am compelled to alert the Council and the Mayor of the following pertinent provisions of Chapters IV of the City Charter:

## Chapter IV, Section III Duties of Mayor enumerated.

It shall be the duty of the Mayor:

- (a) To see that the laws and ordinances are enforced;
- (b) To see that all terms and conditions imposed in favor of the City in any contract or franchise are faithfully kept and performed;
- (c) To keep the Council informed at all times concerning the financial condition and needs of the City and other pertinent matters relating to its Administration:
- (d) To recommend to the Council such measures as he may consider necessary or expedient;
- (e) To prepare and recommend to the Council an annual budget;

- (f) To prepare and present to the Council a comprehensive annual report of the financial transactions and other activities of the City following the close of each fiscal year;
- (g) To make any study or investigation which in his opinion may be for the best interests of the City of which may be ordered by the Council by Resolution;
- (h) To review all rules and regulations of the several administrative officers and departments, and only upon his approval shall they become effective;
- (i) To perform such other duties as may be required of him by ordinance or Resolution of the Council

The above provisions enumerate the duties of the Mayor, which clearly mandate that a mayor shall enforce all laws and ordinances. Moreover, the Mayor must perform duties as required by ordinance or **Resolution** of the Council. Accordingly, my opinion is that a resolution, while not having the full force and effect of an ordinance, must be followed and cannot be ignored. Certainly, the Council is free to determine the appropriate measures and consequences, i.e., a public censor or other actions.

In reviewing the facts of this inquiry, I refer to the Council and Mayor, Chapter VII, Section 6 of the City Charter:

#### Chapter VII, Section VI Purchases over five thousand dollars.

All purchases or contracts in excess of five thousand dollars (\$5,000.00) shall be made only upon written specifications after public notice and competition. Sealed bids shall be opened publicly, in the presence of the Mayor or an official designated by him. (Election of 11-6-01)

Accordingly, the City Charter requires all purchases or contracts in excess of \$5,000.00 be awarded only after written specifications, public notice and competitive bidding.

In summary, the Council has the power to remove the Mayor from office if, after submitting specific charges and holding a hearing in which the Mayor is able to present a defense, with the aid of counsel, the Council judges that the Mayor violated provisions of the Charter.

The Council, however, cannot remove members of the Mayor's staff pursuant to Chapter XVI, Article 2, as that removal provision is limited to officials who are required to take an oath of office, of which none of the Mayor's directors are required.

## 2. Are there any other remedial measures that could be taken other than removal?

Answer: The Council obviously retains the "power of the purse" and, as such, can make funding and defunding decisions. The Council is able to take other actions it may deem appropriate, such as, for example, issuing a censure via Resolution.

Under Woonsocket City Charter, Chapter X, Art. 1, Sec. 2(c), "The City Solicitor shall decide all questions and controversies relative to the legal construction of any and all laws and ordinances affecting the City as well as the City Charter and the division of powers and duties created or implied therein." Accordingly, the herein opinions shall be binding upon the City and all its officers, departments, and agencies.

Should you have any further questions, please contact my office.

Sincerely

John J. DeSimone, Esq.

City Solicitor

JJD/ad

Attachment

City Solicitor:

Based on Chapter XVI-(Misc. Provisions) Article 2 Sec. 2: Grounds for Impeachment.

I believe the following provisions were violated. (1-4- and 5)

(1) Willful violation of any provisions of the charter OR ordinances: The provision violated in this case is:

Chapter VIII, Section 6 of the Home Rule Charter-Purchases over 5k "All purchases and contracts over 5k shall be made only upon written specification after public notice and competition. The building of a pavilion at Rivers Edge Park was never properly noticed and no competitive bids were obtained for building a pavilion at Rivers Edge Park only 105 Cumberland Hill.

- (4) Willful neglect of duty-
- 1. under duties enumerated Chapter IV, sec 3-(i) to perform such duties as may be required of them by ordinance or resolution of the council.
- 2. under duties enumerated Chapter IV Sec 3 (b) to see that all terms and condition imposed in favor to the city in any contract or franchise are faithfully kept and performed *No shade pavilion was erected at 105 Cumberland Hill Road as per the contract/BID #'s 5878 and 5911* 
  - (5) Willful malfeasance in office

#### A. malfeasance

an unlawful act carried out while acting under one's official capacity and or intentionally doing something either legally or morally wrong which one had no right to do. It always involves dishonesty or knowingly exceeding authority for improper reasons

## The Administration knowingly and willfully issued BID #5911 with the full intent to pull a bait and switch and did so with great success, until now

#### Opinion

Based on the Facts above, are there grounds for Impeachment as it relates to the Mayor?

Based on the actions taken by multiple departments within the Administration, are there any remedial measures, other than a salary reduction, that can be taken by this Council for those involved?

#### Poirier v. Martineau

Supreme Court of Rhode Island
December 12, 1957, Decided
No Number in Original

#### Reporter

86 R.I. 473 \*; 136 A.2d 814 \*\*; 1957 R.I. LEXIS 133 \*\*\*

BERNARD W. POIRIER vs. FRANCIS E. MARTINEAU et al., as Councilmen of the City of Woonsocket.

Prior History: [\*\*\*1] PETITION FOR WRIT OF PROHIBITION brought by a member of the city council of Woonsocket seeking to prohibit the other six members from hearing charges of misconduct made against him by three of them. Petition granted, and writ ordered issued prohibiting and enjoining the respondents from proceeding to hear the complaint unless and until it was verified by at least one of its signers.

Disposition: Petition granted.

#### **Core Terms**

verified, member of the council, signers, hear, adequate remedy, councilmen, sentence, charter, removal, voted

#### Headnotes/Summary

#### Headnotes

## 1. PROHIBITION. Issuance of Writ. Other Remedies. Adequacy.

Three members of the city council filed a complaint with city clerk charging misconduct by another council member who filed petition for writ of prohibition Respondents, six members of council, sought dismissal of the writ alleging as one ground that petitioner had an adequate remedy in certiorari.

Held, that whether or not a petitioner had an adequate remedy depended upon the facts of the particular case and, in all the circumstances, court was of the opinion that in this instance he had no adequate remedy other than prohibition.

## 2. STATUTES. Construction. Removal of Councilman. Verification of Complaint.

Under provisions of Woonsocket home rule charter a councilman might be impeached and removed from office for cause upon complaint in writing signed by at least one councilman Petitioner for writ of prohibition contended that complaint must be verified by the oath of at least one of councilmen who signed it.

Held, that interpretation of petitioner was correct. Woonsocket charter, c. XVI, art. 3, §§ 1, 3, 6.

#### 3. STATUTES. Construction. Punctuation.

Punctuation is still considered one of the least reliable guides to construction; it may be used to determine intent, but if its use produces a result contrary to the otherwise expressed intent of the statute it will be disregarded.

## 4. MUNICIPAL CORPORATIONS. City Council. Expelling Member. Procedure.

In expelling a member of its body a city council does not convict of a crime and it is not essential that the strict rules of criminal procedure be observed.

# 5. ADMINISTRATIVE LAW AND PROCEDURE. Municipal Corporations. City Council. Expelling Member. Disqualification to Hear Complaint. Rule of Necessity.

Three of seven members of city council filed complaint against a member who sought disqualification of the 3 complainants on the ground of bias.

Held, that the only tribunal which could hear proceedings was the city council and to disqualify 3 councilmen would destroy the tribunal, hence the well-established rule of disqualification must yield to the demands of necessity.

Held, further, that the power resulting from necessity should be extended no further than the case requires.

Counsel: Hogan & Hogan, Laurence J. Hogan, Edward T.

Hogan, Thomas S. Hogan, for petitioner.

Richard A. Baldwin, City Solicitor, for respondents.

Judges: Condon, Roberts, Andrews and Paolino, JJ.

Opinion by: ANDREWS

#### **Opinion**

[\*\*814] [\*474] ANDREWS, J. This is a petition for a writ of prohibition brought by a member of the city council of Woonsocket to prohibit the other six members of the council in their capacity as such from hearing certain charges of misconduct made against him by three of the respondents.

[\*\*815] On June 12, 1957 there was filed in the office of the city clerk of Woonsocket a complaint signed by the respondent councilmen, Francis E. Martineau, Jack A. St. Jean and Lewis A. Andrews, alleging facts which if true are grounds for the removal of petitioner from the council. [\*\*\*2] On June 17, 1957 the complaint was presented to the council which then voted to give petitioner an opportunity to file motions by June 21 and if such motions were filed to hear them on June 24. The petitioner filed a motion to quash the complaint on the ground that it was not verified by at least one of the signers and also motions to disqualify councilmen Martineau, St. Jean and Andrews on the ground that they were biased. On June 24 the motions were heard. Each of the three above-named respondents was sworn and testified that he presently believed petitioner to be guilty of the charges as set forth in the complaint. These respondents refused to disqualify themselves and the council voted four to two to deny petitioner's motions to disqualify them. At the same session the council by a unanimous vote denied the motion to quash. The petitioner did not vote on any of these motions.

[\*475] On June 26, 1957 the instant petition was filed in this court setting out the above facts and the following pertinent provisions of chapter XVI, article 3, of the Woonsocket home rule charter:

"Sec. 1 -- The council by resolution may remove from office any of its members, and may remove any [\*\*\*3] other elective or appointive officers of the city, including the <u>mayor</u>, by <u>impeachment</u>.

Sec. 3 -- Impeachment proceedings may be initiated by any member of the council or by any fifty (50) electors as hereinafter provided. Upon the filing with the Council of a complaint in writing specifying any matter or thing

made cause for removal under this charter, which complaint shall be signed by at least one (1) member of the council or, by not less than fifty (50) electors of the city and verified by the oath of at least one (1) of the signers, the council shall proceed to hear and determine the matter as herein provided.

Sec. 6 -- If said officer is found guilty by a majority vote of all the members of the council, if a member of the council, otherwise by five (5) members of the council, the reason for such removal shall be entered in the proceedings of the council with the names and votes of the members voting on the question, and said officer shall thereby be removed from his office."

The petition alleged that such provisions deprived the council of jurisdiction to try and determine the charges against petitioner. The respondents admit that the facts and charter provisions [\*\*\*4] are as stated. Therefore the legal questions for determination substantially are: 1. Has the petitioner another adequate remedy? 2. Is the council without jurisdiction to hear and determine the charges in the complaint because the complaint is not verified by at least one of the councilmen who signed it? 3. Is the council without jurisdiction to hear and determine the charges in the complaint because of the bias of the three councilmen who signed it?

[\*476] The respondents argue that certiorari is an adequate remedy although they concede that if petitioner's position on the second or third question is correct, this court would quash a removal if the council ordered it. The petitioner contends that to require him to go through a trial, be removed, and then wait for the final outcome of the certiorari proceedings, [\*\*816] demonstrates that certiorari is not an adequate remedy. Whether a petitioner has an adequate remedy depends upon the facts of the particular case. See 42 Am. Jur., Prohibition, § 9, p. 145. In all the circumstances, we are of the opinion that petitioner has no other adequate remedy.

We now turn to the second question, the answer to which depends upon the [\*\*\*5] construction of sec. 3 above quoted. The respondents contend that the commas in the second sentence make the third clause independent of the second clause and that such being the case no councilman need verify a complaint signed by a councilman. The petitioner, however, argues that the second and third clauses of this sentence are interdependent, and he states that such sentence is composed of four clauses which read as follows:

- "(1) Upon the filing with the council of a complaint in writing specifying any matter or thing made cause for removal under this Charter,
- (2) which complaint shall be signed by at least one (1)

member of the council or,

- (3) by not less than fifty (50) electors of the City and verified by the oath of at least one (1) of the signers,
- (4) the council shall proceed to hear and determine the matter as herein provided."

He points out that clauses (1), (3) and (4) cannot stand alone because the words "which complaint shall be signed" in clause (2) are necessary to make the requirement of the oath of one of the signers in clause (3) meaningful.

We think this argument is valid. Furthermore, punctuation is still considered one of the least reliable guides [\*\*\*6] to construction. [\*477] It may be used to determine intent. If, however, its use produces a result contrary to the otherwise expressed intent of the statute it will be disregarded. See 50 Am. Jur., Statutes, § 253, p. 249. While it is true that the people could have intended to allow a councilman to file a charge on the strength of his oath of office, we are of the opinion that the ordinary person voting on this charter provision would read it as requiring a personal oath in each case.

The wording of the last clause of the second sentence shows that the jurisdiction of the council to proceed does not attach until the prior provisions of that sentence have been satisfied. Consequently, the second question must be answered in the affirmative. Since the complaint is not like an indictment, we see no reason why it cannot now be verified.

In 43 Am. Jur., Public Officers, § 192, p. 38, it is stated: "In expelling a member of its body a city council does not convict of a crime, and it is not essential that the strict rules of criminal procedure be observed."

The respondents have vigorously resisted the issuance of the writ which makes it likely that the complaint will be verified [\*\*\*7] by at least one of the signers. Such being the case, we deem it advisable to answer the third question, in order to obviate a second petition. It is clear that the only tribunal which can try this so-called impeachment is the city council and that to disqualify three councilmen will destroy the tribunal. In these circumstances we are of the opinion that the so-called rule of necessity applies. Counsel for the parties agree that this court has never flatly decided this question. However, the rule was referred to in Narragansett Racing Ass'n Inc. v. Kiernan, 59 R.I. 90, at page 111, 194 A, 692, where the court, quoting from 15 R.C.L., Judges, § 29, p. 541, stated that "it is 'well established that the rule of disqualification of judges must yield to the [\*\*817] demands of necessity, [\*478] as, for example in cases where, if applied, it would destroy the only tribunal in which relief could be had."

We agree with the statement of the law on this point and we

also agree with the statement of the New Hampshire supreme court in *Moses v. Julian*, 45 N.H. 52, 59, which is quoted in the petitioner's brief, that "The power resulting from necessity, [\*\*\*8] can extend no further than the case requires."

The petition is granted, and the writ will issue prohibiting and enjoining the respondents from proceeding to hear the complaint unless and until it is verified by at least one of its signers.

End of Document

## Exhibit 5

### City of Woonsocket Rhode Island



#### Resolution

#### CENSURING MAYOR LISA BALDELLI-HUNT FOR VIOLATIONS OF THE CITY OF WOONSOCKET'S HOME RULE CHARTER

- WHEREAS, residents of the City of Woonsocket, Rhode Island, demand mutual respect from their elected officials and consider it important to promote a proper work environment so all elected officials and staff can effectively govern in the best interest of the City; and
- WHEREAS, the City of Woonsocket has a Home Rule Charter that provides, in part, a framework to help facilitate a proper and productive work environment amongst its elected officials; and
- WHEREAS, Chapter IV, Section 3 of the City's Home Rule Charter prescribes the following duties for the Mayor of Woonsocket, with emphasis added:

#### It shall be the duty of the mayor:

- (a) To see that the laws and ordinances are enforced;
- (b) To see that all terms and conditions imposed in favor of the city in any contract or franchise are faithfully kept and performed;
- (c) To keep the council informed at all times concerning the financial condition and needs of the city and other pertinent matters relating to its administration;
- (d) To recommend to the council such measures as he may consider necessary or expedient;
- (e) To prepare and recommend to the council an annual budget;
- (f) To prepare and present to the council a comprehensive annual report of the financial transactions and other activities of the city following the close of each fiscal year;
- (g) To make any study or investigation which in his opinion may be for the best interests of the city of which may be ordered by the council by resolution;
- (h) To review all rules and regulations of the several administrative officers and departments, and only upon his approval shall they become effective;
- (i) To perform such other duties as may be required of him by ordinance or resolution of the council;

- WHEREAS, the City's Home Rule Charter at Chapter VIII, Section 6 states and requires the following: "All purchases or contracts in excess of five thousand dollars (\$5,000.00) shall be made only upon written specifications after public notice and competition. Sealed bids shall be opened publicly, in the presence of the mayor or an official designated by him."; and
- WHEREAS, the City's Home Rule Charter at Chapter V, Section 5(4) requires the following of the City Controller / Deputy Finance Director: "To audit before payment of all bills, invoices, payroll and other claims, demands or charges against the city, and approve the same only if proper, legal and correct;" and
- WHEREAS, the purpose of this public censure is to (i) denounce the misdeeds, malfeasance, and willful neglect of Mayor Lisa Baldelli-Hunt and her Administration relating to the acquisition and installation of a shade pavilion at River's Edge Park that was in direct contravention of the explicit instructions via duly passed Council Resolutions that directed the Administration to acquire and install the shade pavilion at the City's animal shelter located at 105 Cumberland Hill Road, Woonsocket, Rhode Island and (ii) to ask that Mayor Lisa Baldelli-Hunt not engage in similar conduct in the future; and
- WHEREAS, this censure is an expression of an opinion by the duly elected members of the City of Woonsocket's City Council that Mayor Lisa Baldelli-Hunt's and her Administration's participation in the acquisition and installation of a shade pavilion at River's Edge Park constituted a misdeed, malfeasance, and willful neglect sufficient to support a finding that Mayor Lisa Baldelli-Hunt and her Administration violated several provisions of the City of Woonsocket's Home Rule Charter; and
- WHEREAS, on October 15, 2018, the City Council passed Resolution 18-R-111, which directed the Administration to go out to bid, Bid No. 5878, for a contract to erect a shade pavilion at the animal shelter located at 105 Cumberland Hill Road, Woonsocket, Rhode Island; and
- WHEREAS, on April 1, 2019, the City Council passed Resolution 19-R-37 which awarded the contract for the bid number 5878, to acquire and install the shade pavilion at the animal shelter located at 105 Cumberland Hill Road, Woonsocket, Rhode Island, to Superior Construction Group for nineteen thousand five hundred dollars (\$19,500.00); and
- WHEREAS, on May 24, 2019, the Administration went out for a re-bid, Bid No. 5911, of the original bid, Bid No. 5878, that was prepared by the City's engineering division with the necessary specifications, for a contract to acquire and install the shade pavilion at the animal shelter located at 105 Cumberland Hill Road, Woonsocket, Rhode Island; and
- WHEREAS, on June 25, 2019, the Administration awarded the re-bid, Bid No. 5911, to Lakeside Trading LLC of Narragansett, Rhode Island for eleven thousand three hundred ninety-five dollars (\$11,395.00) to design and install a shade pavilion at the animal shelter located at 105 Cumberland Hill Road, Woonsocket, Rhode Island; and

- WHEREAS, on July 2, 2019 the Mayor signed and executed a contract with Lakeside Trading LLC for the design and installation of a 16 x 20 shade pavilion at the City's animal shelter located at 105 Cumberland Hill Road; and
- WHEREAS, notwithstanding the explicit and unambiguous direction of the City Council via duly passed Resolutions, and notwithstanding the explicit provisions of the RFP / Bid documents and vendor response, as well as the specific provisions of the contract that was executed between the vendor (Lakeside Trading LLC) and the City, all of which explicitly and clearly called for the pavilion to be designed and installed at the animal shelter located at 105 Cumberland Hill Road, Woonsocket, Rhode Island, the pavilion was installed not at the animal shelter located at 105 Cumberland Hill Road, but instead at River's Edge Park in Woonsocket, Rhode Island; and
- WHEREAS, the Mayor provided no communications or notice whatsoever to the City Council regarding this substantive change; and
- WHEREAS, not only did the Mayor and her Administration ignore the explicit requirements of the duly passed Council Resolutions, Bid and related Contract for a pavilion at the City's animal shelter located at 105 Cumberland Hill Road, but the Mayor's administration failed to issue a public bid for the design and installation of the shade pavilion installed at River's Edge Park in Woonsocket, Rhode Island; and
- WHEREAS, no change orders existed to the award of the bid, Bid No. 5911, to Lakeside Trading LLC of Narragansett, Rhode Island, that would have supported the installation of the shade pavilion at any location other than the animal shelter located at 105 Cumberland Hill Road, Woonsocket, Rhode Island as was agreed to in Bid No. 5911 and the related contract; and
- WHEREAS, notwithstanding the fact that Bid No. 5911 specifically required the shade pavilion be designed and installed at the animal shelter located at 105 Cumberland Hill Road, Woonsocket, Rhode Island, the shade pavilion was instead installed at Rivers Edge Park at the direction of the Mayor; and
- WHEREAS, it is the duty of the Mayor to faithfully perform all duties required by the duly adopted City of Woonsocket Home Rule Charter and to comply with all ordinances and resolutions duly adopted by the City Council as is specifically stated in Chapter IV (Mayor) Section 3 (Duties enumerated) (i) as the Mayor shall "...perform such other duties as may be required...by ordinance or resolution of the council;" and
- WHEREAS, Chapter XVI (Miscellaneous Provisions) Article 2 (Removal From Office/Recall) Section 1 (Authorized) of the City of Woonsocket Home Rule Charter states, "The Council, by resolution, may remove from office ... the mayor," and provides the following specific grounds for removal within Chapter XVI, Article 2, Section 2:

#### Sec. 2. Grounds.

The following causes shall constitute causes for impeachment:

(1) Willful violation of any provisions of the charter or ordinances;

- (2) Incompetency to perform the duties of this office;
- (3) Substance abuse;
- (4) Willful neglect of duty;
- (5) Corrupt or willful malfeasance in office; and
- (6) Willful misconduct to the injury of public service.
- WHEREAS, the City Council has deemed that Lisa Baldelli-Hunt, as Mayor of the City of Woonsocket, Rhode Island has acted in a manner that was not in compliance with the duties and responsibilities mandated by several provisions of the City of Woonsocket Home Rule Charter, in part, as follows:
  - i) Failure to perform duties as required by resolution of the council specifically the failure to have a shade pavilion designed and installed at the animal shelter located at 105 Cumberland Hill Road as instructed via Resolutions 18 R 111 and Resolution 19 R 37.
  - Failure to keep the Council informed with respect to unilateral changes made with in connection with the animal shelter shade pavilion.
  - iii) Failure to adhere to the explicit provisions of a contract, specifically the contract with Lakeside Trading LLC which called for a pavilion to be designed and installed at the animal shelter located at 105 Cumberland Hill Road.
  - iv) Failure to issue a public RFP / Bid for the design and installation of a pavilion at River's Edge Park.
- WHEREAS, the City Council believes that grounds exist for the removal of Lisa Baldelli-Hunt as Mayor of the City of Woonsocket for her actions and the actions of her administration as detailed in this Resolution; and
- WHEREAS, although the City Council believes that Mayor Lisa Baldelli-Hunt has committed impeachable offenses that rise to the level of constituting sufficient grounds for the removal of Mayor Lisa Baldelli-Hunt from office by the City Council, at the present time, the City Council believes that a public censure is in order, and removal from office is an option if the Mayor engages in similar conduct in the future or it comes to the City Council's attention that the Mayor has engaged in similar conduct in the past.

## NOW, THEREFORE, BE IT RESOLVEDBY THE CITY COUNCIL OF THE CITY OF WOONSOCKET, RHODE ISLAND, AS FOLLOWS:

- **SECTION 1.** The City Council believes that it must take official action to preserve the City's commitment to good governance.
- **SECTION 2.** The City Council hereby finds that the above referenced facts as enumerated in this Resolution are true and correct.

- **SECTION 3.** The City Council believes that Mayor Lisa Baldelli-Hunt violated numerous provisions of the City of Woonsocket Home Rule Charter based upon the actions described in this Resolution.
- **SECTION 4.** The City Council hereby approves and declares the censure of Mayor Lisa Baldelli-Hunt for violating several provisions of the City of Woonsocket Home Rule Charter as enumerated in this Resolution.
- SECTION 5. The City Council further asks Mayor Lisa Baldelli-Hunt to refrain from engaging in similar conduct in the future, lawfully carry out the duties and obligations of the position of Mayor, adhere to the City of Woonsocket's City Charter, comply with Resolutions duly adopted by the City Council, and work cooperatively with the City Council and that failure to do so shall result in the Council invoking the provisions of Chapter XVI, Article 2 of the Home Rule Charter.

SECTION 6. This Resolution shall take effect immediately upon its passage by the City Council.

Denise Sierra City Council

John Ward

City Council Vice President

Roger Q. Jalette, Sr

City Council

Daniel M. Gendron City Council President

lames Cournoyer

City Council

IN CITY COUNCIL September 13, 2021 - Read by title and passed 5-2 with Councilors Gonzalez & Soucy voting no.

### City of Woonsocket Rhode Island



July 25, A.D. 2022

### Resolution

# RATIFYING THE TENTATIVE AGREEMENTS BETWEEN NEW ENGLAND POLICE BENEVOLENT ASSOCIATION, LOCAL 808 AND THE CITY OF WOONSOCKET FOR TERMS: 7/1/2020-6/30/2022 AND 7/1/2022-6/30/2024

- WHEREAS, the City of Woonsocket (hereinafter referred to as the "City") and the New England Police Benevolent Association, Local 808 (hereinafter referred to as the "Local"), entered in a collective bargaining agreement (CBA) with effective dates of July 1, 2019 through June 30, 2020; and
- WHEREAS, the City and Local have engaged in good-faith negotiations to reach tentative agreements; and
- WHEREAS, the City has learned that Local has accepted the terms of the Tentative Agreements for the contract periods July 1, 2020 through June 30, 2022 and July 1, 2022 through June 30, 2024 after a ratification vote.

# NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET, RHODE ISLAND, AS FOLLOWS:

England Police Benevolent Association, Local 808 and the City of Woonsocket related to the Tentative Agreement for period July 1, 2020 through June 30, 2022 (Exhibit A attached hereto) and the Tentative Agreement for period July 1, 2022 through June 30, 2024 (Exhibit B attached hereto).

- The Mayor or the City Council President are hereby authorized to execute the attached tentative agreement and any other document necessary to make said agreement binding upon all parties.
- **SECTION 3.** This Resolution shall take effect immediately upon passage by the City Council.

Daniel M. Gendron City Council President

IN CITY COUNCIL July 25, 2022 - Read by title and passed unanimously.

<i>une 20</i> 22 Te	native Police Co	ntract
	FY 2021	FY 2022
	7/1/2020 to	7/1/2021 to
ļ	6/30/2021	6/30/2022
	1.25%	3.00%
		\$2,300
	\$73,444	\$251,913
	\$23,370	\$152,613
1	\$5,618	\$36,690
	n/a	\$227,700
	\$102,433	\$668,917
		Salalry Impact
		vs No Increase
% Inc.	\$5,875,533.27	
1.25%	\$73,444	The state of the s
	\$5,948,977.44	\$73,444.17
3.00%	\$178,469	
ļ	\$6,127,446.76	\$251,913.49
	% Inc. 1.25%	7/1/2020 to 6/30/2021  1.25%  \$73,444  \$23,370  \$5,618  n/a  \$102,433  % Inc. \$5,875,533.27  1.25% \$73,444  \$5,948,977.44  \$5,948,977.44  \$178,469

	l	FY 2023	FY 2024	FY 2025*
TV OWNER PROPERTY.		7/1/2022 to	7/1/2023 to	On the second
		6/30/2023	6/30/2024	6/30/2024 *
Salary % Increase		4.00%	4.00%	2.00%
General Fund - Salaries		\$497,011	\$751,913	6004 460
General Fund - Holidays, Longevity, Overtime		\$138,302	terresconde characteristics (6)	\$884,462
General Fund - Pension		\$202,157	\$209,233	\$246,117
General Fund - FICA		\$48,601	\$305,837	\$359,750
Total Estimated Financial Impact	22 P.S. C.	\$886,072	\$73,528   \$1,340,511	\$86,489 \$1,576,819
				1-1-1-1-1-1
2			Salairy Impact	****************
		AMERICAN SECTIONS	vs No Increase	more in the second seco
Y 2021 total Salaries before Increase		\$5,875,533.27		
Increase	1.25%	\$73,444		
Y 2021 total Salaries after Increase (1 Jul 2020 -30 Jun 2022 Contract)		\$5,948,977.44	\$73,444.17	
Increase	3.00%	\$178,469	and desirated the second	
Y 2022 total Salaries after Increase (1 Jul 2020 -30 Jun 2022 Contract)		\$6,127,446.76	\$251,913.49	
Increase	4.00%	\$245,097.87		
Y 2023 total Salaries after Increase (1 Jul 2022 - 30 Jun 2024 Contract)		\$6,372,544.63	\$497,011.36	et de l'estre année de
Increase	4.00%	\$254,901.79		
Y 2024 total Salaries after Increase (1 Jul 2022 - 30 Jun 2024 Contract)		\$6,627,446.42	\$751,913.14	************
Increase *	2.00%	\$132,548.93		
Y 2025 total Salaries after Increase (1 Jul 2022 - 30 Jun 2024 Contract)*		\$6,759,995.34	\$884,462.07	

### City of Woonsocket Rhode Island





July 11, A.D. 2022

### Ordinance

# Chapter 8216

AUTHORIZING THE WOONSOCKET CITY COUNCIL PRESIDENT OR
THE MAYOR TO EXECUTE THE COLLECTIVE BARGAINING AGREEMENT
BY AND BETWEEN THE CITY OF WOONSOCKET AND THE
NEW ENGLAND POLICE BENEVOLENT ASSOCIATION, INC. (NEPBA) LOCAL 808
UPON RATIFICATION BY THE CITY COUNCIL

WHEREAS, the City of Woonsocket (the "City") and the New England Police Benevolent Association, Inc. Local Number 808 (formally known as the International Brotherhood of Police Officers Local Number 404) entered into a collective bargaining agreement (CBA) with effective dates of July 1, 2019 through June 30, 2020; and

WHEREAS, the City and Local 808 have engaged in good-faith negotiations to reach a Tentative Agreement; and

WHEREAS, the City has learned that the Local 808 has accepted the terms of the Tentative Agreement for the contract periods July 1, 2020 through June 30, 2022 and July 1, 2022 through June 30, 2024.

# IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET AS FOLLOWS:

SECTION 1. The Woonsocket City Council President or the Mayor are hereby authorized to execute the resulting contracts between the New England Police Benevolent Association, Inc. Local 808 and the City of Woonsocket for the contract periods July 1, 2020 through June 30, 2022 and July 1, 2022 through June 30, 2024 and any other documents necessary to make said agreement binding upon all parties.

SECTION 2. This Ordinance shall take effect on the eleventh consecutive day following its passage by the City Council as provided in Chapter III, Section 9 of the Woonsocket Home Rule Charter and all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed

Daniel M. Gendron City Council President

By Request of the Administration

IN CITY COUNCIL July 11, 2022 - Read by title and passed for the first time unanimously.

IN CITY COUNCIL July 25, 2022 - Read by title and passed unanimously.

From: dangendron1@verizon.net,

To: charmon@woonsocketri.org, jdesimone@woonsocketri.org,

**Subject:** Fwd: Payroll - Police Union **Date**: Fri, Sep 2, 2022 3:47 pm

FYI - I spoke to the City Payroll Clerk and confirmed that the City did <u>not</u> process and pay to the Local 808 Police Union members the contractual raises and sign-on bonuses required per the recently <u>executed</u> contract.

Regards,

Dan

----Original Message-----

From: Daniel Gendron <dangendron1@verizon.net>

To: kroy@woonsocketri.org <kroy@woonsocketri.org>; kallaire@woonsocketri.org <kallaire@woonsocketri.org>

Cc: charmon@woonsocketri.org <charmon@woonsocketri.org>; idesimone@woonsocketri.org

<jdesimone@woonsocketri.org>; cchamberland@woonsocketri.org <cchamberland@woonsocketri.org>; jfward.ri@gmail.com

<jfward.ri@gmail.com>

Sent: Fri, Sep 2, 2022 2:28 pm Subject: Payroll - Police Union

Good afternoon Kendra,

For this week's payroll, did the members of the Local 808 Police Union receive their updated pay, including the \$2,300 signing bonuses, that was agreed to in the new executed collective bargaining contracts that cover the periods *July 1, 2020 through June 30, 2022* and *July 1, 2022 through June 30, 2024*?

Please advise.

Thank you,

Dan Gendron
City Council President

# City of Woonsocket Rhode Island



April 18, A.D. 2022

### Ordinance

# Chapter 8296

# APPROVING AND AUTHORIZING THE SUBSTANTIAL AMENDMENT FOR THE CDBG 2021-2022 ANNUAL ACTION PLAN

- WHEREAS, The United States Department for Housing & Urban Development (HUD) awarded grants to the City of Woonsocket for Community Development Block Grants, HOME, and ESG for the program year 2021-2022; and
- WHEREAS, Since the awarding of the grants the City of Woonsocket had an immediate need to replace a piece of fire equipment that was deemed to be too dangerous to use; and
- WHEREAS the replacement of fire equipment is an allowable activity under HUD guidelines; and
- WHEREAS Woonsocket's Consolidated Plan states that any transfer of funds that increase or decrease a line item by \$150,000 or more must go through a Substantial Amendment process; and
- WHEREAS Proposed reallocations for the 2021-2022 Action Plan have been proposed by the Administration as noted in Exhibit A which had previously been subjected to public comment on March 21<sup>st</sup> and April 4<sup>th</sup>, 2022.

IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET, RHODE ISLAND, AS FOLLOWS:

- The funding allocations for the Substantial Amendment of the Community
  Development Block Grants Annual Action Plan for the program year 2021-2022
  as presented in the "New Balance" column of Exhibit A, is hereby approved, accepted and adopted.
- Section 2. These reallocated funds will be used for final payment of the replacement piece of fire equipment noted in Exhibit B.
- Section 3. That the Mayor of the City of Woonsocket is hereby authorized to sign and submit any pertinent HUD documents in connection with the submittal to HUD of the attached allotments as noted in the "New Balance" columns of Exhibit A.
- Section 4. This Ordinance shall take effect on the eleventh consecutive day following its passage by the City Council as provided in Chapter III, Section 9 of the Woonsocket Home Rule Charter and all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

Daniel Gendron, City Council President (By Request of the Administration)

IN CITY COUNCIL April 18, 2022 - Read by title and passed for the first time unanimously. IN CITY COUNCIL May 2, 2022 - Read by title and passed unanimously. Signed and approved by Mayor Lisa Baldelli-Hunt - May 10, 2022.

# **EXHIBIT A**

# Program Year 2021/2022 CDBG Substantial Amendment

	2021 COBG HUD Approved	2021 Substantial Amendment	New Balance	Notes
Administration	\$219,418.40			
Cass Park Improvements				
Code Enforcement	\$229,500.00	\$125,000.00	\$104,500.00	Reduced Code Enforcement by \$125,000 reallocated into Fire Equipment
Commercial Façade	\$115,000.00	\$115,000,00	\$0.00	Reallocated entire \$115,000 into Fire Equipment
Acquisition, Demo, Clearance	\$100,000.00			
Demo, Clearance 719 River St.				
Lead Reduction Program	\$25,000.00			
Woonsocket Redevelopment Agency	\$50,000.00	\$50,000.00	\$0.00	Reallocated entire \$50,000 into Fire Equipment
Dog Park				
Infrastructure improvements	GB.893,835.60			
ADA Improvements				
Small Business Loan & Grant Program for Property Improvements	20.00			
Youth Sports League - Woonsocket Warriors	00'0\$			
Youth Sports League - Woonsocket Little League	\$0.00			
Fund Internship for Woonsocket Youth at Local Businesses	\$0.00			
City Park - Ice Rink at River Island Art Park				
Parks & Playgrounds	\$75,000.00			
Skate Park	\$0.00			
போல்சுland Hill Animal Sheiter Improvements	00'0\$			
Match for Brownfield Remediation	\$49,280.00			
Fire Equipment	\$10,000.00		\$300,000,00	
Facility Improvements	\$10,000.00			
Woonsocket Feet on the Beat	\$25,000.00			
Woonsocket Health & Wellness	\$10,000.00			
	\$1,272,092.00	\$290,000.00		

# City of Woonsocket Rhode Island

### EXHIBIT B



March 15, A.D. 2021

### **Ordinance**

# Chapter

### AUTHORIZING THE FIRE CHIEF OF THE CITY OF WOONSOCKET TO PURCHASE A 2022 TOYNE STAINLESS-STEEL PUMPER ON A SPARTAN METRO STAR FIRE CHASSIS

The Fire Department is in need of said vehicle to replace an end of life 2002 WHEREAS. Spartan Central States Pumper; and

WHEREAS, The Fire Department will follow the HGACBUY interlocal contract for cooperative purchasing Contract #FS12-19A through C and S Specialty, Inc.;

The Fire Department requires this vehicle as soon as possible for the public WHEREAS. safety of the citizens and emergency services providers.

### IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET AS FOLLOWS:

That the Fire Chief is authorized to purchase from C and S Specialty, Inc. one SECTION 1. (1) 2022 new/unused Toyne Custom Stainless-Steel Pumper on a Spartan Metro Star 4 Door Fire Chassis 1500 OPM Hale Q-Max Pump and 750 Gallons of Water. The amount not to exceed \$513,000.

This Ordinance shall take effect on the eleventh consecutive day following its SECTION 2. passage by the City Council as provided in Chapter III, Section 9 of the Woonsocket Home Rule Charter and all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

Daniel Gendron

City Council President

By Request of the Administration

IN CITY COUNCIL March 15, 2021 - Read by title and passed for the first time

IN CITY COUNCIL April 5, 2021 - Read by title and passed unanimously. Not signed and approved by Mayor Lisa Baldelli-Hunt.

### CITY OF WOONSOCKET

# MINUTES CITY COUNCIL SPECIAL MEETING WEDNESDAY, MARCH 3, 2021 @ 7:00 P.M. VIA YOUTUBE

### 1 CALL TO ORDER / ROLL CALL

Council Present: James Cournoyer

Valerie Gonzalez

Roger Jalette

Denise Sierra

David Soucy

John Ward

Daniel Gendron

Council Absent:

### Motion to dispense with the regular order of business and take up the following:

Councilman Cournoyer moved Councilman Soucy seconded the motion.

Passed 7 to 0 by roll call vote.

Councilman Cournoyer For

Councilwoman Gonzalez For

Councilman Jalette For

Councilwoman Sierra For

Councilman Soucy For

Council Vice President Ward For

Council President Gendron For

# 2 DISCUSSION WITH FIRE CHIEF REGARDING PURCHASE OF REPLACEMENT FIRE ENGINE.

- \* Current fire engine has 193,000 miles.
- \* Possible funds from CDBG, capital expense, contingency and Landmark penalty funds.
- \* Price increase effective April 15, 2021 but vendor will hold current price of \$513,000.
- \* Lead time is 10-12 months and payment upon delivery.

### 3 DISCUSSION REGARDING CASS PARK RECREATIONAL CENTER.

- \* Would like to see actual plan, not just concept of what recreational center would look like.
- \* Parking off Cumberland Hill Road & Cass Avenue.
- \* Would recreational center replicate same usage as Barry Field.
- \* More discussion to follow.

### 4 DISCUSSION REGARDING 80 RIVER STREET.

- \* Utilize space with a new business,
- \* Possibility of leasing and/or build a business structure.

5 DISCUSSION REGARDING GREEN DEVELOPMENT LLC PROPOSALS FOR RENEWABLE ENGERY (INCLUDING BUT NOT LIMITED TO SOLAR AND WIND TURBINES) PERTAINING TO THE FOLLOWING SITES: BOURDON BOULEVARD, MANVILLE ROAD & PARK EAST DRIVE.

\* Some not so desirous of wind turbines.

### **6 VOTE TO GO INTO EXECUTIVE SESSION**

a. 42-46-5 (a) (5) Any discussions or considerations related to the acquisition or lease of real property for public purposes, or of the

disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.

Council Vice President Ward moved Councilwoman Gonzalez seconded the motion.

Passed 7 to 0 by roll call vote.

Councilman Cournoyer For

Councilwoman Gonzalez For

Councilman Jalette For

Councilwoman Sierra For

Councilman Soucy For

Council Vice President Ward For

Council President Gendron For

i. Ayotte Field

ii. Former Middle School, 357 Park Place

III. East School Street properties

iv. North Main Street property

v. West Park Place property

vi. Cumberland Hill Road property

b. 42-46.5 (a) (2) Sessions pertaining to collective bargaining or litigation, or work sessions pertaining to collective bargaining or litigation.

i. Discussion and vote of Compliance/Code Enforcement Coordinator new job description, hours and pay.

No discussion.

### **7 RETURN TO OPEN SESSION**

Councilman Cournoyer moved Councilwoman Gonzalez seconded the motion.

Also seconded by Councilman Ward. 7 to 0 by roll call vote.

Councilman Cournoyer For

Councilwoman Gonzalez For

Councilman Jalette For

Councilwoman Sierra For

Councilman Soucy For

Council Vice President Ward For

Council President Gendron For

### 8 VOTE TO SEAL THE MINUTES OF EXECUTIVE SESSION

Councilman Soucy moved Councilman Cournoyer seconded the motion.

Passed 7 to 0 by roll call vote. Councilman Cournoyer For Councilwoman Gonzalez For Councilman Jalette For Councilwoman Sierra For Councilman Soucy For Council Vice President Ward For Council President Gendron For

### 9 DISCLOSURE OF VOTES, IF ANY, TAKEN DURING EXECUTIVE SESSION

It was noted that no votes were taken.

### **10 ADJOURNMENT**

Council Vice President Ward moved that the meeting be and it is hereby adjourned at 9:25 P.M. Councilman Cournoyer seconded the motion,

Passed 7 to 0 by roll call vote.

Councilman Cournoyer For

Councilwoman Gonzalez For

Councilman Jalette For

Councilwoman Sierra For

Councilman Soucy For Council Vice President Ward For

Council President Gendron For

Attest: Christina Harmon, City Clerk

### City of Woonsocket, Rhode Island



February 1st, 2016 A.D.

### Resolution

# INSTRUCTING THE MAYOR AND ADMINISTRATION TO PRESENT AND SUBMIT COMPREHENSIVE MONTHLY AND QUARTERLY FINANCIAL REPORTS

- WHEREAS, the Woonsocket City Charter, Chapter IV, Section 3, requires the Mayor to keep the council informed at all times concerning the financial condition and needs of the City and other pertinent matters relating to its administration; and
- WHEREAS, the Woonsocket City Charter, Chapter V, Article 1, Section 6, states "The finance department shall prepare a monthly statement of receipts and disbursements in sufficient detail to show the exact financial condition of the city and each department or agency thereof"; and
- WHEREAS, RIGL 45-12-22.2(b) states "The chief financial officer of the municipality shall submit a report on a monthly basis to the municipality's chief executive officer, each member of the city or town council, and school district committee certifying the status of the municipal budget from all fund sources, including the school department budget from all fund sources, or regional school district budget from all fund sources. The chief financial officer of the municipality shall also submit a quarterly report on or before the 25th day of the month succeeding the end of each fiscal quarter to the division of municipal finance, the commissioner of education, and the auditor general certifying the status of the municipal budget, including the school budget that has been certified by the school department. Each quarterly report submitted must be signed by the chief executive officer, chief financial officer, the superintendent of the school district, and chief financial officer for the school district. The report has to be submitted to the city or town council president and the school committee chair. The chief financial officer of the school department or school district shall certify the status of the school district's budget and shall assist in the preparation of these reports."; and
- WHEREAS, RIGL 45-9-10.1(d)12 states that the State appointed Financial Adviser shall "Report quarterly to the chief elected officer, city or town council, fire district governing body, director of revenue, the auditor general, the governor, and the chairpersons of the house finance and senate finance committees on the progress made towards maintaining fiscal stability and all financial operations of the city, town, or fire district"; and
- WHEREAS, the Woonsocket City Council has the responsibility of setting budgets and tax levies for the City, and therefore an obligation to monitor and to stay informed in a timely manner with regard to the City's financial condition and the status of its Budgets; and
- WHEREAS, the City of Woonsocket is desirous of an open and transparent government that keeps the citizens informed of the finances of their City.

# NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET, AS FOLLOWS:

- Section 1. We, the City Council of the City of Woonsocket, instruct the Mayor and the administration, as well as the state appointed Financial Adviser, to comply with the requirements of the City Charter and RI General Laws by presenting and submitting monthly and quarterly comprehensive financial reports at regularly scheduled City Council meetings and to post such reports on the City website accessible to the public.
- Section 2. Reports shall be presented and submitted within 25 days after the end of each month.
- Section 3. This Resolution shall take effect immediately upon passage of the City Council.

Daniel M. Gendron

Garrett S. Marcieri

Albert G. Brien

 $D \downarrow$ 

Milies

IN CITY COUNCIL February 1, 2016 - Read by title and passed.

# City of Woonsocket Rhode Island



December 7, A.D. 2020

### Ordinance

## Chapter



# AMENDING THE CODE OF ORDINANCES, CITY OF WOONSOCKET, RHODE ISLAND, CHAPTER 2, ENTITLED "ADMINISTRATION"

WHEREAS, each election cycle comes with the ever present promise by multiple candidates to assure "transparency" during the next term; and

WHEREAS, it is always in the best interest of our citizens of this local democracy to have access to important information concerning the operation of our city; and

whereas, the City Council of the City of Woonsocket desires to share with the citizens of the city the ability to be provided public information that is readily available to the members of the city administration and should be made available to the public each month; and

whereas, pursuant to Chapter IV, Section 3(c) of the City Charter, "it shall be the duty of the mayor to keep the council informed at all times concerning the financial condition and needs of the city and other pertinent matters relating to its administration": and

whereas, over the course of many years the City Council of the City of Woonsocket has had to wait an unacceptably long time to receive even the most basic information, including statutorily mandated reports from members of the city administration; and

WHEREAS, the City Council of the City of Woonsocket desires to add Sec. 2-13.3 to identify the required reports to be provided to the City Council of the City of Woonsocket at least monthly; and

WHEREAS, pursuant to Chapter IV, Section 3(i) of the City Charter, "it shall be the duty of the mayor to perform such other duties as may be required of him by ordinance or resolution of the council" (emphasis added).

WHEREAS, it is in the best interest of the citizens of the City of Woonsocket, having been so often promised "transparency" in our city government, that this ordinance be made a part of the Woonsocket City Code of Ordinances.

# IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET AS FOLLOWS:

The Code of Ordinances, City of Woonsocket, Chapter 2 entitled, "Administration" is hereby amended to add a new section as follows:

ADD

### Sec. 2-13.3. Required monthly reports to the city council

(a) The Directors and department heads of the city administration shall produce and provide the following reports to the city council as a communication at least **monthly** as part of the regular city council meeting agenda and docket:

### 1. Finance Director -

Financial reports as statutorily mandated by RIGL 45-12-22.2(b) and Chapter V, Article 1, Section 6 of the City Charter; Revenue collections; Fund balances and related financial activity; Bid posting and bid award activity

2. Public Works -

Department activity status update, including an inventory of roads that have been and are planned to be reconstructed in the fiscal year, Capital equipment purchases (planned and actual for the fiscal year), Park upgrades (planned and actual for the fiscal year).

3. Public Safety -

Activities/Statistics

4. Planning Department -

Ongoing/New activities; CDBG program and financial status; Other matters

5. Personnel -

Employment activity – Monthly headcount report to include Budgeted positions vs Actual positions reflecting open/vacant positions; Summary of new hires in the month, Summary of departures/vacated positions; new hires pending start dates

6. Human Services -

Ongoing and upcoming programs

7. City Clerk -

Office permits issued and revenues collected

8. Library —

Circulation and other activity

(b) The city council may require additional reports be prepared and communicated to them by designated employees or independent contractors in service to the City of Woonsocket, as the city council may deem appropriate and order by resolution.

SECTION 2. This Ordinance shall take effect on the eleventh consecutive day following its passage by the City Council as provided in Chapter III, Section 9 of the Woonsocket Home Rule Charter and all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

John Ward, Council Vice-President

James Cournoyer, Councilor

Denise Sierra, Councilor

Daniel Gendron, Council President

Roger G. Jaiette, Sr., Councilor

IN CITY COUNCIL December 7, 2020 - Read by title, amended and passed for the first time unanimously.

AMENDMENT: Add City Solicitor to the list of reports.

IN CITY COUNCIL December 21, 2020 - Read by title and passed unanimously. Not signed and approved by Mayor Lisa Baldelli-Hunt.



### CITY OF WOONSOCKET, RHODE ISLAND FINANCE DEPARTMENT

March 15, 2022

Honorable City Council City of Woonsocket 169 Main Street Woonsocket, RI 02895

Dear City Council Members,

The City of Woonsocket's monthly financial report as of November 30, 2021 is attached for your review.

### Attached Reports Include

- 1. Tax Collection Analysis -Schedule R-1 (page 2).
- 2. General Breakdown of Revenue -Schedule R-2 (page 3)
- 3. Revenue Comparison-Schedule R-3 (pages 4-6)
- 4. Expenditure Comparison-Schedule E-1 (pages 7-14)
- 5. City Capital / Blight / WWII Park (pages 15-18)
- 6. Education Department (pages 19-26)

Mankeley

- 7. Revenue Year to Date Report R-4 (pages 27-31)
- 8. Expenditure Year to Date Report E-2 (pages 32-69)

If you have any questions regarding this report, I may be reached at cchamberland@woonsocketri.org. Please copy the City Clerk on all emails.

Sincerely,

Christine Chamberland

Finance Director

cc: Mayor Lisa Baldelli-Hunt Christina Duarte



# CITY OF WOONSOCKET, RHODE ISLAND FINANCE DEPARTMENT

August 10, 2022

Honorable City Council City of Woonsocket 169 Main Street Woonsocket, RI 02895

Dear City Council Members,

The City of Woonsocket's monthly financial report as of December 31, 2021 is attached for your review.

### Attached Reports Include

- 1. Tax Collection Analysis -Schedule R-1 (page 2).
- 2. General Breakdown of Revenue -Schedule R-2 (page 3)
- 3. Revenue Comparison-Schedule R-3 (pages 4-6)
- 4. Expenditure Comparison-Schedule E-1 (pages 7-14)
- 5. City Capital / Blight / WWII Park (pages 15-18)
- 6. Education Department (pages 19-24)
- 7. Revenue Year to Date Report R-4 (pages 25-29)
- 8. Expenditure Year to Date Report E-2 (pages 30-67)

If you have any questions regarding this report, I may be reached at <a href="mailto:cchamberland@woonsocketri.org">cchamberland@woonsocketri.org</a>. Please copy the City Clerk on all emails.

Sincerely,

Christine Chamberland

Finance Director

cc: Mayor Lisa Baldelli-Hunt Christina Duarte

### City of Woonsocket Rhode Island



December 4, A.D. 2017

### Ordinance

# Chapter

# REQUIRING CITY COUNCIL APPROVAL FOR THE HIRING OF ATTORNEYS

- WHEREAS, the hiring of outside legal services have been retained under the current budget year as well as in recent years past; and
- WHEREAS, the City Council has, in the past, approved by resolution the hiring of outside legal counsel and recognizes the need to control spending in this area; and
- WHEREAS, in a legal opinion from Joseph P. Carroll, City Solicitor in 11-CO-65, March 29, 2011 confirms that by ordinance the City Council can place restrictions on the process of hiring outside legal counsel including approval of funding; and
- WHEREAS, this emergency ordinance under Chapter III, Section 10 shall be ratified at the December 4, 2017 regular City Council meeting.

# IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET AS FOLLOWS:

- SECTION 1. That within thirty (30) days of passage of this ordinance, the continued employment of any law firm or individual attorney(s) currently representing or providing legal or related services on behalf of the City or any of its officers, departments, agencies, boards or employees shall require approval by resolution of the City Council.
- SECTION 21. That the City Council of the City of Woonsocket must approve, by resolution, the hiring of any law firm or attorney(s) representing or providing legal services on behalf of the City of Woonsocket or any of its officers, departments, agencies, boards or employees.
- SECTION 32. That any resolution approving the hiring of a law firm or individual attorney(s) shall include the specific nature of the services or representation that shall be provided, the reason(s) why outside legal services are required as opposed to those of the City Solicitor and the specific terms of payment for said services.

SECTION 3. NO payments shall be made by the City or any of its officers, departments, agencies, boards or employees to any law firm or attorney(s) not so approved in

accordance with this ordinance.

SECTION 4: The approval requirements set forth herein shall not apply to the position of City

Solicitor who shall be appointed in accordance with the Home Rule Charter, nor shall they apply to the attorney(s) hired by the Woonsocket Education

Department.

SECTION 5. This Ordinance shall take effect on the eleventh consecutive day following its

passage by the City Council as provided in Chapter III, Section 9 of the Woonsocket Home Rule Charter and all Ordinances or parts of Ordinances

inconsistent herewith are hereby repealed.

City Council

IN CITY COUNCIL December 4, 2017 - Read by title, amended and passed for the first time. AMENDMENTS: Delete fourth Whereas in its entirety and delete Section 1 in its entirety. IN CITY COUNCIL December 18, 2017 - Read by title, amended and passed for the first time 5-2 with Councilors Beauchamp & Murray voting no.

AMENDMENTS: At the end of Section 3 insert: "No City Council member or city employee shall receive a referral fee from any law firm doing business with the City". In Section 4 after "Solicitor" insert "or Asst. City Solicitor". At the end of Section 1 insert: ", provided, however, that the Solicitor may engage (i.e. hire) third-party, outside legal counsel in connection with the responding to and/or defending against claims made against the City, and in any event shall notify the Council of such engagement, along with the rationale for the engagement no later than ten (10) calendar days after such engagement".

IN CITY COUNCIL January 8, 2018 - Read by title and passed on a 5-2 vote with Councilors Beauchamp & Murray voting no.

IN CITY COUNCIL February 5, 2018 - Veto overridden 5-2 with Councilors Beauchamp & Murray voting no.

# WHELAN CORRENTE & FLANDERS LLP

100 Westminster Street, Suite 710 Providence, RI 02903

(401) 270-4500

Attn: Mayor Lisa Baldelli-Hunt

Woonsocket, City of Woonsocket City Hall 169 Main Street Woonsocket, RI 02895

Statement Date: Statement No. Account No. August 1, 2022 23843 85.00034

Page: 1

RE: Employee Stipend Issue

Payments received after 08/01/2022 are not included on this statement.

### **Fees**

Hours 06/24/2022 Meeting with Mayor; reading materials received from client. RC 3.80 For Current Services Rendered 3.80 912.00 Recapitulation Timekeeper Hours Rate Total Robert Corrente 3.80 \$240.00 \$912.00 **Total Current Work** 912.00 Balance Due \$912.00

CITY OF WOONSOCKET PO BOX B WOONSOCKET, RI 02895 FEDERAL ID 05-6000587.

### PURCHASE ORDER NO. P221178

PAGE NO. 1

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# CITY OF WOONSOCKET PO BOX B

PO BOX B WOONSOCKET, RI 02895 FEDERAL ID 05-6000587

### PURCHASE ORDER NO. P221180

PAGE NO. 1

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APPROVED BY FINANCE COPY

FINANCE DIRECTOR

# City of Woonsocket Rhode Island



May 4, A.D. 2020

# Ordinance

# LIMITING WEEKLY SALARIES TO NO MORE THAN 1/52ND OF THE BUDGETED TOTAL SALARY, PLUS \$1.00

- WHEREAS, the City Council by ordinance annually approves a fiscal year operating budget for the City and its various offices, departments and agencies; and
- WHEREAS, in connection with the aforementioned budget approval process, the City Council by ordinance establishes and approves the maximum number of employees in each of the City's offices, departments and agencies, along with their respective weekly salaries; and
- WHEREAS, in an effort to remove any confusion and for the avoidance of doubt.

# IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET, RHODE ISLAND AS FOLLOWS:

SECTION 1. In any fiscal year, no employee of the City shall receive or be provided a weekly salary in excess of 1/52nd of the total budgeted salary for the respective position as contained in the respective fiscal year's approved budget, plus one dollar (\$1.00), without explicit approval from the City Council via Resolution.

SECTION 2. This Ordinance shall take effect on the eleventh consecutive day following its passage by the City Council as provided in Chapter III, Section 9 of the Woonsocket Home Rule Charter and all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

James C. Cournoyer

City Council

Daniel M. Gendron City Council President

Jon D. Brien

City Council Vice President

Denise D. Sierra

City Council

John F. Ward City Council

IN CITY COUNCIL May 4, 2020 – Read by title, amended and passed for the first time unanimously. AMENDMENT: At the end of Section 1 insert "This ordinance is not intended to override overtime and other collective bargaining obligations.".

IN CITY COUNCIL May 18, 2020 - Read by title and passed unanimously. Not signed and approved by Mayor Lisa Baldelli-Hunt.

7-26-22 President Gendron Request to be emailed to City Clerk for Council distribution

					As of 6-30-22	-77		
	Dept	Employee	FY20	FY21	FY22	Fund		PURPOSE
Local 670	Water	* Jennifer Ptaszek			\$2,800	Water	Paid with funds due to vacance	additional tasks due to Water Works Clark vaccation
Non Union	Non Union Public Works	* Jennifer Masse			\$3,200	Water		additional tasks due to Water Works Clark varancy/position filled
Non Union	Non Union Public Works	* Colleen Crowley			\$1,851	Wtr/RWT		additional tasks added at time of annointment/omplanes assistant
Non Union Planning	Planning	* Kevin Proft			\$3.200	General	70	additional tacks due to Enderly Courte Administration
1 207.1		*						control at tasks one to react at ordins rator vacancy/position filled
Local 3851 Planning	Flanning	lom Koback		\$1,200	\$6,720	CDBG	Paid with funds due to vacancy	additional tasks due to Prinicipal Housing Technician vacancy/position filled
Local 3851 Planning	Planning	* Carl Johnson			\$2,000	CDBG		additional tasks due to Federal Grants Administrator vacanov/vocition filled
Non Union Finance	Finance	* Cindy Johnston	\$7,700	\$7,700 \$28,600 \$26,950	\$26,950	FEMA	ment	additional tasks for FEMA COVID Emergency Response Project reimbursement/grant closing in progress
Non Union Finance	Finance	* Laurie Perry			\$9,680	General		additional tasks due to Assessor vacancy/employee recignation
	4							

\*No longer receiving stipend

	PURPOSE	additional tasks due to Assessor vacancy	לבינים בכינים בכינים בינים	additional Solid Waste Superintendent duties	201101
		93 General Paid with funds due to vacancy		000 General Due to elimination of Superintendent position	
7	Fund	Seneral		Seneral	
As of 6-30-22	FY22	\$5,093		\$1,000 (	
٩	FY21	\$1,500			
	FY20	\$8,175			
	Employee	Lori Flanagan		Elizabeth Kerrigan	
	Dept	Finance		Highway	
		Local 670 Finance		Local 3851	

DEPT-CO FILE CLOCK VCHR NO. 058 GWQ 010471 000034 0000090090

Single

**Earnings Statement** 

CITY OF WOONSOCKET 169 MAIN STREET WOONSOCKET, RI 02895 Period Beginning: Period Ending:

02/13/2022 02/26/2022

Pay Date:

03/04/2022

LAURIE M PERRY 5 PARDONS WOOD LN EAST GREENWICH RI 02818

Exemptions/Allow	ances:
Fedoral	0

Taxable Marital Status

Federal

Earnings	rate	hours	this period	year to date
Regular	34 4827	48.00	1,655.17	8,982.74
Sick Used	34, 4827	16.00	551.72	1,250.00
STIPENDNP			400.00	2,000.00
Vaca Used	34 . 4827	16.00	551.72	3,008.61
Pers Used				551.72
	Gross Pay		\$3,158.61	15,793.07
Deductions	Statutory			
	Federal Incom	е Тах	-337 . 02	1,465.12
	Social Security	/ Tax	-195 .83	979.17
	Medicare Tax		-45 .80	229.00
	RI State Incon	ne Tax	-92 .46	424.78
	Other			
	Municipal Pen		-55 . 17*	
	Nationwide		-500 . 00*	3,500.00
	TIAA MUNIC 4	401A	-137 .93*	689.65
	Net Pay		\$1,794.40	
	Checking 1		-1 ,794.40	
	Net Check		\$0.00	

Other Benefits and		
Information	this period	total to date
Max Elig/Comp D	2,758.61	13,793.07
Max Elig/Comp X	2,758.61	13,793.07
Munci Pensio	315.31	1,576.55
Tiaa-Cref-M	27.59	137.95
Totl Hrs Worked	48.00	
Important Notes		

BASIS OF PAY: HOURLY

Additional Tax Withholding Information Taxable Marital Status:

£3,158.61

Married AI: Exemptions/Allowances: RI:

\* Excluded from federal taxable wages

Your federal taxable wages this period are \$2,465,51

472,000

CITY OF WOONSOCKET 169 MAIN STREET WOONSOCKET, RI 02895

Approve Annal Salvay

Exceeps Approve weekly pay

Advice number:

Pay date:

00000090090 03/04/2022

2 weeks

THIS IS NOT A

account number xxxx1799

transit ABA XXXX XXXX

amount \$1,794.40

NON-NEGOTIABLE

# Signed and approved by Mayor Lisa Baldelli-Hunt November 16, 2021

# City of Woonsocket Rhode Island



November 15, A.D. 2021

## Ordinance

# Chapter 8276

#### TRANSFERRING FUNDS

# IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET AS FOLLOWS:

**SECTION 1.** That the following funds be transferred from and to the following accounts:

FY2	2 DIVISION	ACCOUNT NO.	APPROPRIATION	OBJECT ITEM	AMOUNT
FF TO	ROM: Other General Charges	1-010-097-54-54492	Expenditures	Contingency	\$9,600.00
	Tax Assessing	1-010-032-51-51110	Personal Svcs.	Permanent Svcs	\$6,200.00
	Treasury Division	1-010-034-51-51110	Personal Svcs.	Permanent Svcs	\$3,400.00

## **REASON FOR REQUEST:**

To transfer funds from the FY 2022 Contingency to fund salary increases, effective the pay period beginning 21 November 2021, for the Tax Assessor position (increase annual salary from \$75,000 to \$85,000) and the Treasurer position (increase annual salary from \$66,555 to \$72,000). The prorated funding requirement to cover the aforementioned annual salary increases effective 21 November 2021 is approximately \$9,600.00 in total, excluding incidental fringe benefits.

SECTION 2.

This Ordinance shall take effect immediately when signed by the Mayor following its passage by the City Council as provided in Chapter III, Section 5 of the Woonsocket Home Rule Charter and all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

Daniel M. Gendron, President

John F. Ward, Vice-President

IN CITY COUNCIL November 15, 2021 - Read by title and passed unanimously.





# CITY OF WOONSOCKET, RHODE ISLAND

PINANCE DEPARTMENT
PERSONNEL DIVISION

March 2, 2022

Mark Ferguson Personnel Director 169 Main Street Woonsocket, RI 02895

Dear Mr. Ferguson:

This letter serves to notify you that Elyse Pare, 8 Barrows Drive, East Greenwich, RI, has been appointed to the position of part-time Tax Assessor effective March 7, 2022. Ms. Pare will be paid \$70 per hour for 20 hours per week, or as needed. Ms. Pare will receive individual health care insurance coverage under Healthmate Coast to Coast from Blue Cross/Blue Shield of Rhode Island. She will be responsible to pay a 20% co-share for her health care coverage. No other benefits will be offered.

Sincerely,

Sincerely,

Christine Chamberland

Finance Director

Mayor Lisa Baldelli-Hunt

/mwf

Cc:

Christine Chamberland, Finance Director Nikki Aphonphanh, Personnel Assistant Kendra Roy, Payroll Clerk

Elyse Pare, Appointee

Christine Chamberlow



## CITY OF WOONSOCKET, RHODE ISLAND

## FINANCE DEPARTMENT PERSONNEL DIVISION

June 3, 2022

Ms. Laurie Perry 5 Pardons Wood Lane East Greenwich, RI 02818

RE: Resignation

Dear Ms. Perry:

On May 16, 2022, you notified the City that you were submitting your resignation effective May 9, 2022; thus, not returning to the office. As a result, the Finance Department, reviewed your personnel file and made the following determinations with respect to your vacation time, medical buyback, and city property:

- 1. <u>City Property</u>: Please return all city property including work badge, laptop and charger.
- Medical Buyback: Medical buyback is not pro-rated. Eligibility requirements include full-time employment as of June 30th. Your resignation was effective May 9, 2022 and you elected to reduce your hours to a part-time status in late March 2022. Therefore, you are not entitled to a medical buyback.
- Vacation Payout: As a non-union, non-classified employee, vacation payout is determined based on a perdiem basis for the year of termination. Calculations are as follows:

#### 2022 Accrued Vacation Time for calendar year use

160 hours (20 days)/365 days = .438 hours/day

Resignation Date of 5-9-2022 = 129 days

Vacation hours earned for 2022 = 56.50 hours

Vacation hours used for 2022 = 160.00 hours

Vacation hours used/not earned = 103.50

Due from employee: 103.50 @ \$34.4827/hr = \$3,568.96

Return of all city property and payment in the amount of \$3,568.96 is due immediately.

Sincerely,

Mark Ferguson Personnel Director

VIA REGULAR & CERTIFIED MAIL

From: John J. DeSimone

Sent: Tuesday, August 30, 2022 10:18 AM

To: Johnston, Cindy <cjohnston@woonsocketri.org>; Chamberland, Chris

<CChamberland@woonsocketri.org>; Baldelli-Hunt, Mayor Lisa <lbaldellihunt@woonsocketri.org>

Cc: Alexandra Richard <arichard@woonsocketri.org>; Amy Devereaux <Adevereaux@woonsocketri.org>;

John J. DeSimone <jdesimone@woonsocketri.org>; John DeSimone, Esq. <jjd@desimonelaw.net>

Subject: FW: Police Contract

Cindy,

As I have previously ruled and notified you, the Police Contract is valid and must be enforced. Accordingly, please make sure that the Police Contract is incorporated into this week's payroll. Please see my emails below.

#### John J. DeSimone

## **Woonsocket City Solicitor**

City Of Woonsocket | P.O. Box B | 169 Main Street | Woonsocket, RI 02895 **2** 401.767.9201 | 401.769.8712 |

⊠ jdesimone@woonsocketri.org

City of Woonsocket Website

From: John J. DeSimone

Sent: Tuesday, August 16, 2022 1:47 PM

To: Johnston, Cindy < cjohnston@woonsocketri.org >

Cc: Amy Devereaux < Adevereaux@woonsocketri.org >; Chamberland, Chris

< CChamberland@woonsocketri.org>; John J. DeSimone < jjd@desimonelaw.net>; Alexandra Richard

<arichard@woonsocketri.org>; Baldelli-Hunt, Mayor Lisa <lbaldellihunt@woonsocketri.org>

Subject: RE: Police Contract

Arpa, look at the financial disclosure statement 227,700 from arpa

9/3/22, 9:39 PM FW: Police Contract

#### John J. DeSimone

#### **Woonsocket City Solicitor**

City Of Woonsocket | P.O. Box B | 169 Main Street | Woonsocket, RI 02895 

401.767.9201 | 
401.769.8712 |

City of Woonsocket Website

From: Johnston, Cindy < cjohnston@woonsocketri.org >

Sent: Tuesday, August 16, 2022 11:53 AM

To: John J. DeSimone < jdesimone@woonsocketri.org>

Cc: Amy Devereaux < Adevereaux @woonsocketri.org >; Chamberland, Chris

< CChamberland@woonsocketri.org>; John J. DeSimone < jjd@desimonelaw.net>; Alexandra Richard

<arichard@woonsocketri.org>; Baldelli-Hunt, Mayor Lisa <lbaddellihunt@woonsocketri.org>

Subject: RE: Police Contract

Solicitor:

Reviewing the contract, is the \$2300 one-time bonus being paid with General Fund or ARPA Grant monies?

Thank you

Cindy M. Johnston

Deputy Director of Finance/Controller

City of Woonsocket - Finance Department

169 Main Street - PO Box B

Woonsocket, RI 02895

Tel: (401) 767-9268 Fax: (401) 597-6604

cjohnston@woonsocketri.org

From: John J. DeSimone

**Sent:** Tuesday, August 16, 2022 10:08 AM

To: Johnston, Cindy <<u>cjohnston@woonsocketri.org</u>>

9/3/22, 9:39 PM FW: Police Contract

Cc: Lopes, Laura < <a href="mailto:lopes@woonsocketri.org">lopes@woonsocketri.org</a>; Amy Devereaux < <a href="mailto:Adevereaux@woonsocketri.org">Adevereaux@woonsocketri.org</a>; Chamberland, Chris < <a href="mailto:CChamberland@woonsocketri.org">CChamberland@woonsocketri.org</a>; John J. DeSimone < <a href="mailto:jjd@desimonelaw.net">jjd@desimonelaw.net</a>; Alexandra Richard < <a href="mailto:arichard@woonsocketri.org">arichard@woonsocketri.org</a>; Roy, Kendra < <a href="mailto:KAllaire@woonsocketri.org">KAllaire@woonsocketri.org</a>; Baldelli-Hunt, <a href="mailto:Mayor Lisa">Mayor Lisa</a> < <a href="mailto:lbaldellihunt@woonsocketri.org">lbaldellihunt@woonsocketri.org</a>>

Subject: RE: Police Contract

Cindy,

The Public Safety Directors signature is not necessary or required.

The Council authorized the Council President to sign on behalf of the city. I should remind you, that pursuant to Chapter 10 Article 1 Section (c) – "The city solicitor shall decide all questions and controversies relative to the legal construction of any and all laws and ordinance affecting the City as well as the City Charter and the division of powers and duties created or implied therein."

In fact, I will refer you to the 2014-2019 Local 404 Police contract which was not signed by the Public Safety Director.

#### John J. DeSimone

#### **Woonsocket City Solicitor**

City of Woonsocket Website

From: Johnston, Cindy < cjohnston@woonsocketri.org>

Sent: Tuesday, August 16, 2022 9:46 AM

To: Alexandra Richard <a richard@woonsocketri.org>; Roy, Kendra <KAllaire@woonsocketri.org>

Cc: Lopes, Laura < <u>llopes@woonsocketri.org</u>>; John J. DeSimone < <u>jdesimone@woonsocketri.org</u>>; Amy

Devereaux < Adevereaux @woonsocketri.org>; Chamberland, Chris < CChamberland@woonsocketri.org>; John

J. DeSimone < ijd@desimonelaw.net>

Subject: RE: Police Contract

Alex: its missing the Public Safety Director signature

From: Alexandra Richard

Sent: Tuesday, August 16, 2022 9:43 AM

To: Roy, Kendra < KAllaire@woonsocketri.org>

Cc: Johnston, Cindy <<u>cjohnston@woonsocketri.org</u>>; Lopes, Laura <<u>llopes@woonsocketri.org</u>>; John J. DeSimone <<u>jdesimone@woonsocketri.org</u>>; Alexandra Richard <<u>arichard@woonsocketri.org</u>>; Amy

Devereaux < Adevereaux @woonsocketri.org >; Chamberland, Chris < CChamberland @woonsocketri.org >; John

J. DeSimone <jjd@desimonelaw.net>

Subject: RE: Police Contract

Good Morning,

Attached please find the fully executed police contracts. Please process accordingly. Any questions, please call me. Thank you.

Alexandra Richard

Legal Executive Secretary – Law Department

City of Woonsocket

169 Main Street

Woonsocket, RI 02895

**4**01.767.9201 | **4**01.769-8712

✓ ARichard@woonsocketri.org

City of Woonsocket RI

From: Roy, Kendra < KAllaire@woonsocketri.org>

Sent: Wednesday, July 27, 2022 9:31 AM

To: Alexandra Richard <arichard@woonsocketri.org>

Cc: Johnston, Cindy <<u>cjohnston@woonsocketri.org</u>>; Lopes, Laura <<u>llopes@woonsocketri.org</u>>

Subject: Police Contract

Good morning Alex,

Can you please tell me if the new police contract has been signed by all parties? We cannot move forward with rate changes or retro pays without verification.

Please advise.

Kendra

Kendra Roy, Control Clerk

Payroll Dept.

City of Woonsocket

169 Main Street

Woonsocket, RI 02895

(401)767-9261 - Fax: (401)765-6333

e-mail - kroy@woonsocketri.org



November 1, A.D. 2021

#### RESOLUTION

INSTRUCTING THE MAYOR, THROUGH HER ADMINISTRATION, TO ISSUE A REQUEST FOR PROPOSAL TO ERECT A SHADE PAVILION AT 105 CUMBELAND HILL ROAD, THE ALBERT G. BRIEN MEMORIAL ANIMAL SHELTER

WHEREAS, the last time the City Council of Woonsocket issued an RFP in order to construct a shade pavilion at 105 Cumberland Hill Road, it was not adhered to nor done to the specification set forth and approved by the Council; and

WHEREAS, the City Council is seeking a vendor to erect a shade pavilion at 105 Cumberland Hill Road, Woonsocket, Rhode Island.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET, RHODE ISLAND AS FOLLOWS:

Section 1: The City shall solicit bids no later than December 13, 2021.

Section 2: That the bid results be provided to the City Council on or before December 27,

Section 3: This Resolution shall take effect immediately upon passage by the City Council.

Denise D. Sierra, City Council

IN CITY COUNCIL November 1, 2021 - Read by title and passed unanimously.



November 1, A.D. 2021

#### RESOLUTION

INSTRUCTING THE MAYOR, THROUGH HER ADMINISTRATION, TO ISSUE A REQUEST FOR PROPOSAL TO CONSTRUCT A SUITABLE ADDITION TO HOUSE SMALLER ANIMALS AT 105 CUMBELAND HILL ROAD, THE ALBERT G. BRIEN MEMORIAL ANIMAL SHELTER

- WHEREAS, the City Council wishes to continue with the improvements to the Animal Shelter located at 105 Cumberland Hill Road; and
- WHEREAS, the City Council is seeking a vendor to build an addition, approximately 20 feet by 20 feet to the current animal shelter located at 105 Cumberland Hill Road; and
- WHEREAS, the City Council recognizes that the area designated to keep smaller animals separated from larger animal is and has been unsuitable for a long period of time.

# NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET, RHODE ISLAND AS FOLLOWS:

Section 1: The City shall solicit bids no later than December 13, 2021.

Section 2: That the bid results be provided to the City Council on or before December 27, 2021.

Section 3: This Resolution shall take effect immediately upon passage by the City Council.

Denise D. Sierra, City Council

IN CITY COUNCIL November 1, 2021 -Read by title and passed unanimously.



November 1, A.D. 2021

#### RESOLUTION

INSTRUCTING THE MAYOR, THROUGH HER ADMINISTRATION, TO ISSUE A REQUEST FOR PROPOSAL TO PAINT THE INTERIOR AND EXTERIOR OF THE ALBERT G. BRIEN MEMORIAL ANIMAL SHELTER AT 105 CUMBELAND HILL ROAD

WHEREAS, the City Council wishes to continue with the improvements to the Animal Shelter located at 105 Cumberland Hill Road; and

WHEREAS, the City Council is seeking a vendor to paint the interior and exterior of the animal shelter located at 105 Cumberland Hill Road upon completion of the addition.

## NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET, RHODE ISLAND AS FOLLOWS:

The City shall solicit bids no later than December 13, 2021 Section 1:

Section 2: That the bid results be provided to the City Council on or before December 27,

This Resolution shall take effect immediately upon passage by the City Council. Section 3:



November 15, A.D. 2021

## **ORDINANCE**

## **CHAPTER**



REQUIRING THE MAYOR, THROUGH HER ADMINISTRATION, TO ISSUE A REQUEST FOR PROPOSAL SEEKING VENDOR(S) TO MAKE MULTIPLE UPGRADES AT 105 CUMBELAND HILL ROAD, a/k/a ALBERT G. BRIEN MEMORIAL ANIMAL SHELTER

- WHEREAS, The City of Woonsocket, (the "City") wishes to continue improving the Woonsocket Animal Shelter located at 105 Cumberland Hill Road; and
- WHEREAS, The City recognizes that the building located at 105 Cumberland Hill is suitable for an animal shelter and wishes to make certain improvements in order to ensure the safety and well-being of the animals, workers, and visitors alike; and
- WHEREAS, On November 1, 2021, the Woonsocket City Council unanimously passed Resolutions 21 R 101 (Exhibit A) which sought to construct a shade pavilion; 21 R 102 (Exhibit B) to build an addition to the animal shelter; and 21 R 103 (Exhibit C) to paint the interior and exterior of the animal shelter located at 105 Cumberland Hill Road.

NOW, THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET, RHODE ISLAND AS FOLLOWS:

The City shall create a Request for Proposal, <u>improvements to the Albert G.</u>

<u>Brien Animal Shelter</u> and advertise a deadline date of no later than December 13, 2021, in which to respond to said Request for Proposal.

- Section 2. The Request for Proposal shall include specifications, costs and deadlines for the following improvements:
  - (a) Erect a Shade Pavilion, with the identical specifications as the one recently built at Rivers Edge Park, at 105 Cumberland Hill Road, Woonsocket, Rhode Island a/k/a The Albert G. Brien ("AGB") Memorial Animal Shelter.
  - (b) Construct an addition to The AGB Memorial Animal Shelter measuring 20 ft x 20 ft, to be utilized as an area for smaller animals, thereby allowing them to be kept at a comfortable distance from the larger animals. This will also allow the current small animal area to serve completely and wholly as a grooming and laundry area.
  - (c) Paint the entire interior and exterior of building as well as the outdoor fencing and identified outbuildings upon completion of the addition.

## **Section 3.** Parameters of the Request for Proposal:

- (a) The Proposal shall indicate that potential bidders may submit a response on the entire project, two (2) of the improvements, or each improvement individually.
- (b) The Planning Department shall work in conjunction with the Engineering Department to develop an RFP that satisfies all guidelines, codes, rules and regulations while maintaining and producing the expressed results as outlined in Section 2 of this Ordinance.
- (c) The RFP shall indicate that the vendor(s) must commit to begin construction no later than <u>March 1, 2022</u>. If weather and scheduling allow, certain improvements can begin sooner provided that the vendor(s) properly notice and coordinate with the City. The vendor(s) must adhere to a hard completion date of <u>May 1, 2022</u>
- (d) The RFP may solicit to engage architectural services to assist provided that the retention of such a vendor meets the guidelines as set forth within our Home Rule Charter.
- Section 4. The results of the submissions to the Request for Proposals shall be made known to the Woonsocket City Council on or before <u>December 27, 2021</u> through in person or electronic communication.
- Section 5. The Woonsocket City Council hereby authorizes and directs the Administration to obey and enforce Resolutions 21 R 101 (Exhibit A), 21 R 102 (Exhibit B) and 21 R 103 (Exhibit C) in their entirety.
- Section 6. This Ordinance shall take effect immediately upon passage by the City Council.

Denise D. Sierra, City Council

IN CITY COUNCIL November 15, 2021 - Read by title and passed for the first time unanimously.

IN CITY COUNCIL December 6, 2021 - Read by title and passed unanimously. Not signed and approved by Mayor Lisa Baldelli-Hunt.

# **EXHIBIT A**



November I, A.D. 2021

## RESOLUTION

INSTRUCTING THE MAYOR, THROUGH HER ADMINISTRATION, TO ISSUE A REQUEST FOR PROPOSAL TO ERECT A SHADE PAVILION AT 105 CUMBELAND HILL ROAD, THE ALBERT G. BRIEN MEMORIAL ANIMAL SHELTER

WHEREAS, the last time the City Council of Woonsocket issued an RFP in order to construct a shade pavilion at 105 Cumberland Hill Road, it was not adhered to nor done to the specification set forth and approved by the Council; and

WHEREAS, the City Council is seeking a vendor to erect a shade pavilion at 105 Cumberland Hill Road, Woonsocket, Rhode Island.

# NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET, RHODE ISLAND AS FOLLOWS:

Section 1: The City shall solicit bids no later than December 13, 2021.

Section 2: That the bid results be provided to the City Council on or before December 27, 2021.

Section 3: This Resolution shall take effect immediately upon passage by the City Council.

Denise D. Sierra, City Council

IN CITY COUNCIL November 1, 2021 - Read by title and passed unanimously.

# **EXHIBIT B**



November 1, A.D. 2021

## RESOLUTION

INSTRUCTING THE MAYOR, THROUGH HER ADMINISTRATION, TO ISSUE A REQUEST FOR PROPOSAL TO CONSTRUCT A SUITABLE ADDITION TO HOUSE SMALLER ANIMALS AT 105 CUMBELAND HILL ROAD, THE ALBERT G. BRIEN MEMORIAL ANIMAL SHELTER

- WHEREAS, the City Council wishes to continue with the improvements to the Animal Shelter located at 105 Cumberland Hill Road; and
- WHEREAS, the City Council is seeking a vendor to build an addition, approximately 20 feet by 20 feet to the current animal shelter located at 105 Cumberland Hill Road; and
- WHEREAS, the City Council recognizes that the area designated to keep smaller animals separated from larger animal is and has been unsuitable for a long period of time.

# NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET, RHODE ISLAND AS FOLLOWS:

Section 1: The City shall solicit bids no later than December 13, 2021.

Section 2: That the bid results be provided to the City Council on or before December 27,

2021.

Section 3: This Resolution shall take effect immediately upon passage by the City Council.

Denise D. Sierra, City Council

IN CITY COUNCIL November 1, 2021 -Read by title and passed unanimously.

# **EXHIBIT C**



November 1, A.D. 2021

#### RESOLUTION

INSTRUCTING THE MAYOR, THROUGH HER ADMINISTRATION,
TO ISSUE A REQUEST FOR PROPOSAL TO PAINT THE INTERIOR AND
EXTERIOR OF THE ALBERT G. BRIEN MEMORIAL ANIMAL SHELTER
AT 105 CUMBELAND HILL ROAD

- WHEREAS, the City Council wishes to continue with the improvements to the Animal Shelter located at 105 Cumberland Hill Road; and
- WHEREAS, the City Council is seeking a vendor to paint the interior and exterior of the animal shelter located at 105 Cumberland Hill Road upon completion of the addition.

# NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET, RHODE ISLAND AS FOLLOWS:

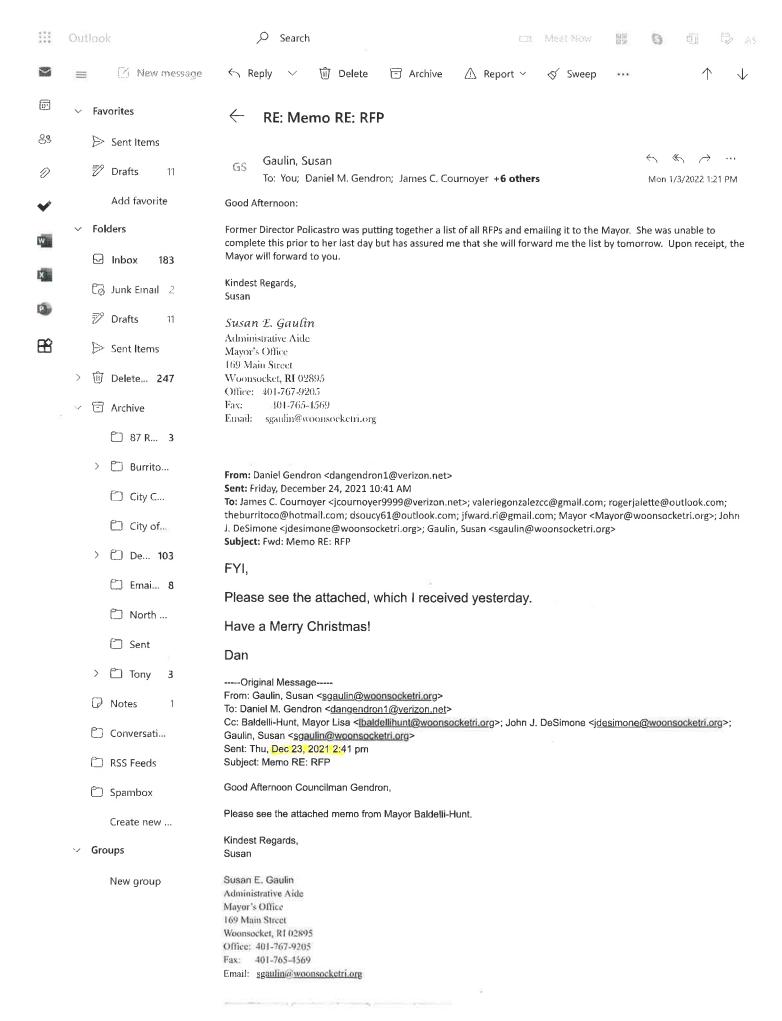
Section 1: The City shall solicit bids no later than December 13, 2021

Section 2: That the bid results be provided to the City Council on or before December 27, 2021.

Section 3: This Resolution shall take effect immediately upon passage by the City Council.

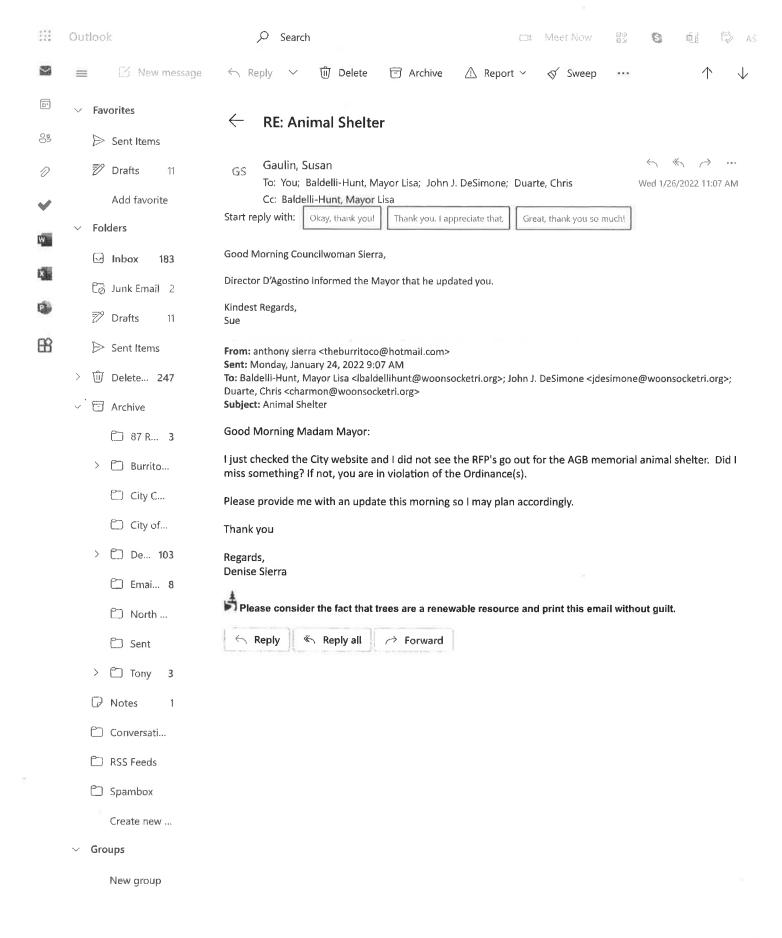
Denise D. Sierra, City Council

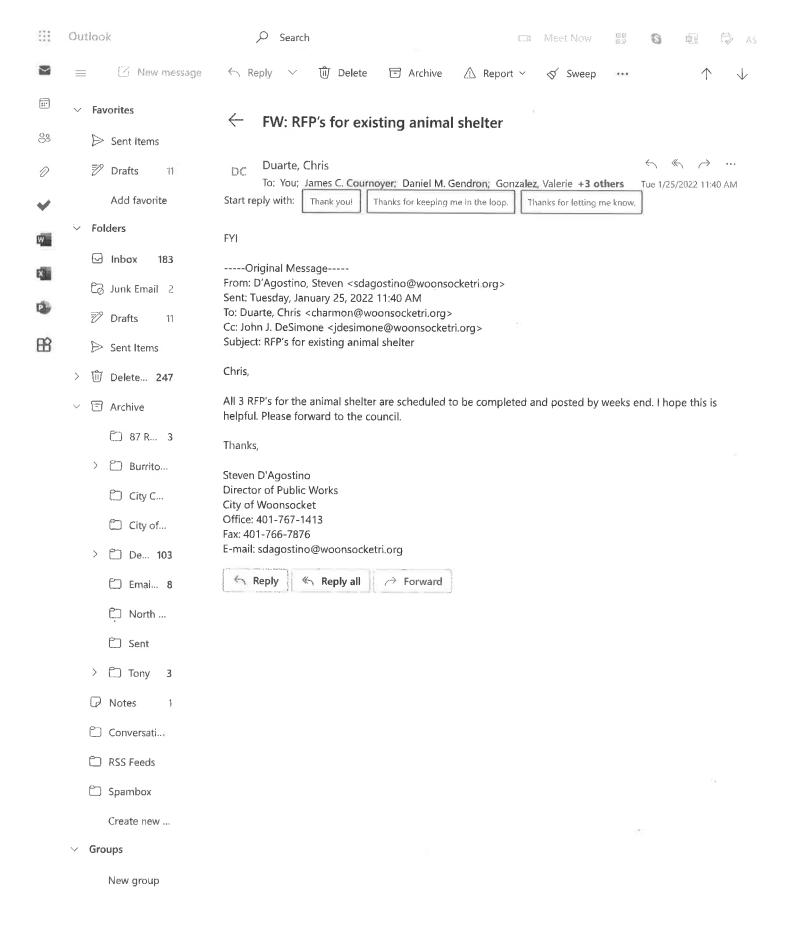
IN CITY COUNCIL November 1, 2021 - Read by title and passed unanimously.



	co	Junk Email 2	From: Duarte, Chris Sent: Thursday, December 16, 2021 2:16 PM
	79	Drafts 11	To: Gaulin, Susan <sgaulin@woonsocketri.org> Cc: Mayor <mayor@woonsocketri.org>; Daniel M. Gendron <dangendron1@verizon.net> Subject: Ordinance 21-0-74</dangendron1@verizon.net></mayor@woonsocketri.org></sgaulin@woonsocketri.org>
		Sent Items	Hi Sue,
>	Ŵ	Delete 247	I received the Ordinance folder back but the above referenced Ordinance was not included.
1		Archivé	Thanks, Chris
		□ 87 R 3	Christina Harmon
	>	Burrito	CITY CLERK CITY OF WOONSOCKET
		City C	LEGISLATIVE DEPARTMENT P.O. BOX B - 169 MAIN STREET
		City of	WOONSOCKET, RI 02895  © OFFICE: 401,767.9247
	>	De 103	☐ FAX: 401.765.0022  ☐ CHARMON@WOONSOCKETRLORG
		C Emai 8	
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**B** 





February 22, 2022

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City of Weonsocket 169 Math Street Woonsocket, Rhode Island 02895

Attn. Furchashig Division

1006 Charles Street, Suite 6, North Providence, Rhode Island 02904 USA PO Box 9025, Providence, Rhode Island 02940 USA Telephone 401.725.9025 • Facsimile 401.725.9020 adptglobal@aol.com

Bid # 6065
Improvements to the Albert G. Brien Animal Shelter
Shade Pavilion, Animal Shelter Addition and Painting

We are pleased are pleased to submit the following bids

New Shade Pavilion \$44,000.00 Animal Shelter Addition \$177,000.00 Painting \$36,000.00

Total Bid Price: Two Hundred Fifty Seven Thousand Dollars (\$257,000.00)

## Bidder's Information, Qualifications & References

Trans Global Construction, LLC was formed in April 2014 an evolution of over fifty years of construction experience providing general construction and related services.

Trans Global Construction, LLC is a Rhode Island Limited Liability Corporation, licensed contractor in Rhode Island # 32066. A corporation & licensed contractor registered in the Commonwealth of Massachusetts #081286, Anthony D. Paglia is the principal managing partner.

Trans Global's offices are located @ 1006 Charles Street, Suite 6, North Providence, Rhode Island 02904.

Anthony D. Paglia, Principal represents Trans Global Construction in all business matters; Phone 401-725-9025, Fax 401-725-9020, email adptglobal@aol.com. Direct @ 617-368-0000.

Trans Global Construction, LLC has experience with federal, state and municipal projects and self performs the majority of the work with full time employees and also utilizes local tradesmen and subcontractors as project conditions require

Trans Global has the necessary skills, experience, manpower, and equipment, financial, bonding and insurance resources to perform this project. For further information please refer to our website and references.

#### References

Middleboro Gas & Electric, Middleboro, Massachusetts Handicap Ramp Repairs Sandra Rictner @ 508 946-3702

Rising Tide Public Charter School, Plymouth, MA, Office Renovations, Exterior Repairs, Eric Mello @ 781-812-5616

Town of Randolph, Massachusetts, Stetson Hall Ramp Repairs Henry Cooke @ 617-710-7974

Town of North Kingston Senior Center Painting Phil Bergeron or Adam White@ 401-268-1500

Town of Dartmouth, Massachusetts Department of Public Works Contact: Paul J. Pachedo 508-328-3263

City of Newport, RI Harbor Masters Office Timothy Mills @ 401-845-5815

Town of Dighton, MA 02715 Connact: James Aguiar, Building Commissioner @ 508-669-4524

Town of Warren, Department of Public Works Contact: Jan Malik, @ 401- 245-0200

Planning & Redevelopment Mike Wilcox @ 491-728-0500

United States Air Force Renscom AFB Massachusetts Contracting Officer Marika Trantanella @ 781-225-1233

Building Envelope Restoration Dominican Sisters, Dighton Massachusetts Contact: Sister Marie Lapointe @ 508-669-5460 (Private)

United States Department of the Navy Naval Station Newport RI Contact Eric Karoli @401-832-8309

Rhode Island Department of Transportation RIDOT Contact Joseph Bucci, P.E. or Matthew Ouellette P.E. @ 401-734-4804

Narragansett Bay Commission, Providence, RI Contact Sam Celone @ 401-461-8848

#### Past Project for Reference

Improvements to Market Square Woonsocket, Rhode Island Rhode Island Department of Transportation

#### Statement of OSHA Compliance

We hereby certify that all persons employed by Trans Global Construction are required to be OSHA trained and certified at the minimum of 10 Hours. Verification of OSHA certified personnel will be submitted to the Awarding authority.

Anthony D. Paglia, Principal

CC/File

#### CITY OF WOONSOCKET RHODE ISLAND FINANCE DEPARTMENT

# BID #6065 IMPROVEMENTS TO THE ALBERT G. BRIEN ANIMAL SHELTER BID PROPOSAL FORM

ITEM #1 - SHADE PAVILION, PER SPECIFICATIONS: \$ 44,000.
( FORTH FOUR THOUSAND DOLLARS AND CENTS)
ITEM #2 – BUILDING ADDITION, PER SPECIFICATIONS: \$ 177,000.00
( CNEHNIONS SOLONT SOLON _ DOLLARS AND _ CENTS)
ITEM #3 - PAINTING, PER SPECIFICATIONS: \$ 36,000.
(THINTY SIX THOUSAND DOLLARS AND CENTS)
PROPOSAL SUBMITTED BY:
COMPANY NAME: TRIBUS GLOBAL CONSTITUTION, LLC
MAILING ADDRESS: 1006 CHAMES STREET, SUITE L
CITY & STATE: NOMEN PRODUCE, R. I 02904
BY (PERSON): DITHOUY D. PIGGLIA, PMNCIPAL
SIGNATURE: Signature:
TELEPHONE NUMBER: 401-725-9025
EMAIL ADDRESS: ADDTGLOBAL & ADL. WM.

All additional materials necessary for a complete bid proposal shall be submitted with this Proposal Form on the bidder's own form.

#### BID BOND

# Capitol Indemnity Corporation 1600 Aspen Commons, Suite 300, Middleton, WI 53562

KNOWN ALL BY THESE PRESENTS, That we, Trans Global Construction, LLC as Principal, and Capitol Indemnity Corporation as Surety, are held and firmly bound unto City of Woonsocket as Obligee, in the sum of Five Percent of the Principals Bid Amount Dollars (5% of the Principals Bid Amount ) for the payment of which we bind ourselves, and our SUCCESSOFS and assigns, jointly and severally, as provided herein.			
WHEREAS, Principal has submitted or is about to submit a bid to the Obligee on a contract for Improvements to the Albert G. Brien Animal Shelter - Bid # 6965 - Woonsocket Department of Public Works ("Project").			
NOW, THEREFORE, the condition of this bond is that if Obligee accepts Principal's bid, and Principal enters into a contract with Obligee in conformance with the terms of the bid and provides such bond or bonds as may be specified in the bidding or contract documents, then this obligation shall be void; otherwise Principal and Surety will pay to Obligee the difference between the amount of Principal's bid and the amount for which Obligee shall in good faith contract with another person or entity to perform the work covered by Principal's bid, but in no event shall Surety's and Principal's liability exceed the penal sum of this bond.			
Signed this 18th day of February 2022			
By: J. Manager			
Capitol Indemnity Corporation			
Jeffrey W. Price , Attorney-in-Fact			

Surety Acknowledgment	12
State of New York }	
County of Nassau } ss:	
On this 18th day of February , 2022, before me personally came Jeffrey W. Price to me known, who, being by me duly sworn, did depose and say that he/she is an attorney-in-fact of Capitol Indemnity Corporation the corporation described in and which executed the within instrument; that he knows the corporate seal of said corporation; that the seal affixed to the within instrument is such corporate seal, and that he signed the said instrument and affixed the said seal as Attorney-in-Fact by authority of the Board of Directors of said corporation and by authority of this office under the Standing Resolutions thereof.  MARY PRICE  My commission expires NOTARY PUBLIC, STATE OF NEW YORK  Outlined in Nassau County  Outlined in Nassau County  Notary Public  Notary Public Notary Rublic	

# Exhibit 24

### City of Woonsocket Rhode Island



April 18, A.D. 2022

#### **ORDINANCE**

#### Chapter



AUTHORIZING THE MAYOR, THROUGH HER ADMINISTRATION TO ISSUE A REQUEST FOR PROPOSAL TO MAKE NECESSARY IMPROVEMENTS TO THE ANIMAL SHELTER AT 105 CUMBELAND HILL ROAD.

- WHEREAS, The City's animals have been relocated to Lincoln Regional Animal Shelter and Blackstone regional animal shelter in order to ensure safety and well-being.
- WHEREAS, The City Council wishes to timely remediate the problems so that the animals may be returned to The Albert G. Brien Animal Shelter.
- **WHEREAS.** The City Council desires timely restoration of this benefit to the citizens of Woonsocket.

# NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOONSOCKET AS FOLLOWS:

- Section 1. The City shall solicit bids to be received by the City no later than May 30, 2022.
- The City shall solicit bids for the following work to be performed at the AGB Memorial Animal Shelter (Kennel Area-interior and exterior) in conformance with Exhibit A (attached hereto). The bids are to be solicited and received by the City no later than <u>May 30, 2022</u>.

- Section 3. The City shall solicit bids for masonry dividing walls (cinder block) to be erected in between each interior and exterior kennel. Including the chain link fencing to be removed from the area and disposed of. The bids are to be solicited and received by the City no later than <u>May 30, 2022</u>.
- Section 4. The City shall solicit a bid to remove, repair and/or replace remaining chain link fencing within the interior and exterior kennel areas. The bid is to be solicited and received by the City no later than May 30, 2022.
- Section 5. All bid solicitations herein shall be provided to the City Council on or before *Tuesday*, *June 14*, 2022.
- Section 6. This Ordinance shall take effect immediately upon second passage by the City Council.

Denise D. Sierra, City Council

IN CITY COUNCIL April 18, 2022 — Read by title and passed for the first time unanimously. IN CITY COUNCIL May 2, 2022 — Read by title and passed unanimously. Not signed and approved by Mayor Lisa Baldelli-Hunt.

## Specification Sheet

#### **DiStefano Brothers Concrete Coating System**

#### 000 - Job Site Conditions

Initial site visit

Area (SqFt): 1560 sq ft

Initial Moisture Reading: 4

Hardness:3-4

Current Overall Condition: rough floor with lots of divots and gouging. Entire space is broken into little rooms which will require a lot of cutting in and hand grinding

Color:

Texture:

Additional Notes:

All prices quoted are valid for 30 days.

#### 012 - Site Prep & Diamond Grinding

Surface preparation necessary for finish coat adhesion

Dust is minimized by connecting grinders to high-efficiency vacuum systems.

Animal Control -

Page 1 of 2

3/50/2012

# Pit and crack repair. Our team will apply mender to damaged areas and regrind the surface prior to applying the floor finish. 060 - Triple Layer Floor Finish Floor base coat Polyurea, premier color chips, and UV-resistant Polyaspartic clear coat 070 - Urethane Heavy Duty Urethane top layer designed for heavy duty wear and abrasive environments 110 - Vertical (1"-6") Coatings applied to vertical surfaces (1" - 6" high) "Verticals are done for aesthetic purposes and are not grinded for safety concerns"

## Exhibit 25



#### Improvements to Animal Shelter (Kennel Area-interior and exterior)

Specifications are available at the Finance Department, **Office of Purchasing**, City of Woonsocket, 169 Main Street, Woonsocket, Rhode Island 02895 between the hours of 8:30 AM and 4:00 PM, Monday through Friday, as well as on the City's website, <u>www.woonsocketri.org</u>, under the "Bids/RFP's" tab positioned on the main page.

Sealed bids will be received by the City of Woonsocket, Office of Purchasing/Personnel, City Hall, 169 Main Street, 1st Floor, Woonsocket, Rhode Island until 2:00 P.M. on Friday, June 17, 2022.

ALL BIDS MUST BE SUBMITTED IN "DUPLICATE COPY" IN A SEALED ENVELOPE PLAINLY MARKED ON THE OUTSIDE OF THE ENVELOPE "Bid #6085 Improvements to Animal Shelter"

This contract is intended to provide for the improvements to the Woonsocket Animal Shelter (Kennel Area-interior and exterior) located at **9 Cumberland Hill Road, Woonsocket, RI 02895.** 

In accordance with RI General Law 37-13-7 contracts in excess of \$1,000 shall require compensation based on prevailing wages for construction, alteration and/or repair. Painting or decorating.

The Finance Department, through its Director, reserves the right to accept or reject any or all bids or proposals; to waive any technicality to any bid or part thereof submitted; to accept any bid or option or comparison thereof; to contract in part or in whole; and to accept the bid deemed to be in the best interest of the City of Woonsocket.

No bidder may withdraw its bid within sixty (60) days after the actual time and date of the bid opening thereof.

MANDATORY PRE-BID: Thursday, June 9, 2022 at 10:00 AM (Eastern)

Animal Control Center, 9 Cumberland Hill Rd, Woonsocket, RI

PUBLISHED: June 1, 2022

Christine Chamberland, Finance Director

#### Anticipated Project Funding from the American Rescue Plan Act

#### **Federal ARPA Funding Guidelines**

The source of funds for this project may come from the City of Woonsocket's award of federal Coronavirus State and Local Recovery Funds (CSLRF) as part of the American Rescue plan Act of 2021 (ARPA). As a condition of receiving these CSLRF funds the City has the responsibility to ensure that CSLRF funds are used for eligible purposes under ARPA and that all vendors comply with applicable federal, state, and local law.

Projects must be completed in a technically sound manner meeting design and construction methods and employing materials that are approved, codified, recognized, under standard or acceptable levels of practice, or otherwise determined to be generally acceptable by the design and construction industry. Additionally, all federal, state and local environmental and permitting laws and regulations must be complied with.

The City's procurement and administrative policy surrounding ARPA funds is intended to be consistent with those for federal awards found in 2 CFR 200 and other federal statutes, regulations, and executive orders. The Treasury has encouraged recipients of ARPA funds to prioritize procurement decisions to employers who can demonstrate that their workforce meets high safety and training standards, that hire local workers and/or workers from historically underserved communities and who directly employ their workforce or have high labor standards for contractors and subcontractors. Treasury also encourages recipients to prioritize employers, contractors, and subcontractors without recent violations in federal and state local labor and employment laws. It is the proposing vendors responsibility to read the entire bid proposal and comply with all the requirements specified herein.

# TECHNICAL SPECIFICATIONS SECTION 1

#### **SCOPE OF WORK**

#### 1.02 DESCRIPTION OF WORK

- Masonry dividing walls (cinder block) to be erected in between each interior and exterior kennel. Including the chain link fencing to be removed from the area and disposed of.
- Remove, repair and/or replace remaining chain link fencing within the interior and exterior kennel areas.

#### **INITIAL INSPECTION REPORT:**

**INITIAL MOISTURE READING:** 

4

HARDNESS: 34

<u>CURRENT OVERALL CONDITION</u>: Rough floor with lots of divots and gouging. Entire space is broken into little rooms which will require a lot of cutting in and hand-grinding.

#### SITE PREP DIAMOND GRINDING

Surface preparation necessary for finish coat adhesion

Dust is minimized by connecting grinders to high-efficiency vacuum systems.

#### FLOOR PREP: MENDER

Pit and Crack Repair: Apply mender to damaged areas <u>and</u> regrind the surface <u>prior</u> to applying the floor finish.

**Triple Layer Floor Finish:** Floor base coat Polyurea, premier color chips, and UV resistant Polyaspartic clear coat.

**Urethane Heavy Duty:** Urethane top layer designed for heavy duty wear and abrasive environments Vertical (1" - 6")

Coatings applied to vertical surfaces (1" - 6" high)

\*Verticals are done for aesthetic purposes and are not grinded for safety concerns\*

#### **INSURANCE:**

#### Item

# Workers' Compensation and Employer's Liability

#### **Minimum Limits**

Statutory Workers' Compensation coverage required by law in the State of Rhode Island.

Employers Liability Limits: \$100,000 Each Accident \$500,000 Disease-Policy Limit \$100,000 Disease-Each Employee

#### BID PROPOSAL

This contract is intended as a contract for installation of concrete sidewalks under the guidelines of the American Rescue Plan Act (ARPA).

The undersigned bidder declares that this proposal is made without connection with any other person(s) making proposals for the same work and is in all respects fair and without collusion or fraud; and that, except in the normal discharge of his or her official duties, no person acting for or employed by the City of Woonsocket is directly or indirectly interested therein, or in the work to which it related or in any portion of the profits thereof and that the Specifications and Contract Agreement have been carefully examined.

The City shall award this contract to the lowest responsive and responsible bidder. Payment will be made to the selected service provider when the work is completed and approved.

TOTAL COST \$		
Total Cost in Words:		
PROPOSAL SUBMITTED BY:		
COMPANY NAME		
STREET & NUMBER		
CVTVV A CITY A TOTAL		
CITY & STATE		
MANY INC. A DIDDERG (No. 110)		
MAILING ADDRESS (If different from above)		
CVIVY 0. CITATIO	- W47-100-10-10-10-10-10-10-10-10-10-10-10-10	
CITY & STATE		
DV (PERGOV)	5	
BY (PERSON)		
SIGNATURE	- Compared to the control of the con	
SIGNATURE		
TELEPHONE	TAY	
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	A STATE OF THE STA	

EMAIL ADDRESS:

# Exhibit 26

