



Office of the First Warden

Telephone (401) 466-3200 • Fax (401) 466-3219

TOWN of NEW SHOREHAM P.O. BOX 220
BLOCK ISLAND, RHODE ISLAND 02807-0220

March 12, 2008

Luly Massaro
Commission Clerk
RI Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

RECEIVED
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RI PUBLIC UTILITIES COMMISSION

To Commission Members:

Please accept this letter of support for the Block Island Housing Board's pending request to waive the fees associated with the temporary removal of Verizon and Block Island Power Co. utility lines. These lines must be moved to allow for the moving of a house, which is part of the Block Island Housing Board's affordable housing program.

To date this project (to recycle a house for the benefit of a person meeting affordability guidelines) has met and overcome several obstacles. The last, and greatest, challenge of this project is one of timing. For a variety of reasons it is essential that this house move commence on or before April 30, 2008. If this timeline is not met the project will not be successful.

Any assistance that the Commission can offer to help facilitate scheduling of the temporary line removals will be greatly appreciated.

Thank you in advance for your consideration regarding the waiving of fees, and for any guidance that you can provide that will result in a successful completion of this affordable housing effort.

Sincerely,

Kim Gaffett



TOWN of NEW SHOREHAM

TELEPHONE (401) 466-3200

FAX (401) 466-3219

TTY (800) 745-5555

RESOLUTION

At a meeting held on October 9, 2007, the members of the Block Island Housing Board (Housing Board), created June 5, 2002, by an act of the Rhode Island legislature (RIGL Chapter 45, Chapter 60), voted unanimously to relocate a house donated to the Block Island Housing Board from its present location at Plat 3, Lot 10-2, Minister's Lot, off Corn Neck Road, Block Island, to its new location, Plat 17, Lot 34, Beach Avenue, Block Island. The house has been awarded to a first-time homebuyer who meets the Housing Board's low and moderate income requirements. The Housing Board will hold a right of first refusal, and guarantees that the house will continue to meet the Housing Board's "affordable housing" restrictions for not less than 15 years.

Mark Emmanuelle
Mark Emmanuelle
Block Island Housing Board

3/17/08
Date

Millicent McGinnes
Notary Public, Millicent McGinnes

My Commission Expires On: 03/03/2011

Seal



TOWN of NEW SHOREHAM

TELEPHONE (401) 466-3200

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March 17, 2008

Luly Massaro
Commission Clerk
RI Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

To Commission Members:

Thank you for considering our petition to waive the fees associated with the temporary disconnection and reconnection of utility lines for our "house/new home" relocation project.

We are presently in the "home stretch" of this project and time is **critical**.

As stated by our First Warden in her letter of support, it is **essential** that this move take place no later than April 30, 2008. Failure to comply with that deadline will result in the demolition of the house and an unhappy ending of many months of hard work, not to mention considerable expense.

We welcome any further assistance that the Commission can offer to help facilitate the scheduling of the temporary utility line removals.

Thank you very much for your time. Many people have worked very hard in hopes of a happy ending. We look forward to your response.

Sincerely,

Mark Emmanuelle
Block Island Housing Board

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: DEC 21 2006

BLOCK ISLAND HOUSING BOARD
PO BOX 220
BLOCK ISLAND, RI 02807

Employer Identification Number:
11-3771646
DLN:
17053065031006
Contact Person:
DONNA ELLIOT-MOORE ID# 50304
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
June 30
Public Charity Status:
170(b)(1)(A)(v)
Form 990 Required:
No
Effective Date of Exemption:
June 5, 2002
Contribution Deductibility:
Yes

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

Sincerely,



Lois E. Lerner
Director, Exempt Organizations
Rulings and Agreements

Enclosures: Information for Organizations Exempt Under Section 501(c)(3)

Letter 947 (DO/CG)

2002-1017

CHAPTER 45
2002-S 2878 am
Enacted 06/05/2002

A N A C T

RELATING TO NEW SHOREHAM -- AFFORDABLE HOUSING BOARD

Introduced By: Senator V. Susan Sosnowski
Date Introduced: March 13, 2002

It is enacted by the General Assembly as follows:

SECTION 1. Title 45 of the General Laws entitled "Towns and Cities" is hereby amended by adding thereto the following chapter:

CHAPTER 60
BLOCK ISLAND HOUSING BOARD

45-60-1. Creation of board. --- (a) There is created and established a body politic and corporate to be known as the "Block Island Housing Board" to carry out the provisions of this chapter. The board is constituted a public instrumentality exercising public and essential governmental functions, and the exercise by the board of the powers conferred by this chapter are deemed and held to be the performance of an essential governmental function of the town of New Shoreham.

(b) The board shall consist of seven (7) members all of whom shall be year-round residents of Block Island.

(c) Three (3) members of the board will be elected at large on a nonpartisan ballot by the voters of the town of New Shoreham to four (4) year terms. Candidates receiving the three (3) highest vote totals will be elected. In the first election, three (3) members will be elected; the two (2) receiving higher vote counts for four (4) years; one (1) receiving the third highest count to a two (2) year term. In subsequent elections, there will be two (2) openings, followed two (2) years later with one (1) opening, each for four (4) year terms, provided, however, that the town council of the town of New Shoreham shall appoint these three (3) members until the first regular town election following the enactment of this chapter.

(d) The New Shoreham town council shall appoint four (4) other members for two (2) year terms. Two (2) members shall represent a conservation group and a housing advocacy group respectively, the third shall be knowledgeable in real estate in the town. The remaining member shall be from the community at large.

(e) Should a board member resign for health or other reasons, the town council will appoint a person to fill the unexpired term of the vacating board member.

(f) Annually, the board shall elect from among its members a chairperson and vice-chairperson. The

board will appoint a treasurer who will maintain books of record in conjunction with the town treasurer. The board may elect any other officers it determines necessary. Meetings shall be held monthly, at a time to be determined by the board, at the call of the chairperson, or at the request of four (4) members. Four (4) members shall constitute a quorum and action taken by the board under the provisions of this chapter may be authorized by a majority of the members present and voting at any regular or special meeting.

(g) The board may appoint and employ an executive director on a full, part-time or contract basis, whose duties may include, but not be limited to:

(1) supervise and administer allocations made through the trust fund in accordance with this chapter and with the rules and regulations of the board;

(2) act as the chief administrative officer having general charge of the office and records;

(3) act as executive secretary of the board; and

(4) perform other duties as determined by the board which are in accordance with this chapter and with the rules and regulations of the board.

(h) The board shall hire legal counsel whose selection is subject to the approval for the town of New Shoreham for legal services.

45-60-2. Creation of Block Island housing trust fund. --- (a) There is created a special designated account to be known as the "Block Island Housing Fund." The fund shall be administered by the board and expenditures from the fund are made only to implement and effectuate the policies and purposes of this chapter. Funds shall consist of monies or in-kind donations from whatever source. These may include, but are not limited to, monies from the general treasury of the town, seasonal house rental taxes of no more than one percent (1%) of prevailing market rate, contributions from private or public sources, loans from private or financial institutions, grants, gifts or bequests.

(b) No funds shall be transferred from the housing trust account for investment or any other purpose without prior approval by the housing trust board.

(c) Unexpended balances and any earnings shall not revert to the town general fund but shall remain in the housing fund for use in accord with the purposes of this chapter.

45-60-3. General powers and duties of the board. --- (a) The board shall have all of the powers necessary and convenient to carry out and effectuate the purposes and provisions of this chapter, including, without limitation, those general powers provided to a nonprofit corporation and including, without limiting the generality of the foregoing, the power to:

(1) upon application from an eligible applicant in a form prescribed by the board, provide funding in the form of grants, loans, loan guarantees, lines of credit, rental assistance or any other means determined to further the goals of the trust for eligible activities;

(2) enter into cooperative agreements with private organizations or individuals or with any agency or instrumentality of the United States or of this state or town to carry out the purposes of this chapter;

(3) purchase, sell, build, develop or restore real estate, the objective of which is to create affordable year-round and seasonal housing in perpetuity;

(4) sell property to eligible applicants, such property may be deed-restricted such that affordability will remain in perpetuity;

(5) rent or lease real estate the board may own or lease from others;

(6) solicit bequests and accept donations;

(7) the selling to or renting/leasing to applicants will be done in accordance with the provisions of the Rhode Island Fair Housing Practices Act, R.I.G.L. section 34-37-1 et seq.

(b) The board shall adopt reasonable rules and regulations governing the conduct of trust affairs, including the acquisition and management of its holdings, not inconsistent with the provisions of this act. All rules and regulations of the trust are subject to the approval of the town council.

(c) All meetings of the housing board shall be open to the public except that this provision shall not be deemed to prevent holding of executive sessions, provided all votes are taken in public or closed meeting with recorded vote taken in accordance with chapter 42-46 of the Rhode Island open meetings law.

45-60-4. Allocation system. --- (a) In determining the allocation of funds available for the purposes of this chapter, the board shall evaluate each proposal on the basis of the following criteria which may include, but not be limited to:

(1) the need for a timely response to unpredictable circumstances or special opportunities to serve the purposes of this chapter;

(2) the level of funding or other participation by private or public sources in the activity being considered for funding by the board;

(3) what resources will be required in the future to sustain the project;

(4) the long-term effect of proposed activity and the likelihood that the activity will result in the preservation of affordability in perpetuity;

(5) the board's allocation system shall include a method, defined by rule, that evaluates the need for, impact of, and quality of, activities proposed by applicants.

(b) Affordable housing projects must result in units which remain affordable for the maximum time allowed by law; the housing board shall retain first right of refusal in the event of sale or transfer of such properties for which funds from this trust fund have been used.

45-60-5. Annual report. --- At the end of each fiscal year which is defined to begin on July 1 and continue through June 30 of each year, the board shall submit a report concerning its activities to the town council. More frequent reports may be given as requested. The report shall include, but not be limited to, the following:

(1) a list and description of activities funded by the board during the preceding year;

(2) a list of contributions received by the board, whatever their form or nature, and the source of the contributions, unless anonymity is a condition of a particular contribution;

(3) a full report of the board's activities;

(4) fund statements will be audited annually by a certified public accounting firm engaged by the housing board.

SECTION 2. This act shall take effect upon passage.

As always, your comments concerning this page are welcomed and appreciated.

Thank you for stopping by!

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TITLE 39

Public Utilities and Carriers

CHAPTER 39-2

Duties of Utilities and Carriers

SECTION 39-2-15.1

§ 39-2-15.1 Temporary removal of wires and supporting fixtures by nonprofit housing development corporation. – (a) Whenever, in order to move a building to be used as affordable housing for low and moderate income persons for a period of not less than ten (10) years, a nonprofit housing development corporation desires that the pipes, mains, poles, wires, conduits or fixtures, of a public utility be cut, disconnected, or removed, the public utility shall cut, disconnect, or remove the same at its own expense.

(b) A nonprofit housing development corporation which desires the cutting, disconnection, or removal of mains, poles, conduits, wires, or fixtures of a public utility shall give written notification thereof to the commission and the utility company. The written notification must contain the location of the site where the structure is presently located, the location of the final destination of the structure, the path of the proposed move, described in reference to the crossings of streets or highways, and the date of the required cutting, disconnection or removal.

(c) Upon receipt of the written notification described in subsection (b) of this section, the commission shall promptly determine whether the applicant is a nonprofit housing development corporation within the meaning of this chapter, and shall also determine whether the structure to be moved will be maintained as affordable housing for a period of not less than ten (10) years. A resolution, issued by the board of directors of the nonprofit housing development corporation and recorded at the land records office of the locality to where the structure is to be moved, stating that the structure will be used as affordable housing for a period of not less than ten (10) years, shall be satisfactory evidence that the requirements of this section have been satisfied. If the commission determines that the applicant satisfies the requirements of this section, it shall give notice thereof to the public utilities and require the applicant to coordinate its building move with the path(s), date(s) and time(s) as determined by the public utilities; however, the date(s), and time(s) shall be no later than thirty (30) days from the date the public utilities have received notice of the commission's determination.

(d) If, at any time during the ten (10) year period following the cutting, disconnection, or removal of the pipes, mains, poles, wires, conduits, or fixtures of a public utility, the nonprofit housing development corporation shall utilize the structure for any purpose other than affordable housing, the nonprofit housing development corporation shall reimburse the public utility for the cost of the cutting, disconnection, or removal of the same.