

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
SOCIAL SECURITY ADMINISTRATION  
BOSTON REGION

# MEMORANDUM

TO : Associate Commissioner  
for Program Operations

FOR : Pasquale F. Caligiuri  
IRI

FROM : Regional Commissioner

SUBJECT: State and Local - Rhode Island Modification No. 94 - South Kingston  
Housing Authority

CV-5  
DATE: February 28, 1977  
IPO-RBR

We are enclosing for your approval five copies of Modification No. 94 - South Kingston Housing Authority - submitted by the State of Rhode Island in connection with the Federal-State Agreement (under Section 218) of the Social Security Act.

This Modification has been reviewed by this office and cleared for approval by the Regional Attorney.

*RCB-*  
Robert C. Green

Enclosures

UNITED STATES GOVERNMENT  
*Memorandum*

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
SOCIAL SECURITY ADMINISTRATION

CV-5-13

TO : Harry J. Stahmer  
Acting Director

DATE: March 9, 1977

REFER TO: IRI-451

FROM : Contract Coverage Branch

SUBJECT: Modification No. 93 & 94, Rhode Island

Enclosed is the above identified modification and supporting documents for necessary action.

<u>3</u>	218(b) (5) Coverage Groups	<u>unk.</u>	No. of Employees
<u>      </u>	218(d) (4) Coverage Groups	<u>      </u>	No. of Employees
<u>      </u>	Other (See Remarks)	<u>      </u>	No. of Employees
<u>3</u>	Total No. of Coverage Groups	<u>unk.</u>	Total No. of Employees Covered

Remarks:

Enclosure(s)  
CFButler:gcb 3/9/77

*CFButler 3/9/77*

MODIFICATION NO. 94

The Secretary of Health, Education and Welfare and the State of Rhode Island acting through its representative designated to administer its responsibilities under the Agreement of December 20, 1951 hereby accept as additional coverage groups (as defined in Section 218 (b) (5) of the Act), under said Agreement and acknowledge full applicability of the terms of said agreement to subdivision of the State.

COVERAGE

Housing Authority of the  
Town of South Kingstown

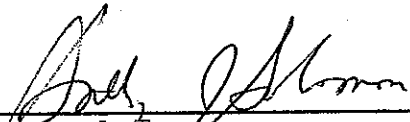
NAME

Executive Director  
Housing Authority of the  
Town of South Kingstown  
P.O. Box #6  
Peace Dale, Rhode Island, 02883

The effective date for coverage of this group shall be April 1, 1976.

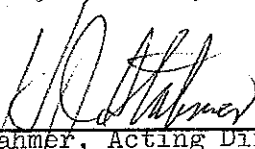
"In accordance with Section 218 (f) (2) of the Act, the State of Rhode Island designates the following date:  
February 2, 1977.

Approved for the State of Rhode Island this second day of February, 1977.

By   
General Treasurer

Approved this 9th day of March 1977

Secretary of Health, Education and Welfare.

By   
H. J. Stahmer, Acting Director  
Division of Coverage

Bureau of Retirement and Survivors Insurance  
Social Security Administration

# MEMORANDUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
OFFICE OF THE SECRETARY  
REGION I

TO : Assistant Regional Commissioner  
RST

DATE: February 17, 1977

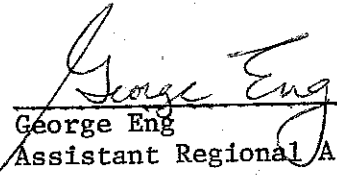
FROM : Office of the General Counsel  
Boston Regional Office

FEB 28 1977

SUBJECT: State and Local Coverage - Rhode Island Modification No. 94 - South Kingston  
Housing Authority

Cleared for Approval.

Enclosed are Modification No. 94 and the incorporation papers of the South  
Kingston Housing Authority.

  
George Eng  
Assistant Regional Attorney

Enclosures

UNITED STATES GOVERNMENT

# Memorandum

SSI SI-16

TO : Regional Commissioner  
Boston Regional Office

DATE: February 3, 1977

FROM : District Manager  
Providence, Rhode Island

SUBJECT: Modification Number 94 to the Federal-State Agreement

Enclosed are five (5) copies of Modification Number 94, covering the services of employees of the South Kingstown Housing Authority. These were received in our office on February 2 and were date-stamped in immediately.

Thank you for your assistance in seeing that this Modification is reviewed and sent on for final action.

*Charles R. Cote*  
Charles R. Cote

Enclosures

RECEIVED  
FEB 7 1977



ANTHONY J. SOLOMON  
GENERAL TREASURER



ALFRED S. PERTUSO  
ADMINISTRATIVE ASSISTANT

State of Rhode Island and Providence Plantations  
TREASURY DEPARTMENT  
OFFICE OF THE GENERAL TREASURER  
PROVIDENCE

FEB 7 1977

February 4, 1977

Alexander Capalbo, Adm. Assistant  
Dept. of Health, Education & Welfare  
Social Security Administration  
200 Dyer Street  
Providence, Rhode Island, 02903

Dear Mr. Capalbo:

Enclosed you will find two (2) copies of the incorporation papers for the Housing Authority for South Kingstown. Your legal department in Boston will probably appreciate these copies.

If we can be of further assistance do not hesitate to contact me.

Sincerely,

Francis J. Nelen  
Supervisor - Social Security

FJN/lfw

enc: Form Modification #94

NOTE: DO NOT USE THIS ROUTE SLIP TO SHOW FORMAL CLEARANCES OR APPROVALS

DATE 2/11/00

TO: Resident Commissioners Office

RE: State of Hawaii Coverage

<input type="checkbox"/> YOUR JURISDICTION	<input type="checkbox"/> NECESSARY ACTION
<input type="checkbox"/> NO RECORD HERE	<input type="checkbox"/> TO BE FILED
<input type="checkbox"/> PER CONVERSATION	<input type="checkbox"/> ATTACHED CORRESPONDENCE (UN) ACKNOWLEDGED
<input type="checkbox"/> FOR YOUR INFORMATION	<input type="checkbox"/> MISDIRECTED
<input type="checkbox"/> AS REQUESTED	<input checked="" type="checkbox"/> ASSOCIATE WITH MATERIAL PREV. TRANSMITTED ON <u>2/3/00</u>

REMARKS: R. I. Moore

# 94

Thanks you

FROM: Providence, R. I.

FORM OAAD-408 ROUTE SLIP R.RPO: 1974-445-522/071 (2-61)

MCD # 94

APPLICATION FOR CERTIFICATE OF INCORPORATION

To: Secretary of State,  
State of Rhode Island, and Providence Plantations

We, the undersigned Commissioners of the Housing Authority of the Town of South Kingstown, Rhode Island, hereby apply, in pursuance of the provisions of the Housing Authorities Law, as amended, for a certificate incorporating said Housing Authority, and in support of such application furnish the following information:

1. On the 22nd day of October, A. D. 1962, a Resolution was adopted by the Town Council of the Town of South Kingstown in connection with the need for a Housing Authority to function in said Town of South Kingstown, R. I.; that the said Resolution of the said Town Council of the Town of South Kingstown made a determination that there was a need for a Housing Authority in the Town of South Kingstown, R. I., that said determination was made by the said Town Council on its own Motion and in accordance with the provisions of the Housing Authority's Law as set forth in the General Laws of the State of Rhode Island, 1956, in Title 45, Chapter 26, Sections 2 and 3; that immediately following this determination the Town Council did appoint the five commissioners of the authority and appended to this application is the Town Clerk's Certificate as to said appointments.

2. The name and official residence of each of the Commissioners, as well as the date and place of the induction into and the taking oath of office, are as follows:

Name	Official Residence	Date	Place
Thornton N. McClure	17 Clarke Lane Kingston, R. I.	10-23-62	So. Kingstown, R.I.
Lawrence A. Washburn	72 Church Street Peace Dale, R. I.	10-23-62	So. Kingstown, R.I.
Robert V. Gardner	Stonehenge Road Kingston, R. I.	10-23-62	So. Kingstown, R.I.
Anne Margarete Renz	62 Kenyon Avenue Wakefield, R. I.	10-23-62	So. Kingstown, R.I.
Ethel S. Brewster	886 Main Street Wakefield, R. I.	10-23-62	So. Kingstown, R.I.

The Commissioners desire that the Housing Authority become a



public body and a body corporate and politic under the Housing Authorities Law, as amended.

3. Set forth below is the term of office of each of the Commissioners:

Name	From	To
Thornton N. McClure	October 22, 1962	October 21, 1967
Lawrence A. Washburn	October 22, 1962	October 21, 1966
Robert V. Gardner	October 22, 1962	October 21, 1965
Anne Margarett Renz	October 22, 1962	October 21, 1964
Ethel S. Brewster	October 22, 1962	October 21, 1963

4. The name which is proposed for the corporation is "Housing Authority of the Town of South Kingstown, Rhode Island"; and

5. The principal office of the proposed corporation is located at Town Hall, 66 High Street, in the Town of South Kingstown, Rhode Island.

We, the undersigned Commissioners of the Housing Authority of the Town of South Kingstown, Rhode Island, solemnly swear (or affirm) that we have carefully read the foregoing application, and that to the best of our knowledge and belief all the information contained therein is true and correct.

Lawrence A. Washburn  
Thornton N. McClure  
Robert V. Gardner  
Anne Margarett Renz  
Ethel S. Brewster

Dated this 23<sup>rd</sup> day of October, 1962.

CERTIFICATE

I hereby certify that on the 23<sup>rd</sup> day of October, 1962, personally appeared before me, the subscribers, Thornton N. McClure, Lawrence A. Washburn, Robert V. Gardner, Anne Margarett Renz, Ethel S. Brewster, to me personally known and known to me to be the Commissioners described in the foregoing application, and each duly subscribed and swore to the foregoing in my presence.

John P. Sheldon  
 Joseph P. Peltier  
 John Peltier

# Town of South Kingstown, R. I.

TOWN CLERK'S OFFICE

CLERK OF TOWN COUNCIL AND PROBATE COURT

Wakefield, Rhode Island



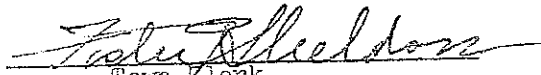
FOSTER R. SHELDON  
TOWN CLERK & PROBATE CLERK  
TEL. ST. 3-2511

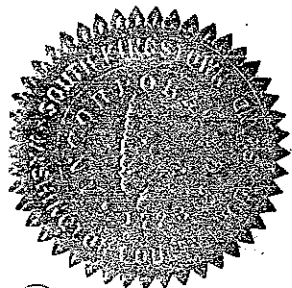
I, Foster R. Sheldon, Town Clerk of the Town of South Kingstown, Rhode Island, do hereby certify that at a meeting of the Town Council of the Town of South Kingstown held October 22, 1962, the following were appointed Commissioners of the Housing Authority of the Town of South Kingstown, Rhode Island, and Lawrence A. Washburn was designated as its first Chairman.

	<u>Term Expires</u>
Lawrence A. Washburn, Chairman	October 1966
Thornton N. McClure	October 1967
Robert V. Gardner	October 1965
Anne Margarette Renz	October 1964
Ethel S. Brewster	October 1963

I further certify that none of the persons appointed by the Town Council of the Town of South Kingstown to serve as Commissioners of said Housing Authority is a Town Official.

IN WITNESS WHEREOF, I have set my hand and affixed the corporate seal of the Town of South Kingstown, Rhode Island, this 23rd day of October, 1962.

  
Town Clerk.



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

DEPARTMENT OF STATE

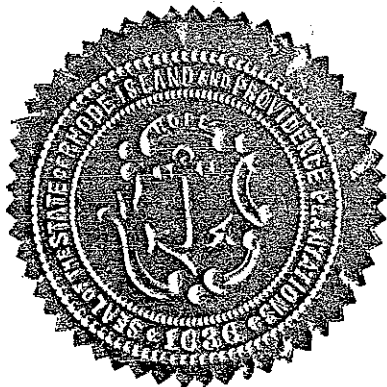
OFFICE OF THE SECRETARY OF STATE

October 23, 1962

I, JAMES C. CARR, First Deputy Secretary of State of the State of Rhode Island and Providence Plantations, HEREBY CERTIFY that an original APPLICATION OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE TOWN OF SOUTH KINGSTOWN, RHODE ISLAND FOR A CORPORATE CHARTER PURSUANT TO SECTION 45-25-7, GENERAL LAWS OF RHODE ISLAND, 1956, was filed in this office on the twenty-third day of October, A. D. 1962, in accordance with the provisions of Section 45-25-7 of the General Laws of 1956; and

I FURTHER CERTIFY that said Application of Commissioners aforesaid did comply with the provisions of Section 45-25-7 of the General Laws of 1956 and this certificate is issued to said "Housing Authority of the Town of South Kingstown, Rhode Island" pursuant to Section 45-25-9 of the General Laws of 1956.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of the State of Rhode Island this twenty-third day of October, A. D. 1962.



*James C. Carr*  
First Deputy Secretary of State

MODIFICATION NO. 94A

TO RHODE ISLAND STATE SOCIAL SECURITY AGREEMENT

Whereas, Modification No. 87 and 88 of the agreement of December 20, 1951, between the State of Rhode Island and the Secretary of Health and Human Services included the following political subdivision under said agreement in the following terms:

Rhode Island Turnpike and Bridge Authority 69-0150060  
Effective Date: December 20, 1951  
Services Excluded: Student and Part-time Positions

and

Whereas, the State of Rhode Island in error included the above political subdivision as an entity desiring to exclude from coverage student and part-time positions, Modifications 87 and 88: and

Whereas, the entity by telephone action requested that the part-time and student positions not be excluded from coverage; and

Whereas, the State of Rhode Island erroneously listed the entity, Rhode Island Turnpike and Bridge Authority 69-0150060 in both Modifications 87 and 88, the State of Rhode Island desires to correct the above error in Modifications 87 and 88 by deleting from the listing: "Rhode Island Turnpike and Bridge Authority, 69-0150060".

Now, Therefore, the Secretary of Health and Human Services and the State of Rhode Island acting through its representative designated to administer its responsibilities under the above agreement, hereby agree to and by this modification do correct the coverage accorded to the Rhode Island Turnpike and Bridge Authority by said agreement to read as follows:

Rhode Island Turnpike and Bridge Authority 69-0150060  
Effective Date: December 20, 1951  
Excluded Services: None

Approved for the State of Rhode Island this 10th  
day of February, 19 81.

*James W. Helen - As. Secy.*  
(Name and Title of State  
Official Signing Modification) *Lower Security*

Approved this 31st day of March, 19 81.

Secretary of Health and Human Services,

BY: *Edward G. Dumbauld*



DEPARTMENT OF HEALTH & HUMAN SERVICES

Social Security Administration

Refer to:

Region I  
John F Kennedy Federal Bldg  
Government Center  
Boston MA 02203

1 APR 1981

Mr. Anthony Solomon  
General Treasurer  
Treasury Department  
State House  
Providence, Rhode Island 02903

Dear Mr. Solomon:

We are enclosing one copy of executed Modification Number 94 to the coverage agreement between the State of Rhode Island and the Secretary of Health and Human Services under Section 218 of the Social Security Act as amended. This modification was executed pursuant to authority delegated by the Secretary.

The services corrected under the agreement by this modification are covered beginning with the dates indicated.

Sincerely,

Edward A. Monkevich, Jr.  
Assistant Regional Commissioner  
Programs

Enclosures

# MEMORANDUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
OFFICE OF THE REGIONAL ATTORNEY  
REGION I

TO : Edward A. Monkevich, Jr.  
Assistant Regional Commissioner,  
Programs

DATE: March 19, 1981

FROM : Office of General Counsel  
Boston Regional Office

SUBJECT: State and Local Coverage - Rhode Island - Modification No. 94

Cleared for approval.

*Lawrence E. Burstein*  
\_\_\_\_\_  
Lawrence E. Burstein  
Assistant Regional Attorney

# MEMORANDUM

1PB

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
OFFICE OF THE REGIONAL ATTORNEY  
REGION I

TO : Edward A. Monkevich, Jr.  
Assistant Regional Commissioner,  
Programs

DATE: October 29, 1980

FROM : Lawrence E. Burstein *743*  
Assistant Regional Attorney

SUBJECT: State and Local - Rhode Island - Modification No. 94

The State of Rhode has submitted Modification No. 94 to correct errors that were allegedly made in Modifications No. 87 and 88. The errors were the inclusion of the Rhode Island Turnpike and Bridge Authority as one of the coverage groups that had elected to exclude students (Modification No. 87) and part time positions (Modification No. 88) from coverage effective September 30, 1973. You have asked for our opinion as to whether there is sufficient evidence to establish that an error actually occurred.

While the evidence presented is somewhat confusing, it does appear that some error actually occurred. Either the Rhode Island Turnpike and Bridge Authority erroneously reported wages for part-time positions or the State erroneously included the authority in the list of coverage groups electing the exclusion of part-time and student positions.

The Rhode Island Turnpike and Bridge Authority first became covered under the Rhode Island State Agreement by Modification No. 55, effective January 1, 1964. It was included in a list of 52 coverage groups that had elected to exclude part-time positions (Modification No. 88) and 53 coverage groups that had elected to exclude students <sup>1/</sup> (Modification No. 87) effective September 30, 1973. A recent onsite review revealed that the Authority had continued to report the wages of employees in part-time positions after September 30, 1973. The results of the onsite review would be evidence that some error had occurred (either an error in reporting or a clerical error in the list of coverage groups electing to exclude part-time positions). We assume that the Authority has consistently continued to report wages for its part-time employees since September 30, 1973. If this is so, that fact would constitute evidence of the Authority's belief that it had not elected to exclude the services of those employees from coverage.

The coverage group for the Authority originally established by Modification

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<sup>1/</sup> As the student exclusion can only apply to services performed "in the employ of a school, college or university by a student or a student nurse who is enrolled and regularly attending classes at such school, college or university" there is some question as to whether the inclusion of the Authority among the coverage groups electing this exclusion makes any difference.

No. 55 contained no optional exclusions. Therefore, the services of part-time employees (and students if applicable) would have been covered unless the Authority took some affirmative action to exclude them. It appears that the only action taken by the Authority to exclude part-time employees was a letter dated March 6, 1973 stating that "we would possibly be interested in being included [among the groups electing the exclusion]." According to the State the only other communication it received from the Authority regarding the exclusion of part-time employees and students was a phone call from Mr. Shanley (the Authority's Controller) advising the State that the Authority did not wish to exclude part-time services. Under the circumstances the evidence furnished by the State in conjunction with the evidence disclosed by the onsite review would be sufficient to establish that an error actually occurred.

We note that Modification No. 94, as prepared by the State is not in the appropriate form for an error modification in that it does not explain the nature of the error and request its correction. The modification should also recite that wage reports and contribution returns have been filed for the services of all part-time employees.



MODIFICATION NO. 94

TO RHODE ISLAND STATE SOCIAL SECURITY AGREEMENT

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Rhode Island Turnpike and Bridge Authority 69-0150060  
Effective Date: December 20, 1951  
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and

Whereas, the State of Rhode Island in error included the above political subdivision as an entity desiring to exclude from coverage student and part-time positions, Modifications 87 and 88: and

Whereas, the entity by telephone action requested that the part-time and student positions not be excluded from coverage; and

Whereas, the State of Rhode Island erroneously listed the entity, Rhode Island Turnpike and Bridge Authority 69-0150060 in both Modifications 87 and 88, the State of Rhode Island desires to correct the above error in Modifications 87 and 88 by deleting from the listing: "Rhode Island Turnpike and Bridge Authority, 69-0150060".

Now, Therefore, the Secretary of Health and Human Services and the State of Rhode Island acting through its representative designated to administer its responsibilities under the above agreement, hereby agree to and by this modification do correct the coverage accorded to the Rhode Island Turnpike and Bridge Authority by said agreement to read as follows:

Rhode Island Turnpike and Bridge Authority 69-0150060  
Effective Date: December 20, 1951  
Excluded Services: None

Approved for the State of Rhode Island this 10th  
day of February, 19 81.

*Francis J. Keller*  
*As. Secy. Social Security*  
(Name and Title of State  
Official Signing Modification)

Approved this 31st day of March, 19 81.

Secretary of Health and Human Services,

BY: *Edward A. M... J.*