

STATE PROPERTIES COMMITTEE

Tuesday, November 9, 2004

The meeting of the State Properties Committee was called to order at 10:05 A.M. by Chairman Jerome F. Williams. Other members present were, Genevieve Allaire Johnson, Esquire, representing the Department of Attorney General, Mr. Robert Griffith, representing the Department of Administration, Senator John McBurney and Mr. Thomas Barry. Also present were, Messrs. Robert Brunelle and Am Lisnoff, from the Department of Administration; Ms. Maureen McMahon, Michael Mitchell, Esquire and Messrs. Andrew Cardillo, Daniel Clarke, Robert Jackson and William McCarthy, from the Department of Transportation; Louis Saccoccio, Esquire and Mr. Steve Marginson, from *CCRI*; Messrs Jay Lindgren, Warren Hulbert and Larry Bacher, from the Department of Children, Youth and Families; Jane Morgan, Esquire, from the Department of Mental Health, Retardation and Hospitals; Jacqueline Kelley, Esquire and Ms. Gail Dunphy, and Mr. Daniel Evangelista from the Department of Human Services; Richard Bianculli, Esquire and Ms. Lisa Bryer, and Ms. Thomas Tighe, from the Town of Jamestown; and, Messrs. James McGinn and John O'Brien, from the Department of Environmental Management;

The Minutes of the meeting held on October 26, 2004 were approved.

1. OLD BUSINESS
2. NEW BUSINESS -Miscellaneous - The next meeting of the State Properties Committee is scheduled to be held on Tuesday, November 23, 2004.

ITEMA-DEPARTMENT OF CORRECTIONS- Adult Probation and Parole –
A request was made by the Department for approval and signatures on a Lease Amendment for office space at 249 Roosevelt Avenue, Pawtucket.

At the request of the Department, this item was deferred to November 23, 2004.

ITEM C - BOARD OF GOVERNORS FOR HIGHER EDUCATION - CCRI -

A request was made by the Department for approval and signatures on a Grant of Easement with the Narragansett Electric Company for installation of utility services to the CCRI Campus, Newport.

This is a utility easement for the Narragansett Electric Company that is required to provide electrical services to the new Newport Campus of the Community College of Rhode Island. Approval was subject to receipt of the Certificate of Insurance from Narragansett Electric Company.

A Motion was made by Mr. Thomas Barry and seconded by Ms. Genevieve Allaire Johnson to approve the request of the Board of Governors for approval and signatures on a Grant of Easement with the Narragansett Electric Company for installation of utility services to the CCRI Campus, Newport. Approval was subject to receipt of the Certificate of Insurance from Narragansett Electric Company

Passed Unanimously

ITEM I - DEPARTMENT OF TRANSPORTATION - A request was made by the Department for approval and signatures on renewal of a License Agreement with Apex Development LLC for land along Main Street in Pawtucket.

This is a renewal of the License Agreement with Apex Development Company, LLC for 29,500 square feet of land along Main Street in Pawtucket. This is for vehicle parking. This is a five (5) year agreement. The term of the agreement is September 1, 2004 to August 29, 2009. Rent is at the rate of \$983.33 per month. This is a paved lot and is used in conjunction with the Registry of Motor Vehicles and is used predominately for employee parking at the Registry. This agreement is revocable-at-will.

Senator McBurney joined the meeting at 10:10 A.M. and a recap of this presentation was made.

A Motion was made by Mr. Bany and seconded by Ms. Allaire Jolmson to approve the request of the Department for approval and signatures on renewal of a License Agreement with Apex Development LLC for land along Main Street in Pawtucket.

The Chair, Mr. Jerome Williams, voted "Aye", Mr. Robert Griffith voted "Aye", Mr. Thomas Bany voted "Aye", Ms. Genevieve-Allaire Johnson voted "Aye", and Senator McBurney voted "Naye".

The Motion passed with a 4-1 vote.

ITEM J - DEPARTMENT OF TRANSPORTATION -A request was made by the Department for approval and signatures on a License Agreement with The Prout School for use of 200 square feet of land along Tower Hill Road in South Kingstown. This agreement allows The Prout School to erect a sign for the school. The term of the license is for three (3) years commencing July 1, 2004 to June 30, 2007. The license is being granted at cost recovery, which is in excess of fair market value. The fee is Six Hundred Dollars (\$600.00) per year.

A Motion was made by Mr. Griffith and seconded by Mr. Bany to approve the request of the Department for approval and signatures on a License Agreement with The Prout School for use of 200 square feet of land along Tower Hill Road in South Kingstown.

Passed Unanimously

ITEM K -DEPARTMENT OF TRANSPORTATION -A request was made by the Department for approval and signatures on Warranty Deed with Robert M. Cournoyer for acquisition of Plat 2489, Woonsocket, for the Blackstone River Bikeway.

The State Propeties Committee conceptually approved acquisition of Plat 2489, Parcels 5A, 22A, 23A and 25A totaling 176,181 square feet on October 12, 2004. The propeti y owner is in full agreement with the amount of just compensation in the amount of \$193,800. The Warranty Deed references Assessors Plat 37, Lots 226, 227, 228 and Assessors Plat 38, Lot 118.

A Motion was made by Mr. Barry and seconded by Mr. Griffith to approve the request of the Department for approval and signatures on Warranty Deed with Robert M. Cournoyer for acquisition of Plat 2489, Woonsocket, for the Blackstone River Bikeway.

Passed Unanimously

ITEM L -DEPARTMENT OF TRANSPORTATION- A request was made by the Department for approval of Condemnation Plat 2635 for improvements to Dean, Cahir and Stuart Streets, Providence.

On July 13, 2004, the Department received conceptual approval to obtain the necessary acquisitions and easements for Condemnation Plat 2635 for improvements to Dean, Cahir and Stuart Streets, from West Exchange Street to Point Street, Providence. There have been changes to ownership of Parcels 11, 14, 47, 18, 19, 29, 31, 42, 44, and 49, and design change in Parcels 1, 2, 3 and 4. The total amount of compensation has been reduced from \$97,176 to \$94,886. This project is 80% Federally funded.

The Chair, Mr. Williams asked the Department do a comparison relative to the properties that were sold vs the appraisals that had been done, and report back to the Committee at the next meeting.

A Motion was made by Mr. Griffith and seconded by Ms. Genevieve Allaire Johnson to approve the request of the the Department for approval of Condemnation Plat 2635 for improvements to Dean, Cahir and Stuart Streets, Providence.

Passed Unanimously

ITEM M- DEPARTMENT OF TRANSPORTATION- A request was made by the Department for approval and signatures on Purchase and Sales Agreement with Woodfield Farms LLC for conveyance of land on Tollgate Road, Warwick.

On July 13, 2004, the Department received conceptual approval to appraise and negotiate for the sale of 3.5 acres of land in Warwick to Woodfield Farms LLC. Woodfield Farms LLC is in a Purchase and Sales Agreement to acquire a large tract of land (LaFlemrn farm) for residential development. Woodland Farms LLC approached the Department and requested to purchase 3.5 acres of landlocked property. Since the time of conceptual approval, the Department has had the property appraised and it has been appraised at \$.90 per square foot for \$137,000.00. Mr. Peskin (Woodfield Farms LLC) intends to seek a change of zoning classification and may enter into certain agreements with the City of Warwick regarding the use of and access to the property and apply for any other permits and approvals necessary to develop the property. He is under Purchase and Sales to purchase the LaFlemm farm. The Department has negotiated a Purchase and Sales Agreement for the sale of this State land, subject to State Properties Committee approval, and subject to Mr. Peskin's purchase of the larger tract of land. The Department was

looking for conceptual approval and approval and signatures of the Purchase and Sales Agreement, and will return for final approval and signatures on a Deed if the negotiations are successful. The Department requests approval and signatures on Purchase and Sales Agreement laying out the details of the proposed sale. A discussion took place about the buffer zones to the property. The property was acquired by condemnation and the surplus process has been completed.

A Motion was made by Mr. Barry and seconded by Ms. Allaire Johnson to approve the request of the Department for Purchase and Sales Agreement with Woodland Farm1s LLC for conveyance of 3.5 acres of land on Tollgate Road, Warwick.

Passed Unanimously

ITEM B -DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES-

Presentation- Community Transition Homes.

The Chair, Mr. Williams explained that the Committee has asked agencies to make presentation's of large projects prior to seeking approval on various items.

Director Jay Lindgren, from the Department of Children, Youth and Families, gave a presentation to the Committee, and a request was made by the Department for permission to prepare an RFP for a real estate firm.

The DCYF Training School has been under a Consent Decree and much of the programmatic aspects of that Consent Decree have been cleared up. The major stumbling block has been the condition of the existing facility. The Department has concluded there was no way by revamping the current facility that the Department could come into compliance. The Department's ultimate goal is to arrive at a point where it could be accredited by a National organization, the American Association of Corrections. The Governor and the General Assembly had concluded that the Department would vacate the

entire campus where it is, and take most of what it wants to do programmatically to the other side of highway 37, where it now has a small program for girls and a small program for boys. Then controversy arose about the size of the site and the conditions of that site and there were some plans initially to put the entire program there. After much discussion with the Governor and leaders of the Assembly, a decision was made to only put part of the program there. What the Department plans to do on the site the other side of Rt 37 is to put a 96 bed, very secure facility under one roof for boys. Further up on the complex, closer to Howard Avenue, the Department will build a Detention Center. That will be for boys only and contain 52 beds. The Department plans to privatize the girls facility, about 20-25 beds, go to the profit or not for profit sector to operate that program and to find a place off site of the Pastore Complex.

The Department would like to establish seven (7) ten bed facilities in the communities that the boys come from. These will be called Transition Homes. The facilities would be staffed by the Department's staff. There are no specific locations at this time, but the general areas would be Acquidneck Island, Newport or the area around Newport, possibly Portsmouth; Providence, Pawtucket-Central Falls area; Warwick or West Warwick area and Woonsocket. The Department will come back to the Committee with specifics as it goes forward. The Department has looked at State property and has not been successful. It will look to the private sector. It is the Department's goal to stay out of the regular residential neighborhoods and would prefer to be in semi-industrial, or communities that are more transient in nature, but wants to fit in and not be out in the fields. It will be looking for 1/2 or 1/3 acres for these facilities. Director Lindgren gave an in-depth concept of the Department's program. Discussion ensued. The seven (7) ten bed programs give the Department opportunity to qualify for Medicaid reimbursement.

The Department would like to ask the Committee for permission to go out for an RFP and hire a real estate broker given the perimeters it is looking for and have them search in the communities. The first effort has been to look at all State owned land and the second has been to talk to private non-profits, such as the Airport Corporation and other non-profits. The Department is moving towards having to go outside to privately held property, but not before looking at everything else first. There has been no determination as yet as to disposition of the property DCYF will be vacating.

A request was made by the Department for permission to prepare an RFP for a real estate firm.

A Motion was made by Mr. Barry and seconded by Mr. Griffith to approve the request of the Department to prepare an RFP relative to hiring a real estate firm to solicit properties for the Department's Transition Homes.

Passed Unanimously

Senator McBurney left the meeting.

ITEMD-DEPARTMENT OF MENTAL HEALTH, RETARDATION & HOSPITALS -A request was made by the Department for final approval and signatures on an Agreement transferring property located at 80 Summit Street, Pawtucket, to the Northern Rhode Island Community Mental Health Services.

This Agreement transfers property at 80 Summit Street, Pawtucket to the Northern Rhode Island Community Mental Health Services, which is known as the Wilson House. The Wilson House is a twenty-four (24) bed facility for men. The Department is transferring this facility to the Northern Rhode Island Community Mental Health Center with the restriction that if it no longer uses the facility for the purposes for which the Department is transferring it to them, it will revert back to the State. Or, if it

sells the property, it would be required to use the proceeds of that sale to purchase another substance abuse/behavioral health treatment facility. If they do not use the proceeds of the sale to purchase a residential substance abuse/behavioral health treatment facility, the proceeds of the sale of the property shall revert to the State. This matter was conceptually approved on August 17, 2004. Since that conceptual approval, a request was made by the Rhode Island Historic Preservation Society that the property be conveyed with a historic preservation easement. Upon transfer of the property, the Northern Rhode Island Community Mental Health Center shall immediately grant to the State, through its Historical Preservation and Heritage Commission, a Historic Preservation Easement and Restriction. Such Historic Preservation Easement and Restriction shall be recorded by the Northern Rhode Island Community Mental Health Center with the City of Pawtucket, Recorder of Deeds and provided to the Historical Preservation and Heritage Commission.

A Motion was made by Mr. Griffith and seconded by Ms. Allaire Johnson to approve the request of the Department for final approval and signatures on an Agreement transferring property located at 80 Summit Street, Pawtucket, to the Northern Rhode Island Community Mental Health Services.

Passed Unanimously

ITEM E -DEPARTMENT OF HUMAN SERVICES- Disability Determination Services -A request was made by the Department for approval and signatures on a Lease with Emanon Associates LP, for office space at 40 Fountain Street, (Gardner Building) Providence.

At the request of the Department, this item was deferred to November 23.

ITEM G-DEPARTMENT OF HUMAN SERVICES -A request was made by the Department for approval and signatures on a Fourth Amendment and Reformation and Indenture of Lease with the Boys' and Girls' Club of East Providence, Inc. relative to property at the Veterans Home.

The Department of Human Services owns land behind the Veterans Home in Bristol. The Department has a lease with the Boys' and Girls' Club of East Providence to operate a summer camp on the property and it is adjacent to the boat ramp. The Department of Environmental Management is planning to upgrade the boat ramp facility and in doing so, it needs to relocate a small area of their fence further into their property. This matter was conceptually approved on October 12, 2004. There have been no changes since that approval. The Department asked that this matter be approved subject to receipt of Certificate of Disclosure from the Boys' and Girls' Club of East Providence.

A Motion was made by Mr. Griffith and seconded by Mr. Barry to approve the request of the Department for approval and signatures on a Lease with the Boys' and Girls' Club of East Providence, Inc. relative to property at the Veterans Home. Approval was subject to receipt of Certificate of Disclosure from the Boys' and Girls' Club of East Providence.

Passed Unanimously

ITEM F-DEPARTMENT OF HUMAN SERVICES -A request was made by the Department for approval and signatures on a Cooperative Agreement with the Department of Environmental Management Division of Fish and Wildlife relative to property at the Veterans Home.

The Veterans Home property is located on the bay and there is a boat ramp to the water. This ramp is in disrepair and the Department of Environmental Management desires to repair the boat ramp. This was conceptually approved on October 12, 2004.

A Motion was made by Mr. Barry and seconded by Mr. Griffith to approve the request of the Department for approval and signatures on a Cooperative Agreement with the Department of Environmental Management Division of Fish and Wildlife relative to property at the Veterans Home.

Passed Unanimously

ITEM H-DEPARTMENT OF HUMAN SERVICES -A request was made by the Department for approval and signatures on a Memorandum of Agreement with the SelfHelp Community Action Program for office space at 100 Bullocks Point, Riverside.

The Department has closed its East Providence District Office. Self Help has offered to provide space in its facility where the Department could outstation staff for three days a week to provide access to its public assistance program for residents living in the East Bay area. The Department uses 500-600 square feet of space. Rent is at the rate of \$500.00 per month.

A Motion was made by Mr. Griffith and seconded by Mr. Barry to approve the request of the Department for approval and signatures on a Memorandum of Agreement with the Self Help Community Action Program for office space at 100 Bullocks Point, Riverside.

Passed Unanimously

The with exception of Item "I", in which Senator McBurney voted "Naye", all matters presented to the Committee were approved by all present.

There being no further business to come before the Committee, the meeting
adjourned at 11:20 A.M.

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e L. Lanm, Executive Secretary

*Approved as Recreated
11/23/04*

STATE PROPERTIES COMMITTEE

Tuesday, October 26, 2004

The meeting of the State Properties Committee was called to order at 10:06 A.M. by Chairman Jerome F. Williams. Other members present were, Genevieve Allaire Johnson, Esquire, representing the Department of Attorney General, Mr. Robert Griffith, representing the Department of Administration and Representative John J. McCauley, Jr. Also present were, Mr. John Ryan, from the Department of Administration; Messrs. Paul Carcieri, Andrew Cardillo, Daniel Clarke, and Marc Mulkasian, from the Department of Transportation; Ms. Lisa Primiano and Deborah George, Esquire, from the Department of Environmental Management; Mr. Francis Parisi from TCP Communications; Mr. Richard DelFino, from the Department of Corrections; and, Mr. Thomas E. Hodge, from the Office of the Auditor General.

The Minutes of the meeting held on October 12, 2004 were approved.

1. OLD BUSINESS
2. NEW BUSINESS- Miscellaneous- The next meeting of the State Properties Committee is scheduled to be held on Tuesday, November 9, 2004.

ITEM A-DEPARTMENT OF MENTAL HEALTH, RETARDATION & HOSPITALS -A request was made by the Department for final approval and signatures on Agreement transferring property located at 80 Summit Street, Pawtucket, to the Northern Rhode Island Community Mental Health Services.

At the request of the Department, this item was deferred to November 9, 2004.

ITEM B -DEPARTMENT OF CORRECTIONS -Adult Probation and Parole Office - A request was made by the Department for final approval and signatures on Lease Agreement for office space located at 1 Joyce Street, Warren.

The Department was requesting approval and signatures on a Lease Agreement for office space for its Adult Probation and Parole Office. This space is located in the East Bay Government Center located at 1 Joyce Street in Warren. This space consists of 1,674 square feet. The Lease is inclusive and includes janitorial, utilities, parking and snow and ice removal. There is a good cancellation clause in the event the Department chooses to move within the next five (5) years. The rate for the Lease is \$9.44 per square foot for the first year and increases two (2%) percent each year until the final year, year five (5), which would be at rate of \$10.21 per square foot.

The Police Department is located in the same building. There is a great deal of information sharing between the two Departments and the relationship has been a good one. The current rate of rent is \$9.25 per square foot.

A Motion was made by Mr. Robert Griffith and seconded by Ms. Genevieve Allaire - Johnson to approve the request of the Department for final approval and signatures on Lease Agreement for office space located at 1 Joyce Street, Warren.

Passed Unanimously

Representative McCauley joined the meeting at 10:10 A.M.

ITEM C -DEPARTMENT OF ENVIRONMENTAL MANAGEMENT -A request was made by the Department for approval and signatures on Agreement with TCP Communications, Inc., and CIT Lending Services Corporation in connection with Indenture of Lease with National Tower, LLC assigned to TCP Communications relative to a telecommunication s facility at George Washington Management Area on Putnam Pike, Gloucester.

The Department requested approval and signatures on a Tripartite Agreement among TCP Communications, Inc., CIT Lending Services Corporation and the State of

Rhode Island, Department of Environmental Management. This is in connection with Indenture of Lease between National Tower, LLC and the Department dated August 19, 2003, assigned to TCP Communications December 8, 2003 relative to a wireless telecommunications facility at George Washington Management Area on Putnam Pike in Gloucester. This Agreement is in connection with financing that TCP communications is receiving from CIT Lending Services Corporation. As security for the loan, CIT Lending required a mortgage on the leasehold interest of TCP Communications for the property at George Washington Management Area and execution of the Agreement by the State. This agreement will ensure that the State is protected. This is the same type of document that the Department has used in the Galilee leases.

A Motion was made by Representative McCauley and seconded by Mr. Griffith to approve the request of the Department for approval and signatures on Agreement with TCP Communications, Inc., and CIT Lending Services Corporation in connection with Indenture of Lease with National Tower, LLC assigned to TCP Communications relative to a telecommunications facility at George Washington Management Area on Putnam Pike, Gloucester.

Passed Unanimously

ITEM D -DEPARTMENT OF ENVIRONMENTAL MANAGEMENT- A request was made by the Department for approval and signatures on Purchase and Sales Contract with Emil Vale for acquisition of land in Foster.

This is for acquisition of 113 acres of land in Foster. The property provides a final major link with the Ponagansett River Greenway Corridor, between the 124 acre Hayfield property, which is protected by an easement held by the Department, a 100 acre preserve held by the Audubon Society of Rhode Island, the Franklin property, 31 acres of

riverfront land purchased by the Department in 2000 and the Gorham property consisting of 72 acres of land purchased by the Department in 2003. Other protected land parcels include the Foster Land Trust's 100 acre Spencer property and two Department fishing access sites. The Department has been negotiating with the property owner for this property for several years. The parcel is located in the Scituate Reservoir watershed which provides the major source of drinking water for Rhode Islanders who rely on public water supply. The purchase price is \$352,000.00. The appraised value is \$315,000.00. The owner did not want to sell. The property had listed for \$499,000.00. After the appraisal and years of negotiations, the Department was able to acquire this property for \$352,000.00. Funding will come from the Department's Open Space Bond Program in the amount of \$202,000.00 and The Nature Conservancy will contribute \$150,000.00 for the acquisition. The property will be used by the public for fishing and for passive recreational purposes.

A Motion was made by Mr. Griffith and seconded by Ms. Genevieve Allaire Johnson to approve the request of the Department for approval and signatures on Purchase and Sales Contract with Emil Vale for acquisition of land in Foster.

Passed Unanimously

ITEM E- DEPARTMENT OF TRANSPORTATION - A request was made by the Department for conceptual approval to convey property on Simmonsville Avenue and Atwood Avenue, Johnston.

This property consists of 2,441 square feet of land at the corner of Simmonsville Avenue and Atwood Avenue, in Johnston. The Department was approached by Mr. Stephen Mallane, an abutter, to acquire this property for parking. This property was acquired originally by condemnation. A memo was received from Mr. Kevin J. Nelson

from the Statewide Planning program stating that conveyance of this parcel did not appear to conflict with any State Guide Plan elements and that notification of the proposed transaction was sent to the municipal planner for comment as to conformance with the Community Comprehensive Plan, with no response.

A Motion was made by Mr. Griffith and seconded by Ms. Allaire Johnson to approve the request of the Department for conceptual approval to convey property on Sirmonsville Avenue and Atwood Avenue, Johnston.

Passed Unanimously

ITEM F -DEPARTMENT OF TRANSPORTATION -A request was made by the Department for conceptual approval to convey property on Atwood Avenue, Johnston.

This property consists of 1,610 square feet of land on Atwood Avenue, in Johnston. The Department was approached by Mr. Anthony Ricci, an abutter, to acquire this property to erect a fence in order to prohibit traffic from entering his driveway from the abutting parcel. This property was acquired originally by condemnation. A memo was received from Mr. Kevin J. Nelson from the Statewide Planning program stating that conveyance of this parcel did not appear to conflict with any State Guide Plan elements and that notification of the proposed transaction was sent to the municipal planner for comment as to conformance with the Community Comprehensive Plan, with no response.

A Motion was made by Mr. Griffith and seconded by Ms. Allaire Johnson to approve the request of the Department for conceptual approval to convey property on Atwood Avenue, Johnston.

Passed Unanimously

ITEM G -DEPARTMENT OF TRANSPORTATION -A request was made by the Department for conceptual approval to convey property at the corner of Pearl Street, West Avenue and Grace Street, Pawtucket.

This property consists of 2,200 square feet of land at the corner of Pearl Street, West Avenue and Grace Street, Pawtucket. The Department was approached by John and Maria Alves, abutters, to acquire this property for vehicle parking and to erect a fence to prohibit other vehicles from parking on their land. This property was acquired originally by condemnation. A memo was received from Mr. Kevin J. Nelson from the Statewide Planning program stating that conveyance of this parcel did not appear to conflict with any State Guide Plan elements and that notification of the proposed transaction was sent to the municipal planner for comment as to conformance with the Community Comprehensive Plan. Mr. Nelson's memo also indicated that Mr. Michael Cassidy Director of the Pawtucket Department of Planning and Redevelopment responded that the request would be in compliance with the Comprehensive Plan provided the parcel is merged with the existing lot and used only for parking or outbuildings.

A Motion was made by Mr. Griffith and seconded by Ms. Genevieve Allaire Johnson to approve the request of the Department for conceptual approval to convey property at the corner of Pearl Street, West Avenue and Grace Street, Pawtucket.

Passed Unanimously

ITEM H-DEPARTMENT OF TRANSPORTATION- A request was made by the Department for approval and signatures on License Agreement with 155 Clifford Street, LLC use of state owned property adjacent to 155 Clifford Street, Providence.

This License would allow 155 Clifford Street, LLC to use 1,323 square feet of State owned land located behind an office building in downtown Providence that the

tenant owns and operates. Rent was calculated at \$314.00 per month. This was derived from an internal appraisal, using the income approach. The License is for a three (3) year term commencing October 1, 2004 and terminating September 30, 2007.

A Motion was made by Mr. Griffith and seconded by Representative McCauley, to approve the request of the Department for approval and signatures on License Agreement with 155 Clifford Street, LLC use of state owned property adjacent to 155 Clifford Street, Providence.

Passed Unanimously

ITEM I - DEPARTMENT OF TRANSPORTATION - A request was made by the Department for approval and signatures on License Agreement with The Rhode Island School of Design for use of a portion of RiverWalk on South Main Street, Providence.

This License Agreement is for the purpose of allowing the Rhode Island School of Design (RISD) to erect an 800 square foot home exhibit on a portion of the RiverWalk in Providence. This is part of the U.S. Department of Energy's Solar Decathlon. The exhibit will be built by students beginning in October 2004 under the guidance of several Professors of Architecture and will be open to the public at no charge by June 2005. The home will remain in place until next September when members of the Rhode Island National Guard will transport it to Washington, D.C. for the international competition on the grounds of the Smithsonian Institute. RISD will maintain full security. The Department has worked in conjunction with the Rhode Island Airport Corporation because the site is near the heliport. RISD will provide reflective tape at the top of the temporary construction fence. It will move the construction fence more than 70 feet away from the center of the helicopter pad. RISD will change the construction fence to

chain-link in order to allow the wind generated from a helicopter to pass through the fence. RISD will provide security lighting. In addition, RISD will invite the RI Airport Corporation to inspect the fence once constructed and ask that they inspect the fence on a regular basis. The RI Airport Corporation will let the Department know when the helicopters will be using the pad. RISD will list the RI Airport Corporation and the Department as additional insured. The number of students on site at any one time will be ten.

Ms. Allaire Johnson inquired about the conditions placed on RISE and stated that they were not incorporated in the License Agreement. She asked if there was a separate agreement. Discussion took place and it was decided that this matter could be approved subject to a new License Agreement being drafted with additional language covering the conditions set forth in the letter to David J. Sasso, dated September 30, 2004, to the Department the Department of Transportation from Jonathan Knowles, RA, RISD, Adjunct Professor of Architecture. When the new document is drafted, the Committee will sign the document.

A Motion was made by Ms. Allaire Johnson and seconded by Mr. Griffith to approve the request of the Department for approval and signatures on License Agreement with The Rhode Island School of Design for use of a portion of RiverWalk on South Main Street, Providence. Approval was granted subject to a new License Agreement being drafted with additional language covering the conditions set forth in the letter to David J. Sasso, dated September 30, 2004, to the Department the Department of Transportation from Jonathan Knowles, RA, RISD, Adjunct Professor of Architecture.

Passed Unanimously

The Chair, Mr. Williams asked the Department to contact RISD to determine if they have followed up with the City of Providence to ensure that the City has no issues with this Solar Decathlon Project.

All matters presented to the Committee were approved by all present.

There being no further business to come before the Committee, the meeting adjourned at 10:40 A.M.

Anne L. Lanni, Executive Secretary

STATE PROPERTIES COMMITTEE

Tuesday, October 12, 2004

The meeting of the State Properties Committee was called to order at 11:12 A.M. by Chairman Jerome F. Williams. Other members present were, Genevieve Allaire Johnson, Esquire, representing the Department of Attorney General, Mr. William Ferguson, representing the Department of Administration, and Mr. Thomas Barry, Public Member. Also present were, Messrs. Robert Brunelle and John Ryan, from the Department of Administration; Ms Maureen McMahon and Messrs. Paul Carcieri, William McCarthy, Daniel Clarke, and Rick Kalunian, from the Department of Transportation; Messrs John O'Brien and Jay McGinn from the Department of Environmental Management; Ms. Sharon O'Keefe, from the Office of the Child Advocate; Ms. Ann.Marie Boivin, from the Department of Corrections; Jacqueline Kelley, Esquire and Messrs Raymond Carroll and Dan Evangelista, from the Department of Human Services; Thomas Coffey, Esquire from the State Fire Board; and, Mr. Bruce Landis from the Providence Journal.

The Minutes of the meeting held on September 28, 2004 were approved.

1. OLD BUSINESS
2. NEW BUSINESS -Miscellaneous- The next meeting of the State Properties Committee is scheduled to be held on Tuesday, October 26, 2004

The Chair noted an item presented at the State Properties Committee meeting held on September 28, 2004 pertaining to a Department of Transportation matter. This involved Olney Towers Limited and the Freight Rail Improvement Project. At the meeting questions were raised about who was responsible for the repairs of damage done to a retaining wall at Olneyville Towers. The Chair stated at the time of the meeting, he

did not have at the full packet of the information the Department had provided, but subsequent to the meeting spoke with the Director who explained the situation, and advised that it was the full responsibility of the Department.

ITEM A -DEPARTMENT OF ADMINISTRATION -A presentation was made regarding the site selection for the new State Police Headquarters project and a request was made by the Department for conceptual approval to negotiate with Golfing Partners, Inc.

Mr. Robert Brunelle, Associate Director of the Division of Capital Projects and Property Management gave a presentation regarding the site selection for the new State Police Headquarters.

In 2002 the voters passed a Bond Issue which included dollars for the building of a new State Police Headquarters. Within the Bond language, it was very specific about the location and called for the new headquarters to be in proximity to Routes 95, 37 and 295. The State Police need to have quick access to the highway. The architects determined that in order to put all the facilities in one location that 12-15 acres are needed. Other requirements include available utilities, specifically fiber optic cabling and a communications tower that would not be a problem for the airport. A determined search was made, both for private and State land in the area. The Department is recommending the new headquarters be located at the Pastore Center Complex. Mr. Brunelle displayed a map and gave a brief description of the Pastore Center Complex, indicating Routes 37, 95 and 295. The complex is almost a geographic center of the State with quick access to the highways. The site contains all the infrastructure that it needs. There is a location in which there are already towers up that are at or exceed the height that the Department is looking to construct. The site that

has been selected would involve two strips of land. One area is owned by the State and is currently being leased to Golfing Partners, Inc., for a pitch and putt. The other strip of land, which is the access driveway into Golfing Partners, is owned by Golfing Partners, Inc. The Department would like to terminate the lease and acquire the other strip of land. By taking these two parcels, it would give the State approximately 14 acres of land on which to build the State Headquarters. An architectural rendering of the headquarters was displayed. The headquarters would include the forensic police and crime lab facility and evidence storage. Also included would be a helicopter pad. Mr. Brunell went on to say that this new headquarters should enhance the Pastore Center and believes that the citizens of Cranston would be happy with the building and feel safer with the presence of the State Police at the Pastore Center.

The State owns twelve (12) acres of the area required, and Golfing Partners, Inc. owns approximately three (3) acres.

A Motion was made by Mr. Barry and seconded by Ms. Genevieve Allaire Johnson to approve the request of the Department for conceptual approval to negotiate with Golfing Partners, Inc. for land at the Pastore Center Complex, Cranston.

Passed Unanimously

ITEM B- OFFICE OF THE CHILD ADVOCATE- A request was made by the Office of the Child Advocate for conceptual approval to initiate negotiations related to lease renewal for space at 272 West Exchange Street (Suite 301), Providence.

The Office of the Child Advocate has been located at 272 West Exchange Street for the last five (5) years and has a five (5) year lease with a five year renewal clause. They occupy 4,000 square feet of space. The space is in close proximity to the Courts and highways and has sufficient parking. In addition, the Department of Administration

has been advised by the Office of the Child Advocate that their office has lost staff which would free up space to accommodate another State agency. The State Fire Board is currently looking for space for three staff and weekly meetings for the State Fire Safety Code Board of Review and Appeal. This office is currently in space at One Capitol Hill and the Department of Administration is reconfiguring space in the building. The Department is seeking approval of the Committee to "backfill" the space no longer needed by the Office of the Child Advocate. Discussion took place regarding the funding for the space to be occupied by the State Fire Board.

A Motion was made by Mr. Barry and seconded by Genevieve Allaire Jolmson, to approve the request of the Office of the Child Advocate for conceptual approval to initiate negotiations related to lease renewal for space at 272 West Exchange Street (Suite 301), Providence and the request of the Department of Administration to allow the State Fire Board to occupy the space no longer needed by the Office of the Child Advocate at said location. Inherent in the Motion for the request of the Department to allow the State Fire Board to occupy space at 272 West Exchange Street, is Budget Office approval.

Passed Unanimously

ITEM C -DEPARTMENT OF CORRECTIONS-PAROLE BOARD- A request was made by the Department for conceptual approval to initiate negotiations on a Lease Amendment for office space located at One Center Place, Providence.

The Department would like approval to anlend the Lease. The Landlord has approached the Department and asked if the Department could relocate into another section of the building. The cost of any build-out or rewiring that is involved would be borne by the Landlord. The Department currently occupies 3,300 square feet of space and after the move should have the same amount of square footage.

A Motion was made by Mr. Barry and seconded by Ms. Allaire Johnson to approve the request of the Department for conceptual approval to initiate negotiations on a Lease Amendment for office space located at One Center Place, Providence.

Passed Unanimously

ITEM D – DEPARTMENT OF CORRECTIONS – A request was made by the Department for final approval and signatures on Lease Agreement for office space located at One Joyce Street, Warren.

This item was deferred to October 26, 2004.

ITEM E -DEPARTMENT OF HUMAN SERVICES -Disability Determination Unit -A request was made by the Department for conceptual approval to amend the existing lease with Emanon Associates for office space in the Gardner Building at 40 Fountain Street, Providence.

The Department is in need of additional space and the landlord has offered additional space to the Department at half the rate of its existing Lease. The lease request is for 3,485 square feet of additional space at the rate of \$7.85 per square foot. The Department currently leases 12,539 square feet of space at 40 Fountain Street at the rate of \$15.70 per square foot. The existing lease is for ten (10) years for the period May 1, 2002 through May 1, 2011. The requested space is constructed, furnished and ready for occupancy. Additional renovations and cabling are required with a projected cost of \$10,000.00. The funding for the requested lease and renovations will be Federal dollars provided by the Social Security Administration.

A Motion was made by Mr. Barry and seconded by Ms. Allaire Johnson to approve the request of the Department for conceptual approval to amend the existing

lease with Emanon Associates for office space in the Gardner Building at 40 Fountain Street, Providence.

Passed Unanimously

ITEM F-DEPARTMENT OF HUMAN SERVICES- A request was made by the Department for conceptual approval to negotiate Memorandum of Understanding with the Department of Environmental Management - Division of Fish and Wildlife relative to property at the Veterans Home.

This lease involves the Veterans Home property located in Bristol. This property is located between Metacom Avenue in Bristol and Mount Hope Bay. There is a boat ramp on the premises that has been operated by the Department of Environmental Management for the last 30 or more years. The ramp is in disrepair and basically unusable. There is a small gravel parking area on the premises and a section of property that is leased to the Boys' and Girls' Club of East Providence for a summer camp. The Department of Environmental Management would like to enter into an agreement with the Department of Human Services so it will have land control of the area to rehabilitate the boat ramp. The Department of Environmental Management envisions installing a vehicle and trailer parking area, a multi-lane boat ramp with docks into Mt. Hope Bay. This would be the only State-owned public boat-launching ramp into Mt. Hope Bay. The Department of Environmental Management is looking for a term of twenty-five years for the intended document. The Town of Bristol is in support of this project.

A Motion was made by Mr. Barry and seconded by Ms. Allaire Jolmson to approve the request of the Department for conceptual approval to negotiate a Memorandum of Understanding with the Department of Environmental Management - Division of Fish and Wildlife relative to property at the Veterans Home.

Passed Unanimously

ITEM G -DEPARTMENT OF HUMAN SERVICES- A request was made by the Department for conceptual approval to negotiate or amend a lease with the Boys' and Girls' Club of East Providence, Inc. relative to property at the Veterans Home.

The Department of Human Services currently has a Lease with the Boys' and Girls' Club of East Providence, Inc. under which, the club can use the pool and surrounding area for a camp, during the summer. The pool is used by the residents of the Veterans Home, but during the summertime it is leased to the Boys' and Girls' Club. The proposed agreement with the Department of Environmental Management, as explained in Item "H" above, will somewhat affect the area that is currently leased to the Boys' and Girls' Club and the change to the Lease would incorporate that. The Department of Environmental Management will also include in the revision of the Lease that it will create play areas for the Boys' and Girls' Club. The Division of Veterans Affairs fully supports this project.

A Motion was made by Mr. Barry and seconded by Ms. Allaire Johnson to approve the request of the Department for conceptual approval to negotiate or amend a lease with the Boys' and Girls' Club of East Providence, Inc. relative to property at the Veterans Home.

Passed Unanimously

ITEM H -DEPARTMENT OF TRANSPORTATION- A request was made by the Department for approval and signatures on a License Agreement with the Town of Smithfield for use of State-owned property on Farnum Pike Route 104, Farnum Pike Route 44, Route 116 and Route 105, Smithfield.

This agreement is for the erection of signs directing the public and drivers to four (4) industrial parks located in the Town of Smithfield, Farnum Pike Route 104, Farnum Pike Route 44, Route 116 and Route 105, Smithfield. The signs will be erected on State property and will direct the traveling public to these industrial parks. There is no compensation for this License Agreement. The License Agreement is revocable at will.

A Motion was made by Mr. Barry and seconded by Ms. Allaire Johnson to approve the request of the Department for approval and signatures on a License Agreement with the Town of Smithfield for use of State-owned property on Farnum Pike Route 104, Farnum Pike Route 44, Route 116 and Route 105, Smithfield.

Passed Unanimously

ITEM I -DEPARTMENT OF TRANSPORTATION- A request was made by the Department for approval and signatures on a License Agreement with 155 Clifford Street, LLC use of state owned property adjacent to 155 Clifford Street, Providence.

This item was deferred to October 26, 2004.

ITEM J -DEPARTMENT OF TRANSPORTATION -A request was made by the Department for approval and signatures on a License Agreement with The Rhode Island School of Design for use of a portion of RiverWalk on South Main Street, Providence.

This item was deferred to October 26, 2004.

ITEM K - DEPARTMENT OF TRANSPORTATION -A request was made by the Department for approval and signatures on a License Agreement with Deeble Holdings LLC for land at 1355- 1357 Wampanag Trail, East Providence.

Mr. Paul Carcieri, from the Department, displayed a map of the area that was the subject of this item. On Wampanag Trail in East Providence, there is located a large

stone wall. It is directly adjacent to the East Gate apartments. This wall is located predominately on State owned land and has been there since the taking of Route 104 many years ago. Several months ago a motorist went off the road and hit this wall and submitted a damage claim to the Department. The Department would like to remove the wall, which has become a liability problem. Deeble Holdings LLC, the directly adjacent abutter to the property, has stated it would remove the wall in return for the license of state property to this abutter for vehicle parking. They are the owner and operator of the adjacent apartment complex. The Department has proposed, and Deeble Holdings LLC has accepted, the grant of a License Agreement of state owned property of approximately 3,049 square feet for vehicle parking by Deeble Holdings in return for the demolition and removal of the wall. The License Agreement gives Deeble Holdings a twenty (20) year license of 3,049 square feet of state property. The value is estimated to be about \$35,000.00. That is \$1500.00 per year and every third year an increase of three (3%). The total value of the License is estimated to be \$35,000.00. That amount is close to the estimates the Department has received for the demolition of the wall. This License provides that Deeble Holdings would demolish the wall and license 3,049 square feet of land for vehicle parking and submit to the Department documented costs for the wall's demolition. If those costs exceed \$35,000.00, the State would not pay any excess amount. If they are under \$35,000.00, Deeble Holdings would pay the Department the difference. Deeble Holdings would be given the right to beautify some state property consisting of approximately 7,000 square feet. This is for passive use and not for parking, similar to what the Department does under an "Adopt-a-Spot" application. There is no charge for that area. The approach to valuation was provided by the Department. The property is not buildable and is not stand - alone property. Discussion

ensued. An additional 1,899 square feet will be utilized to access Deeble Holdings' property. Part of the entrance to their commercial development passes over State property which is not unusual as many driveways do. Deeble Holdings asked to have this passage memorialized in a formal agreement. The Department acknowledged that Deeble Holdings is parking on State land presently. Also discussed was that the rocks might be of use to some City or Town, and it was also suggested that the Department attempt to get the salvage value.

Ms. Allaire Johnson inquired how this matter was brought to the attention of the Department and Mr. Carcieri gave a brief synopsis. Ms. Johnson referred to the numbers and the period of time of the agreement being twenty (20) years. She suggested it would be preferable that this transaction should be through a Lease rather than a License Agreement. She went on to say that a License should be for a shorter term. Ms. Johnson said that it does not sound like a fair deal in the terms of numbers, but if the Department follows through it should be something more substantial in terms of the parties responsibilities in a Lease Agreement as opposed to a License Agreement. A discussion took place regarding the value that was arrived at and the value of the parking to Deeble Holdings.

The Chair, Mr. Williams commented that he would prefer to use a Lease Agreement as opposed to the License Agreement because of the term. Additionally, he discussed the encroachment issue and inquired if the Department be compensated for the encroachment. Discussion ensued regarding encroachments. There is a Department policy to charge to the date of discovery of encroachment. Additional discussion took place regarding the value of parking.

The Chair Mr. Williams asked that the Department look at this matter in the prospective of a Lease, and look at the value and see what could be arranged regarding the value of the parking, while recognizing the Department is trying to negotiate to have something removed that it does not want.

This matter will be held pending the Department's return.

The Committee moves to go into Executive Session, pursuant to Rhode Island General Law 42-46-4 (a)(5) for the specific purpose of discussion or consideration 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.

A Motion was made to go into Executive Session by Mr. Barry and seconded by Ms. Allaire Johnson. A roll call vote was made. Mr. Barry voted "Aye", Ms. Allaire Johnson voted "Aye", Mr. Ferguson Voted "Aye" and the Chair voted "Aye".

A Motion was made by Mr. Barry and seconded by Ms. Allaire Johnson to close the Executive Session and return to the regular meeting.

The regular session of the State Properties Committee re-opened with the following requests.

DEPARTMENT OF TRANSPORTATION

1) A request was made by the Department for approval of the acquisition of Condemnation Plat 2658, Parcels 1 A & B, 2 D and 3D, in connection with the May Street Drainage Improvement Project, North Providence.

Three (3) parcels are affected by acquisition and easements. One parcel requires an acquisition of 3,000 square feet of land and a temporary easement of 1,200 square feet.

Two (2) parcels are affected by permanent drainage easements totaling 4,880 square feet. The appraised value of the three parcels is \$42,100.00.

A Motion was made by Mr. Barry and seconded by Ms. Allaire Johnson to approve the request of the Department for approval of the acquisition of Condemnation Plat 2658, Parcels 1 A & B, 2 D and 3 D, in connection with the May Street Drainage Improvement Project, North Providence.

Passed Unanimously

2) A request was made by the Department for approval of the acquisition of two residential properties located in Tiverton and Portsmouth in conjunction with the future replacement of the Sakonnet River Bridge #250, Tiverton.

The first parcel consists of 17,860 square feet with a two bed ranch owned by Denise Denardo. This property is located at 48 Evans Avenue, Tiverton. The appraised value is \$290,000.00. The second parcel is a residential lot consisting of 5,160 square feet of land with a four bed two story structure owned by Francis & Julie Thomson. This property is located at 1 Hillside Avenue, Portsmouth. The appraised value is \$275,000.00.

A Motion was made by Mr. Barry and seconded by Ms. Allaire Johnson to approve the request of the Department for approval of the acquisition of two residential properties located in Tiverton and Portsmouth in conjunction with the future replacement of the Sakonnet River Bridge #250, Tiverton.

Passed Unanimously

3) A request was made by the Department for approval of the acquisition of Condemnation Plat 2553 in conjunction with the Warwick Station Traffic and Drainage Improvements, Warwick.

This is for the improvement of the roadway condition and traffic movement along Jefferson Boulevard from the Airport Connector to Kilvert Street, Warwick. Sixteen (16) parcels will be affected by this construction. Three (3) parcels are affected by land acquisition totaling 1,514 square feet. All sixteen (16) parcels are affected by temporary easements for a period of two (2) years totaling 5,463 square feet. Total estimated cost for the acquisition of land, easements and improvements will be approximately \$26,725.00 of which 80% is Federally funded.

A Motion was made by Mr. Barry and seconded by Ms. Allaire Johnson to approve the request of the Department for approval of the acquisition of Condemnation Plat 2553 in conjunction with the Warwick Station Traffic and Drainage Improvements, Warwick.

Passed Unanimously

4) A request was made by the Department for approval of the acquisition of Condemnation Plat 2489 in conjunction with the Blackstone River Bikeway- Segment 7A, Lincoln, North Smithfield and Woonsocket.

The Department is developing Segment 7A, of the Blackstone River Bikeway Project. This portion will be 1.99 miles long.

Thirteen (13) parcels are affected by this project. Seven (7) are affected by partial acquisition totaling 201,772 square feet; six (6) parcels are affected by permanent easements totaling 96,286 square feet; three (3) are affected by temporary easements totaling 6,439 square feet. The total estimated cost for these acquisitions is \$234,772.00, of which 80% is Federally funded.

A Motion was made by Ms. Allaire Johnson and seconded by Mr. Barry to approve the request of the Department for approval of the acquisition Condemnation Plat

2489 in conjunction with the Blackstone River Bikeway -Segment 7A, Lincoln, North
Smithfield and Woonsocket.

Passed Unanimously

All matters presented to the Committee with the exception of Item "K" pending
the Department of Transportation returning to the Committee, were approved by all
present.

There being no further business to come before the Committee, the meeting
adjourned at 12:50 P.M.



Anne I..Lanni, Executive Secretary

