

STATE PROPERTIES COMMITTEE

Wednesday, August 17, 2005

The meeting of the State Properties Committee was called to order at 9:40 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 Mr. Robert W. Kay, Public Member. Also present were, Ms Marlene McCarthy-Tuohy, and Messrs William Ferguson and John Ryan, from the Department of Administration; Messrs Joseph Baxter and Steve Kerr, from the Supreme Court; Ms. Tracey Angell and Mr. Jerome Sidio, from the University of Rhode Island; Ms. Joanne Lehrer, from the Department of Children, Youth and Families; Ms. Catherine King Avila and Mr. Steven Blazer, from the Office of the General Treasurer; Ms. Grace Smith and Messrs Paul Carcieri, Daniel Clarke, Marc Malkasian, Andrew Cardillo and Rick Kalunian, from the Department of Transportation; Ms. Lisa Primiano and Kathleen Zaroogian, Esquire and Brian Wagner, Esquire and Messrs. James McGinn and Robert Sutton, from the Department of Environmental Management; Misses. Mercedes Monteiro and Denise Oliviera, from the Rhode Island Historical Preservation and Heritage Commission; Misses Katherine Brown and Jessica Brown, from the Southside Community Land Trust; Jane Morgan, Esquire and Mr. Rick Barons, from the Department of Mental Health, Retardation and Hospitals;

The minutes of the meeting held on July 26, 2005 were approved.

1. OLD BUSINESS

2. NEW BUSINESS – Miscellaneous - The next meeting of the State Properties Committee is scheduled to be held on Tuesday, August 30, 2005.

The Chair, Mr. Williams advised that the Water Resources Board will be requesting approval and signatures on a number of Leases. Those Leases expire on September 30, 2005. The Chair suggested the Water Resources Boards give an overview of these Leases at the next scheduled meeting and return to the Committee at a Special Meeting for final approval and signatures. In addition, the Executive Secretary will be taking vacation during the end of September and the beginning of October. The Chairman suggested a Special Meeting be held for the Water Resources Board, and two regularly scheduled meetings be held September 13 and 20, 2005. The meeting scheduled for September 27 would be cancelled. The Executive Secretary will contact the members of the Committee to coordinate these meetings with their schedules.

ITEM A – DEPARTMENT OF ADMINISTRATION – A request was made by the Department for approval and signatures on an Emergency Storage Agreement for the use of the Cranston Street Armory by the Providence Emergency Management Agency in the event of a disaster or emergency in the City of Providence.

This Agreement grants the City of Providence the use of 3,500 square feet in the basement of the Armory in the event of a disaster or emergency. The State will bear no responsibility for it. This space would be used by the City for transporting and delivering donated goods to the citizens of Providence during a disaster or emergency

occurring in the City of Providence, as required by Providence's Emergency Operating Plan.

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 an Emergency Storage Agreement for the use of the Cranston Street Armory by the Providence Emergency Management Agency in the event of a disaster or emergency in the City of Providence.

Passed Unanimously

ITEM B – DEPARTMENT OF ADMINISTRATION – A request was made by the Department for approval of the use of Station Park on August 31, 2005 by "Got Milk" for their Got Milk Campaign.

"Got Milk" is requesting to use Station Park on August 31, 2005 between 11:00 A.M. to 2:00 P.M. This is in concert with a promotion regarding drinking milk and losing weight. "Curves" will also be there. "Got Milk" will be traveling throughout the Country.

A motion was made by Mr. Griffith and seconded by Mr. Kay to approve the request of the Department for approval of the use of Station Park on August 31, 2005 by "Got Milk" for their Got Milk Campaign.

Passed Unanimously

ITEM C – DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES – A request was made by the Department for approval and signatures on a Lease with Jesse Metcalf Associates, LLC for space at 101 Friendship Street, Providence.

This is a renewal of the existing lease for space located at 101

Friendship Street, Providence. This is a ten (10) year Lease. The rent is at the rate of \$16.00 per square foot and increases in two year increments and ends at the rate of \$19.00 per square foot in 2015. The Department occupies 99,500 square feet. The Department did not want to renew the Lease initially because there was a Bond Issue, which if passed, would have allowed much of the Department to relocate at the Pastore Center. The Bond Issue did not pass. The Department met with the Landlord of 101 Friendship Street and was pleased with the ability of the Landlord to address and accommodate the Department's concerns. The Landlord will upgrade the existing HVAC system to correct existing deficiencies in certain areas of the leased space. Other improvements to be made by the Landlord are improvements to the shuttle service. The Landlord will also erect an awning type canopy or other overhead protection over a portion of the sidewalk between the front door of the building and the Richmond Street sidewalk. The Landlord has agreed to do whatever the Department would like regarding a playground for children. The Landlord agreed to prepare a portion of the parking lot for use as a playground and erect a fence around the playground area if that is what the Department wishes, or, those funds could be used to construct a playground or play area inside the building. The Department had also made a list of repairs and replacements and the Landlord has taken care of those items listed.

Ms. Allaire Johnson noted that the State typically requires a cancellation clause for no cause in Leases. This particular Lease is an extension of an existing Lease. There is a termination clause, but

it is not for cause. This Lease cannot be cancelled at any time prior to November 30, 2012. It could be terminated with a 12 month written notice in the event the office is consolidated, and if the State determines there is no adequate funding. A discussion took place regarding the cancellation clause.

A motion was made by Mr. Griffith and seconded by Mr. Kay to approve the request of the Department for approval and signatures on a Lease with Jesse Metcalf Associates, LLC for space at 101 Friendship Street, Providence.

Passed Unanimously

ITEM D – OFFICE OF HIGHER EDUCATION - UNIVERSITY OF RHODE ISLAND – A request was made by the Office of Higher Education for approval of the award of Agricultural Land Leases to Tee and Green Sod, Inc., and New England Turf, Inc.

The Office of Higher Education received approval from the State Properties Committee to issue an RFP for agricultural land leases in February, 2005 and had also received permission from the Division of Purchases for authority to process that bid at the University directly. The University developed specifications to solicit bids for six parcels of land which totaled approximately 207.5 acres to be leased for agricultural use. A public bid was solicited in April, 2005. Bids were sent to 17 known agricultural entities. Four bid responses were received. One bidder was disqualified and two bidders are being recommended for award. The award has been divided into three parcels. One Parcel is not being awarded at this time as the

University is doing further studies to examine future land use and it was decided not to bid that parcel. The University grouped two parcels, P2 and P3 and is recommending award to Tee and Green Sod, Inc. and had grouped three other parcels, K1, K2 and K3, which the University is recommending being awarded to New England Turf, Inc. The University is seeking permission to go forward with a tentative award letter to Tee and Green Sod, Inc. and to New England Turf, Inc. to advise them that the University is recommending the award to them, obtain the necessary documents to go forward and return to the Committee for final approval and signatures on the documents. The leases would be for five years with two five year renewal options.

A motion was made by Mr. Griffith and seconded by Ms. Allaire Johnson to approve the request of the Office of Higher Education for approval of the award of Agricultural Land Leases to Tee and Green Sod, Inc., and New England Turf, Inc.

Passed Unanimously

ITEM E – JUDICIARY – A request was made by the Judiciary for conceptual approval to enter into a short term Agreement for Courtroom space at 162 Main Street, Woonsocket.

The space at 162 Main Street was formerly occupied by the Division of Motor Vehicles Office in Woonsocket, as well as the office for Rhode Island Traffic Tribunal hearings. This property is located directly across the street from the Woonsocket City Hall. The Rhode Island Traffic Tribunal has remained in the building that DMV vacated since July 1. Rent was paid through the end of July. The Traffic

Tribunal holds sessions one morning a week in Woonsocket for all traffic matters. The area utilized is 1600 square feet within a 6,000 square foot area located on the first floor of the building. The Judiciary has been working with the City of Woonsocket to secure a location across the street in the City Hall. The Judiciary plans to move all of the proceedings for the Woonsocket Traffic Tribunal across the street from 162 Main Street. The Judiciary is seeking approval to remain at 162 Main Street for no more than six weeks and has been working with the landlord on a \$3,000.00 per month agreement to keep its presence there. The Judiciary will return for final approval and signatures on documents.

A motion was made by Mr. Griffith and seconded by Mr. Kay to approve the request of the Judiciary for conceptual approval to enter into a short term Agreement for Courtroom space at 162 Main Street, Woonsocket.

Passed Unanimously

ITEM F – DEPARTMENT OF ADMINISTRATION – A request was made by the Department for approval of the use of the State House lawn on October 1, with a rain date of October 2, 2005 by the Rhode Island Historical Preservation and Heritage Commission for the Annual Heritage Festival.

This is the 28th Annual Heritage Festival. This event is sponsored by the Rhode Island Historical Preservation and Heritage Commission. The License Agreement has been submitted and a Certificate of Insurance will be forwarded. Ms. Allaire Johnson requested that the rain date be covered in this Certificate of Insurance. No alcoholic

beverages will be served.

A motion was made by Mr. Griffith and seconded by Mr. Kay to approve the request of the Department for approval of the use of the State House lawn on October 1, with a rain date of October 2, 2005 by the Rhode Island Historical Preservation and Heritage Commission for the annual Heritage Festival. Approval was granted subject to receipt of the Certificate of Insurance.

Passed Unanimously

ITEM G – OFFICE OF HIGHER EDUCATION - UNIVERSITY OF RHODE ISLAND - A request was made by the Office of Higher Education for approval and signatures on an Agreement and a Building Lease/Purchase Agreement with Chi Phi Holding Corporation of Rhode Island, Inc. regarding property located at 11 Fraternity Circle and 61 Upper College Road, Kingston.

At the request of the Office of Higher Education, this matter was deferred to August 30, 2005.

ITEM H – DEPARTMENT OF MENTAL HEALTH, RETARDATION & HOSPITALS – A request was made by the Department for approval and signatures on Lease Agreements with Kent County CMHC, Northern RI Community Services, Inc., Newport County CMHC, Riverwood MHS, and South Shore Mental Health Center, Inc., to operate mental health facilities.

Eleven Leases of state owned property were presented. Each Lease is for a term of ten years with the exception of the Lease with the Kent County Community Mental Health Center for property located at 116A and 116B Long Street, Warwick. The Lease for that property has an

additional ten year extension because of extensive improvements that had been made. As a condition of the financing Kent County CMHC had to show that it had an option of an additional ten years.

The Leases are described as follows.

Kent County CMHC 50 Cedar Avenue, East Greenwich – Group Home

Kent County CMHC 50 Health Avenue, Warwick – Mental Health Center

Kent County CMHC 116A & B Long Street, Warwick

Combination Clinic and Group Home

Northern Rhode Island 2755 Wallum Lake Road, Burriville – Group Home

Northern Rhode Island 181 Cumberland Street, Woonsocket

Mental Health Center

Newport County CMHC 65 Valley Road, Middletown

Mental Health Center

Newport County CMHC 316 Greene Lane, Middletown – Group Home

Riverwood 94 County Road, Barrington – Group Home

Riverwood 173 Locust Avenue, Portsmouth – Group Home

Riverwood 2698 Post Road, Tiverton – Group Home

South Shore 7233 Post Road, North Kingstown – Group Home

These are all facilities being utilized in providing services to clients.

The Office of the Attorney General had requested cancellation for no cause language be included in the Leases. This language has been added. Ms. Allaire Johnson stated that the Certificate of Insurance for Northern Rhode Island Community Services, Inc. for 181 Cumberland Street, Woonsocket, 712 Nate Whipple Highway, Cumberland and

2755 Wallum Lake Road, Burrillville expired on July 1, 2005 and a few of the other Certificates required updating.

A motion was made by Mr. Griffith and seconded by Ms. Allaire Johnson to approve the request of the Department for approval and signatures on Lease Agreements with Kent County CMHC, Northern RI Community Services, Inc., Newport County CMHC, Riverwood MHS, and South Shore Mental Health Center, Inc., to operate mental health facilities. Approval was granted subject to updating the Certificates of Insurance and receipt of a new Certificate of Insurance for Northern Rhode Island Community Services.

Passed Unanimously

ITEM I – OFFICE OF THE GENERAL TREASURER – A request was made by the Office of the General Treasurer for final approval and signatures on Lease Amendment related to space located at 40 Fountain Street, Providence.

The office of the General Treasurer was seeking approval and signatures on the Sixth Amendment to the Lease for space at 40 Fountain Street, Providence. This Amendment adds an additional 1,876 square feet of space to be used for storage. The term of this Amendment is September 1, 2005 to April, 2011.

A motion was made by Mr. Griffith and seconded by Mr. Kay to approve the request of the office of the General Treasurer for final approval and signatures on Lease Amendment related to space located at 40 Fountain Street, Providence.

Passed Unanimously

ITEM J – DEPARTMENT OF TRANSPORTATION/DEPARTMENT OF

ENVIRONMENTAL MANAGEMENT – A request was made by the Departments of Transportation and Environmental Management for approval and signatures on revised Easement from the Department of Transportation to the Department of Environmental Management in conjunction with the Town Pond Restoration Project, Portsmouth.

An overview of the matter was given and it was understood that no action would be taken at this meeting.

This issue involves the Town Pond in Portsmouth which had been before the Committee in January of 2004. In 1951 the Army Corps of Engineers deposited dredge material in a salt pond in the northern area of Portsmouth, east of the Mt. Hope Bridge in an area known as Town Pond. Under the Water Resources Development Act of 1986, the Army Corps of Engineers is authorized to restore areas previously impacted by Corps activities and pay for 75% of the total project cost. Since January of 2004, the Army Corps has solicited bids and the bids were within the Government estimate. They have issued an award and the Department is waiting for a notice to proceed. One of the issues in question is the insurance.

This is the third marsh restoration project where the Department has worked with the Army Corps of Engineers. This is a \$2.9M project. Mr. Robert Sutton, from the Department of Environmental Management distributed materials which depicted a map of the area in question and identifies the railroad track that is involved in this project. The railroad is available to two trains, the Newport Dinner Train which runs approximately 6 times a year, and the Newport Colony Railway which runs once a year. The Department of

Environmental Management contacted the Newport Dinner Train, which manages both train rides and advised that during the times of construction they would be asked that the trains not be on the track. They agreed to that stating that during the time of construction they would not run any of these seven trips. For the purposes of this project, the railroad can essentially be considered abandoned relative to any kind of railroad use. This area is needed to provide access into the marsh land that would not be available to the contractor otherwise. In putting all the Lease Agreements together, the Department of Environmental Management (DEM) worked with the Department of Transportation (DOT) in getting a temporary construction and lease easement on the right of way for this property. DOT manages that particular piece of property that runs through the acreage owned and managed by DEM. A requirement in that easement was that DEM provide insurance covering DOT in the event anything happened during the course of construction. The Army Corps of Engineers, when they reviewed the specifications, reviewed that requirement and put the insurance in the specifications as a single line item, but has informed DEM that they did not feel that was a necessary insurance cost and it was an ineligible cost consistent with their regulations, and the specific terms of agreement DEM has with them. The Army Corps of Engineers did put that insurance requirement, the successful contractor did fill out that line item, and put a cost of \$25,000.00 on providing this insurance. This insurance would cover that right of way. DEM feels this a large amount of money to pay an insurance company for one agency to cover the risk

of another agency. DEM would like to waive these insurance requirements and has discussed waiving these insurance requirements with DOT. The Army Corps of Engineers will not go forward with the Bid until this issue has been resolved. If the insurance is necessary, the state of Rhode Island will have to pay the amount of \$25,000.00. A lengthy discussion ensued. The Chair Mr. Williams stated this is an issue that DEM and DOT will have to discuss and work out. Mr. Williams said that either the state is going to have to pay the insurance or there will have to be some indemnification worked out between the two Departments. No action was taken on this request.

ITEM N – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – A request was made by the Department for approval and signatures on a Purchase and Sales Contract with the Southside Community Land Trust for acquisition of development rights over land in Providence.

This is a request for approval and signatures on a Purchase and Sale Contract for the Rhode Island Agricultural Land Preservation Commission to purchase a development rights easement over 4,095 square feet of land on Potters Avenue in Providence. This property has been owned by one single owner for decades. Mr. Lantini has leased to the Southside Community Land Trust at no cost since 1999. Recently the property owner has told the Southside Community Land Trust that he was not going to allow them to continue to use the land and that he was going to sell the property. The land trust had the property appraised. The appraisal came in originally at \$29,000.00. Since that appraisal, Mr. Landini has received an offer for \$39,000.00.

After speaking with the Department's appraiser, the Department agreed to move forward and approve up to the external offer to assist the Southside Community Land Trust in purchasing this small property. Funding will come from State Bond funds. Total purchase price is \$39,000.00. The Southside Community Land Trust has paid for title and survey costs in the amount of \$3,700.00, and the Department has agreed to reimburse them for this amount.

A motion was made by Mr. Griffith and seconded by Ms. Allaire Johnson to approve the request of the Department for approval and signatures on a Purchase and Sales Contract with the Southside Community Land Trust for acquisition of development rights over land in Providence.

Passed Unanimously

ITEM K – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – A request was made by the Department for approval and signatures on a Conservation Easement with the Little Compton Agricultural Conservation Trust, the Sakonnet Preservation Association and The Nature Conservancy over land in Little Compton.

This is for a Conservation Easement on the Marvell property in Little Compton. The Nature Conservancy purchased the land from the Marvell family for \$1,700,000.00. The Conservation Easement will be sold to the Little Compton Agricultural Conservancy Trust, the Department and the Sakonnet Preservation Association for \$700,000.00, of which \$300,000.00 is from the Rhode Island Open Space Matching Grant Program. The appraisal on the property was done by Isherwood Appraisal Company and valued the property at

\$1,820,000.00. In exchange for the state's contribution of \$300,000.00, the Department will be co-holding an easement with The Little Compton Agricultural Conservancy Trust and the Sakonnet Preservation Association over this parcel. This property comprises 11.5 acres. The property will be available for some public use. The Sakonnet Preservation Association will be contributing \$100,000.00 toward the acquisition. A question was raised regarding the value of the easement. Under the Grant Program, the \$300,000.00 grant is not actually to purchase the easement; it assists in the purchase of the real estate. The grant program is up to 50% of the approved appraised value of the property. The appraisal is at \$1,820,000.00. The Chair inquired how that money could be used for the easement and not the purchase. The exchange of the money is to assist in the purchase of the property or an easement.

A motion was made by Mr. Griffith and seconded by Ms. Allaire Johnson to approve the request of the Department for approval and signatures on a Conservation Easement with the Little Compton Agricultural Conservation Trust, the Sakonnet Preservation Association and The Nature Conservancy over land in Little Compton.

Approval was granted subject to confirmation that the grant can be used for the easement and not only for a purchase.

Passed Unanimously

ITEM L – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – A request was made by the Department for approval and signatures on a Perpetual Easement with the U.S. Fish and Wildlife Service over land in Charlestown.

This request is for a Perpetual Easement Agreement with the U.S. Fish and Wildlife Service for a public well that will be servicing a new Visitor's Center that is being built in Charlestown. As part of its approval of this well, the Department of Health has required that the U.S. Fish and Wildlife Service obtain easement agreements from all property owners within a 400 foot radius of the well. The Perpetual Easement allows the U.S. Fish and Wildlife Service to restrict the use of this area as provided for in the State of Rhode Island Public Drinking Water Regulations promulgated by the Department of Health. This is a gratis transfer.

A motion was made by Mr. Griffith and seconded by Mr. Kay to approve the request of the Department for approval and signatures on a Perpetual Easement with the U.S. Fish and Wildlife Service over land in Charlestown.

Passed Unanimously

ITEM M – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – A request was made by the Department for approval and signatures on a Purchase and Sales Contract with Brian and Lauralynn Knight for acquisition of development rights over land in Scituate.

This Purchase and Sale Contract is to purchase the development rights from the Knight family. This property consists of 85 acres of land in Scituate. The property has been farmed for over 50 years. The land is located near Western Cranston. Funding for this property is expected to come from a partnership between the US Department of Agriculture's Farm and Ranch Lands Protection Program in the

amount of \$1,100,000.00; the Agricultural Land Preservation Commission's State Farmland Bond funds, in the amount of \$500,000.00; a grant from The Nature Conservancy through the Champlin Foundations, in the amount of \$350,000.00, and the Town of Scituate, \$250,000.00.

A motion was made by Mr. Griffith and seconded by Ms. Allaire Johnson to approve the request of the Department for approval and signatures on a Purchase and Sales Contract with Brian and Lauralynn Knight for acquisition of development rights over land in Scituate.

Passed Unanimously

Ms. Lisa Primiano from the Department introduced the Department's new legal assistant, Kathleen Zaroogian.

ITEM O – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – A request was made by the Department for approval and signatures on a amended Access Agreement with Blasland, Bouck & Lee, Inc. (CCL Custom Manufacturing, Inc.) in conjunction with site investigation for hazardous waste cleanup in Cumberland.

At the State Properties Committee on July 26, 2005, the Department appeared before the Committee and approval and signatures were obtained on an Access Agreement for Site Investigation for Hazardous Waste Cleanup in Cumberland. The documents with the original signatures arrived during the meeting and on the front page of the first page of the document the signatories had stricken out Plat 12 lots 4 and 8. Not having the chance to confirm that alteration, and it not seeking to expand access, but rather to limit the access, the

Department initialed off on the document. Later that week, the Department received a call informing the Department that was an error on the part of whomever had made the strikeout, and in fact access was needed to Plat 12 lots 4 and 8. The Department resubmitted the agreement in its original form without the strikeout. The Committee requested that the document that had been approved and signed at the July 26th meeting be destroyed.

A motion was made by Mr. Griffith and seconded by Ms. Allaire Johnson to approve the request of the Department for approval and signatures on a amended Access Agreement with Blasland, Bouck & Lee, Inc. (CCL Custom Manufacturing, Inc.) in conjunction with site investigation for hazardous waste cleanup in Cumberland.

Passed Unanimously

ITEM P – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval and signatures on a Quit-claim Deed conveying property located on Oaklawn Avenue and Cottrell Streets, Cranston to BFG II Oaklawn Realty Associates, LLC.

On April 26, 2005, the Department received conceptual approval to convey approximately 20,400 square feet of excess on Oaklawn Avenue in Cranston. BFG II Oaklawn Realty Associates, LLC is desirous of acquiring this property. They are the owner of all abutting property to this parcel. Upon final engineering, the actual final size is 15,500 square feet. This property was appraised at \$17.00 per square foot. The appraiser felt the highest and best use of the property was assembled to the adjacent private property owned by BFG II Oaklawn Realty. The Department has barred any access to the

property from Oaklawn Avenue. The statutory offer to the former owners and the City of Cranston have been made and not been exercised. Mr. Robert Kay questioned the value of this property and a discussion ensued.

A motion was made by Mr. Griffith and seconded by Ms. Allaire Johnson to approve the request of the Department for approval and signatures on a Quit-claim Deed conveying property located on Oaklawn Avenue and Cottrell Streets, Cranston to BFG II Oaklawn Realty Associates, LLC.

Passed. Three votes in the affirmative to one against.

Mr. Kay voted “Nay”

ITEM Q – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval and signatures on a License Agreement with Anthony Renzi and Gregory DiZoglio, D/B/A Action Automotive Collision Center, Inc. for use of land located on Atwood Avenue, Cranston.

This is a renewal of a License Agreement for use of 2,475 square feet of property for vehicle parking. Rent is at the rate of \$165.00 per month. This is a five year License Agreement, with the Department’s option to reappraise and revisit this License at the end of the third year. Mr. Andrew Cardillo from the Department discussed the appraisal method of this property.

A motion was made by Mr. Griffith and seconded by Ms. Allaire Johnson to approve the request of the Department for approval and signatures on a License Agreement with Anthony Renzi and Gregory DiZoglio, D/B/A Action Automotive Collision Center, Inc. for use of

land located on Atwood Avenue, Cranston.

Passed Unanimously

ITEM R – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval and signatures on a renewal of a License Agreement with Cowan Plastics, LLC for use of land located on Manton Avenue, Providence.

This is a renewal of a License Agreement for use of 21,232 square feet of property for vehicle parking. Rent is at the rate of \$386.00 per month. This is a five year License Agreement from July 1, 2005 to June 30, 2010 with the Department's option to reappraise and revisit this License at the end of the third year. Mr. Paul Carcieri gave a brief background of this item.

A motion was made by Mr. Griffith and seconded by Mr. Kay to approve the request of the Department for approval and signatures on a renewal of a License Agreement with Cowan Plastics, LLC for use of land located on Manton Avenue, Providence.

Passed Unanimously

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 to go into Executive Session based on the Executive Session Agenda was made by Mr. Robert Griffith and seconded by Ms. Allaire Johnson. A roll call vote was made. Mr. Griffith voted

“Aye”, Ms. Allaire Johnson voted “Aye”, Mr. Kay voted “Aye” and the Chair voted “Aye”.

A Motion was made by Mr. Griffith 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 request.

ITEM S - DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval of revised compensation for acquisition of Condemnation Plat 2489, in conjunction with the Blackstone River Bikeway Project, Lincoln, North Smithfield and Woonsocket.

The Department is seeking approval to issue a revised amount of compensation in the amount of \$59,550.00, which is \$19,070.00 more than the amount approved by the Committee of \$40,480.00 on October 12, 2004. At that time the Department had requested approval to acquire land and a temporary easement including a cost-to-cure from Consolidated Industrial Development Corporation (Condemnation Plat 2489/Parcels 2 and 3). The Department filed Condemnation Plat 2489 and disbursed a check in the amount of \$30,230.00 for the land and an easement, withholding \$10,250.00 to insure work was completed by the owner that was in conflict with the project (part of the cost-to-cure). Title to the property was subsequently transferred. The new owner is HMC Holdings, LLC. HMC Holdings, LLC obtained bids and agreed to remove 900 square feet of the building, including the 147 square feet that encroaches on

the area acquired, and for items related to restore the functional utility of the remainder of the property. The new owner is seeking compensation for the 753 square foot area of the building, as the Department assigned compensation for the 147 square foot area that was within the acquired area. The check for \$10,250.00 payable to the prior owner has been re-deposited into the appropriate account and a new check in the amount of \$29,320.00 will be issued to the new owner upon completion of the work necessary to clear the right of way. A review and presentation of this item was made by the Department in Executive Session.

A motion was made by Ms. Allaire Johnson and seconded by Mr. Kay to approve the request of the Department for approval of revised compensation for acquisition of Condemnation Plat 2489, in conjunction with the Blackstone River Bikeway Project, Lincoln, North Smithfield and Woonsocket

Passed Unanimously

With the exception of Item "P", in which Mr. Kay voted "Nay", 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 12:05 P.M.

Anne L. Lanni, Executive Secretary