

## **STATE PROPERTIES COMMITTEE MEETING**

**TUESDAY, APRIL 17, 2007**

The meeting of the State Properties Committee was called to order at 10:08 a.m. by Chairman Kevin M. Flynn. Other members present were Mr. Robert Griffith representing the Rhode Island Department of Administration; Richard B. Woolley representing the Rhode Island Department of Attorney General; Xaykham Khamsyvovong from the Rhode Island Office of the General Treasurer. Others in attendance were Anthony Paolantonio from the Rhode Island House of Representatives; Jarrett Devine, from the Federal Emergency Management Agency; Steven Feinberg, from the Film & Television Office; Audra Gorman, Henry Bromell and Luke Ramsey, for Brotherhood; Kevin Madigan, from the Rhode Island Senate Fiscal Office; Marlene McCarthy-Tuohy from the Department of Administration; Maureen McMahon from the Department of Transportation; Lisa Primiano and Joseph Dias, from the Department of Environmental Management; John Glynn, Department of Transportation; John Ryan, from the Rhode Island Department of Administration; Peter V. Lacouture from Nixon Peabody LLP.

Chairman Flynn noted for the record that the State Properties Committee did have a quorum present.

A motion was made to approve the regular minutes of the State Properties Committee meeting held on Tuesday, April 3, 2007, by Mr. Woolley and seconded by Mr. Griffith.

**Passed Unanimously**

**A motion was made to hear item D after the executive session by Mr. Griffith and seconded by Mr. Woolley.**

**Passed Unanimously**

**ITEM A – Department of Administration/Federal Emergency Management Agency – A request for final approval and signatures on the License Agreement for the Federal Emergency Management Agency (FEMA) to utilize space within the Cranston Street Armory for April 30, 2007 through and including May 10, 2007. Mr. Devine explained that the Department of Defense, in conjunction with FEMA will be working with the State of Rhode Island doing a full scale disaster exercise entitled “Our New Century” which would simulate a category 3 hurricane direct hit on Rhode Island. The exercise will continue all day, every day with only a slight presence at night as to avoid disturbing the neighborhood. Security will be present at all times. Mr. Ryan pointed out that the signature from Diane McKensey of FEMA was electronically transmitted to expedite the matter, but a hard copy would be forwarded to the Committee. Mr. Woolley asked if the islands, including Block Island, would be a part of this exercise. Mr. Divine informed the Committee that this exercise was not designed to involve the local communities but went to explain that the focus is on State partners and State agencies exercising full activation of the State Emergency Management Agency. A motion was made to approve by Mr. Griffith and seconded by Mr. Woolley.**

**Passed Unanimously**

**ITEM B – Department of Administration – A request for permission to**

utilize the rear parking lot located at One Capitol Hill in the City of Providence for the testing of a recent design project sponsored by Brown University. Mr. Marco Schiappa informed the Committee that the Department had not heard back from the applicants and asked the Committee to drop this matter from the agenda. The applicants could ask to be placed on a future agenda . Mr. Griffith informed the Chairman that a vote was not necessary. Chairman Flynn stated that no action would be taken at this time and this matter is deferred.

**ITEM C – Department of Administration/Film & Television Office – A request for Showtime to utilize the State House for filming scenes for the television series BROTHERHOOD. Mr. Feinberg explained the BROTHERHOOD production staff was requesting a blanket request because the script has yet to be written and they are unsure exactly how many days would be needed at the State House to film all 10 episodes. Mr. Feinberg stated that the filming began Monday, April 16, 2007, and would continue through August 2007. Filming will be done primarily over the weekends with the exception of two dates; Monday, April 23, 2007, and Monday, May 7, 2007. Mr. Feinberg sought and received permission to film on those dates from the various agencies occupying the State House (Governor’s Office, Speaker’s Office, Senate President’s Office, General Treasurer, Lieutenant Governor’s Office, Capitol Police and the Secretary of State’s Office). The Governor’s office as well as other agencies had questions and concerns with regard to parking. Mr. Feinberg informed the Committee the film crew would be coordinating with Chief Taco to insure parking is not disruptive to the employees of the**

**State House. Chairman Flynn read aloud Mr. Marco Schiappa's letter requesting certain guidelines for the filming and that notice be given one week prior to any filming. Mr. Feinberg submitted Letters of Insurance and other pertinent, supplemental materials including the above mentioned letters from the various State House agencies. Donald Bloom, the Producer for BROTHERHOOD, also submitted a detailed breakdown of the production company's set up and filming procedures. BROTHERHOOD also submitted a check for the deposit in the amount of \$15,000. A fee of \$1,500 per day of filming was also agreed to. Mr. Griffith asked if the Monday shooting was inclusive of set up and take down, Mr. Feinberg informed the Committee the set up and filming would take place on Monday and the break down would occur early on the following Tuesday by 8:30 a.m. Mr. Woolley made a motion to approve on the condition that the April 16, 2007, Marco Schiappa letter be incorporated into the process and was seconded by Mr. Griffith.**

**Passed Unanimously**

**ITEM E – Department of Environmental Management – A request for approval of and signatures on a Conservation Easement between the State of Rhode Island, acting by and through the Department of Environmental Management, and The Westerly Land Trust with respect to the Hirst Preserve Land. Mr. Joseph Dias informed the Committee as to the history of the property. He provided an aerial map of the property and pointed out various trails used the Westerly Track team for racing and how they would be extended to the river as well as the portion of the property being retained by the owners for**

housing. Mr. Dias explained the property qualified for a Greenways Grant due to its forest land status. Mr. Dias went on to explain that they would be giving the owners 50% of the appraised value for the property strictly regarding the open space. A motion was made by Mr. Woolley to approve the Conservation Easement and was seconded by Mr. Griffith.

**Passed Unanimously**

**ITEM F – Department of Environmental Management – A request for approval of and signatures on a Conservation Easement between the State of Rhode Island, acting by and through the Department of Environmental Management and the Narragansett Electric Company for State-owned property located in South Kingstown. Ms. Primiano and Mr. Lacouture presented an aerial map as well as a USGS map of the property. Ms. Primiano explained the Conservation Easement was needed for the construction of new access road into the State management area. The existing access road to the DEM rifle range currently crosses Narragansett Electric’s property. Mr. Lacouture explained that the Narragansett Electric Company is undertaking a large scale transmission project involving construction of new transmission lines, a new substation and a major upgrade to the existing substation. DEM wishes to move the current access road onto State owned land allowing for security purposes as well as allowing for full public access to the property. The funds (approximately \$90,000) to construct the new access will be provided by Narragansett Electric. Narragansett Electric will retain a non-exclusive right to use the new access road. Mr. Griffith asked**

about the existing buildings shown on the aerial map and Ms. Primiano explained they are owned by DEM which are used as deer check stations. Mr. Griffith inquired about the purpose of the rifle range and who utilizes it. Ms. Primiano informed the Committee it is for public training as well as enforcement personnel. A motion was made by Mr. Woolley to approve the Conservation Easement and was seconded by Mr. Griffith.

#### **Passed Unanimously**

**ITEM G – Department of Transportation – A request for conceptual approval to dispose of 4,405± square feet of State-owned land located at 777 Putnam Pike on the Smithfield and Gloucester Town Line. Mr. Glynn provided a map of the property and explained the applicant owns a business located next to the property, but has been leasing and paying rent for a number of years. A request to purchase the property has been made. Said property was originally acquired through condemnation in the 1930's. The Land Sale Committee would not agree to a total sale due to the possibility of the future enlargement to the highway, therefore, requesting to retain a 13 foot strip abutting Route 44. However they did agree to the sale of the property to the rear of the 13 foot strip between the road and the store. Mr. Griffith asked if the abutters are the only interested parties and if others had been notified of the possible sale. Mr. Glynn explained they are required to notify cities and towns as well as the previous owners. A motion was made to approve the request for conceptual approval to dispose of 4,405± square feet by Mr. Griffith and seconded by Mr. Woolley.**

## **Passed Unanimously**

**The Committee moves to go into Executive Session, pursuant to Rhode Island General Law 42-46-5(a)(5) for the specific purpose of discussion or consideration related to the acquisition or lease of real property for public purpose, 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 enter into Executive Session by Mr. Griffith and seconded by Mr. Woolley. A roll call vote was taken and the votes were as follows: Mr. Woolley voted “Aye”, Mr. Griffith voted “Aye” and Chairman Flynn voted Aye”.**

**ITEM E1 – Department of Transportation –A request to acquire land for roadway improvements on Putnam Pike (U.S. Route 44) from Chopmist Road to Tourtellot Hill Road in the Town of Glocester. After discussion in Executive Session with Ms. McMahon, it was concluded that more information was needed and therefore this matter was deferred.**

**ITEM E2 – Department of Transportation – A request to acquire a permanent easement on a parcel of land located at Manton and Hillside Avenues in the Town of Johnston. After discussion with Ms. McMahon in Executive Session, a motion to approve was made by Mr. Griffith and seconded by Mr. Woolley.**

**Passed Unanimously**

**A motion was made to seal the Executive Session minutes from the State Properties Committee meeting held on April 17, 2007, until such time as the matters under discussion are resolved. A roll call vote was taken and the votes were as follows: Mr. Griffith voted “Aye”, Mr. Woolley voted “Aye”, and Chairman Flynn voted “Aye”.**

**ITEM D – Department of Human Services – A request for permission to negotiate with the City of Pawtucket for the renewal option of the Sublease Agreement by and between the City of Pawtucket and the State of Rhode Island, acting by and through the Department of Human Services. Chairman Flynn deferred this item to the May 1, 2007, agenda.**

**Prior to adjourning the meeting Chairman Flynn updated the Committee on his recent meetings with the Government Oversight Committee and the Senate Fiscal Committee.**

**First, the Oversight Committee requested a summary of the procedures of the State Properties Committee. The first listing represents the procedure taken when the State is the Lessee, the second group depicts when the State licensees the use of State properties, and finally a flow chart illustrating how property is handled through the Committee regarding the various means for which the properties are acquired.**

**With regard to the Senate Finance Committee, Chairman Flynn informed the Committee of the bill that is being proposed to further restrict the ability of the Properties Committee to enter into Lease Agreements, said bill would reduce the ability from 5 years to 3 years and \$500,000 to \$300,000. Chairman Flynn made known his concerns**

**of emergency situations that could arise when the legislature is out and was encouraged to work with the Committee Legal Staff to reach an amicable arrangement. Chairman Flynn was also asked about the role of the Purchasing Agent when leasing property, which he has asked Mr. Mike Mitchell to take a look at and give his advice.**

**Finally, the Chairman was asked about the training of new members appointed to the Committee due to a statute being passed last year requiring such. Chairman Flynn acknowledged that that had yet to be developed, primarily due the lack of new members, however this would be addressed and developed over the upcoming summer.**

**There being no further business to come before the State Properties Committee, the meeting was adjourned at 11:04 a.m. Mr. Griffith made a motion to adjourn, which was seconded by Mr. Woolley.**

**Passed Unanimously**

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**Kimberly A. McNulty, Secretary**