

STATE PROPERTIES COMMITTEE MEETING

TUESDAY, MAY 15, 2007

The meeting of the State Properties Committee was called to order at 10:05 a.m. by Chairman Kevin M. Flynn. Other members present were Robert Griffith representing the Rhode Island Department of Administration; Richard B. Woolley representing the Rhode Island Department of Attorney General; Robert W. Kay, Public Member; and John A. Pagliarini, Public Member. Others in attendance were Gerald Ratigan from the Rhode Island House of Representatives; Lisa Primiano, John Faltus, Brian Tefft and Michelle Sheehan from the Rhode Island Department of Environmental Management; Paul Carcieri, Daniel Clarke, Robert B. Jackson, Maureen McMahon, Eva Bernardo, Richard Kalunian and Annette Jacques from the Rhode Island Department of Transportation; John Ryan, Marlene McCarthy-Tuohy and Ara Getzoyan from the Rhode Island Department of Administration; Thomas M. Bohan from the Rhode Island Department of Children, Youth and Families; Meredith Holderbaum from the Rhode Island Senate Fiscal Office; Jessica Paden from the Rhode Island Office of the General Treasurer and Mercedes Monteiro from the Rhode Island Historical Preservation and Heritage Commission.

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

Chairman Flynn thanked Mr. Griffith for chairing the State Properties

Committee meeting held on May 1, 2007, in his absence.

A motion was made to approve the regular minutes of the State Properties Committee meeting held on Tuesday, May 1, 2007, by Mr. Griffith and seconded by Mr. Woolley.

Passed

Unanimously

A motion was made to approve the Executive Session minutes of the State Properties Committee meeting held on Tuesday, May 1, 2007, by Mr. Kay and seconded by Mr. Woolley.

Four (4) Votes Aye

Mr. Griffith

Mr. Kay

Mr. Woolley

Mr. Pagliarini

One (1) Abstention

Chairman Flynn

Chairman Flynn abstained from voting relative to the approval of the general and Executive Session minutes of the State Properties Committee meeting held on May 1, 2007, as he was unable to attend said meeting.

A motion was made to seal the minutes of the Executive Session until such time as the matter is resolved by Mr. Griffith and seconded by

Mr. Woolley. Passed Unanimously

ITEM A – Department of Administration – A request was made for approval of and signatures on an Easement Agreement between the Department of Administration and the Narragansett Electric Company (National Grid) for grid service to Eastman House located in the City of Cranston. Mr. Getzoyan explained that this is a standard Easement Agreement between the State of Rhode Island and the Narragansett Electric Company. Mr. Getzoyan indicated that there is no financial transaction associated with this request. Mr. Griffith asked what the Eastman House’s current use is. Mr. Getzoyan explained that the Eastman House is currently utilized as a sixteen (16) bed women’s facility. Mr. Griffith asked if this is a request to upgrade the electrical and telephone service. Mr. Getzoyan indicated that is correct. A motion was made to approve by Mr. Griffith and seconded by Mr. Pagliarini.

Passed Unanimously

ITEM B – Department of Administration – A request was made for permission to utilize the State House grounds for the 30th Annual Heritage Festival on Saturday, August 25, 2007, with a rain date of Sunday, August 26, 2007. Ms. Monteiro indicated that this is a request for permission for the Historical Preservation & Heritage Commission to host the 30th Annual Heritage Festival on the grounds of the State House. Ms. Monteiro explained that approximately fifteen (15) to twenty (20) different ethnic groups will be represented at this event. Each group sells food and arts and crafts which feature their own culture. Ms. Monteiro indicated that a stage is erected and musicians from many different countries perform throughout the day.

Ms. Monteiro explained that this year the event's theme is "Travel the World in a Day". Adults and children will have the opportunity to acquaint themselves with the customs and traditions of a variety of countries such as Poland, Portugal, Ireland, Italy, France, Germany and Greece. Ms. Monteiro indicated that in the past, this event has been held in September; however, this year the date has been moved to August to take advantage of the warmer weather at that time. The event begins at 12:00 p.m. and usually ends at approximately 6:00 p.m. Chairman Flynn asked if liability insurance coverage has been obtained for this event. Ms. Monteiro indicated that she will forward a copy of the insurance certificate and the original License Agreement to Holly Rhodes of the State Properties Committee. Chairman Flynn reminded Ms. Monteiro that the Committee will execute the License Agreement at the next scheduled meeting of the State Properties Committee to be held on May 29, 2007. Mr. Pagliarini asked who the keeper of the schedule for the State House grounds is. Chairman Flynn indicated that any request for the use of the State House grounds should be presented to Mary Hamilton of the Department of Administration, Division of Facilities. A motion to approve was made subject to the appropriate certificate of insurance being provided to the State Properties Committee by Mr. Woolley and seconded by Mr. Kay.

Passed Unanimously

ITEM C - Department of Children, Youth and Families – A request was made for approval of and signatures on a Lease Agreement between Boucher Properties, LLC and the Department of Children, Youth and

Families for property located at 191 Social Street in the City of Woonsocket. Mr. Pagliarini began by asking if Swiftech holds an interest in the subject property. Mr. Bohan indicated that Swiftech does not hold an interest in the subject property. Mr. Pagliarini explained that he has legally represented Swiftech in the past and therefore, wished to ensure that no conflict of interest existed. Ms. McCarthy-Tuohy indicated that the State Properties Committee granted permission for the Department of Children, Youth and Families to enter into negotiations with Boucher Properties, LLC for property located at 91 Social Street in the City of Woonsocket. The Lease Agreement is for 1,565 square feet of space for a term of eighteen (18) months. The lease fee is \$2,566 per month for a yearly total of \$30,792. Ms. McCarthy-Tuohy noted that a handicap instructional inspection has been conducted. Ms. McCarthy-Tuohy indicated that she has forwarded a request to the Office of the State Fire Marshal for a fire code inspection; however, she has not yet received a response to said request. Mr. Griffith asked what the purpose of the lease is. Mr. Bohan explained that the property houses six (6) employees of the Department of Children, Youths and Families consisting of four (4) probation counselors, which supervise approximately one hundred fifty (150) juvenile offenders from the Woonsocket area and two (2) members of the administrative support staff. Mr. Woolley clarified that this request is for an extension of an existing lease. Chairman Flynn asked why the Lease Agreement is for a term of only eighteen (18) months. Mr. Bohan indicated that there has been some very preliminary discussion regarding the

possibility of moving other social service employees to the Woonsocket area and the Department of Children, Youth and Families does not want to be tied

to an extensive timeframe in the event larger quarters become necessary. A motion was made to approve by Mr. Woolley subject to the completion of a State Fire Marshal inspection and seconded by Mr. Griffith.

Passed Unanimously

ITEM D - Department of Children, Youth and Families – This item is deferred to a future meeting of the State Properties Committee at the request of the Department of Children, Youth and Families.

ITEM E - Department of Children, Youth and Families – This item is deferred to a future meeting of the State Properties Committee at the request of the Department of Children, Youth and Families.

ITEM F – Department of Environmental Management – A request was made for

approval of and signatures on a Deed to Development Rights between Salisbury Farm

Realty, LLC and the State of Rhode Island, Agricultural Land Preservation Commission

over thirty (30) acres of land located on Peck Hill Road and Plainfield Pike in the Town

of Johnston. Ms. Primiano utilized a site map to illustrate the exact location of the subject property. Ms. Primiano explained that the property is very active agricultural property. The owner of the property operates a “pick your own” vegetable farm and offers hayrides and a corn maze to the public. Ms. Primiano indicated that under the Deed to Development Rights, the State of Rhode Island is fortunate enough to have received a contribution in the amount of \$635,000 from the Federal Ranchland Protection Program. Farmland Commission Bonds will provide the remaining \$365,000. Ms. Primiano indicated that the farm has been operated by the same family since the 1860(s). Pursuant to the Deed for Development Rights, Salisbury Farm

Realty, LLC will retain the right to place one dwelling on the property at some point in

the future. Mr. Salisbury has no intention of constructing a dwelling; however, if the

property is sold, there is currently no residential use attached to the property. The

Department of Environmental Management prefers that a farmhouse be attached to any

farm property so that a new owner could actually reside and farm on the property. Mr.

Kay asked if the present owner could lease the dwelling to another party. Ms. Primiano

indicated that if Mr. Salisbury were to construct a house at this time, he would be able to

lease it to an interested party. Mr. Griffith asked whether the property will continue to

operate as a farm. Ms. Primiano stated that the property will

absolutely continue to

operate as a farm. Mr. Primiano also indicated that Mr. Salisbury cannot subdivide the

house lot; it must be contained within the existing legal lot of record. Mr. Woolley asked

if the appraisal of the property was an internal or external appraisal. Ms. Primiano

indicated that the appraisal was an external appraisal conducted by Sweeney Real Estate.

The actual appraised value was determined to be \$1.27 million for the development

rights; however, the property owner has agreed to accept \$1 million. A motion was made

to approve by Mr. Griffith and seconded by Mr. Kay.

Four (4) Votes Aye

Mr. Griffith

Mr. Kay

Mr. Woolley

Chairman Flynn

One (1) Vote Nay

Mr. Pagliarini

ITEM G – Department of Environmental Management – A motion was made to defer this matter until the end of meeting by Mr. Kay and seconded by Mr. Griffith.

Passed Unanimously

ITEM H – Department of Environmental Management – A request was made for approval of and signatures on a License Agreement between the State of Rhode Island, acting by and through the Department of Environmental Management and the Rhode Island Abenaki Council to allow the Council to hold its annual Pow-Wow at Colt State Park from August 25, 2007, through August 26, 2007. Mr. Faltus explained that this is an annual event, which has been held at Colt State Park for several years. It was originally held on the State House grounds and sponsored by the Rhode Island Historical and Preservation Commission, but has relocated to Colt State Park. The insurance coverage is provided by the Rhode Island Historical and Preservation Commission and the Commission will submit a certificate of insurance closer to the event. Mr. Faltus indicated that the original License Agreement has been revised, at the request of Mr. Woolley of the Department of Attorney General, to include language concerning liability insurance for athletic events. Mr. Faltus provided a revised page to be inserted into the License Agreement,

which was read aloud by Chairman Flynn. Mr. Griffith asked who the Abenaki Council is. Mr. Faltus explained that the Abenaki Council is a type of Native American Tribe recognized in the State Rhode Island. Mr. Griffith asked where the Abenaki Council's territory is located. Mr. Faltus indicated that portions of the eastside of the Narragansett Bay were Abenaki Council land at one time. Mr. Pagliarini asked if either the Bristol Town Council or the Bristol Police Department have been notified with regard to this event. Mr. Faltus indicated that law enforcement officers will be provided by the Department of Environmental Management and that the Town of Bristol has been previously notified of this event. A motion was made to approve by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM J – Department of Transportation – A request was made for approval of and signatures on a Temporary Easement Agreement between AKG, Inc. and the State of Rhode Island, by and through the Department of Transportation for emergency repairs to the Peacedale Stone Arch Bridge No. 178 located in Town of South Kingstown. Ms. McMahon explained that conceptual approval to obtain this easement was granted by the State Properties Committee on January 23, 2007. Since that time, the Department of Transportation has obtained the signature of the property owner on the Temporary Easement Agreement. Therefore, the Department of Transportation is now seeking the State Properties Committee's approval of and signatures on the Temporary Easement Agreement to allow the Department to proceed with necessary repairs to the Peacedale Stone Arch Bridge

No. 178. Mr. Griffith explained that he has no aversion to voting to approve this request; however, as the transmission memorandum references “emergency repairs” he questioned the length of time, which has elapsed since conceptual approval was granted. Ms. McMahon explained that there were budget issues, which were the cause of the delay in this matter. Ms. McMahon indicated that if said budget issues were not resolved, the Department of Transportation would have had to close the bridge. Therefore, this matter became a priority and additional monies were allocated for the project. A motion was made to approve by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM K – Department of Transportation – A request was made for approval to acquire two (2) parcels of land located in the City of Woonsocket for the development of the Blackstone River Bikeway Project. Ms. McMahon explained that this item concerns the continuation of the Bikeway Project in the City of Woonsocket. This is a request for both a temporary and permanent easement on two (2) parcels of land owned by the City of Woonsocket. The easements were appraised at \$8,310; however, as the property is owned by the City of Woonsocket, the State of Rhode Island will pay a nominal fee of one (\$1.00) dollar as compensation for the easements. Ms. McMahon stated that the Department of Transportation is seeking permission to proceed with the acquisition of these easements. A site map of the subject property was presented for review by the Committee. A motion was made to approve by Mr. Griffith and

seconded by Mr. Kay.

Passed Unanimously

ITEM L – Department of Transportation – A request was made for final approval of and signatures on a Quit Claim Deed between the Rhode Island Economic Development Corporation, acting by and through, Quonset Development Corporation, for two (2) parcels of land comprising of approximately 145,712 square feet in conjunction with the expansion of facilities at Quonset State Airport in the Town of North Kingstown. Mr. Kalunian introduced himself and Annette Jacques from the Rhode Island Department of Transportation’s Office of Legal Counsel. By way of background, Mr. Kalunian explained that on August 30, 2006, the Department of Transportation appeared before the State Properties Committee and obtained conceptual approval to acquire seven (7) parcels of land. Five (5) of the said seven (7) parcels of land were acquired by condemnation. The remaining two parcels of land were donated by the Rhode Island Economic Development Corporation. The Rhode Island Economic Development Corporation also holds an interest in a portion of a street, which is necessary for the completion of this project. Mr. Kalunian explained for the benefit of the new State Properties Committee members, that the Department of Transportation is the acquiring authority for State Airports. The State Airports are acquiring the subject parcels of land in conjunction with the Rhode Island Army National Guard’s Black Hawk Helicopter Facility’s construction. As such, the Airports are eligible for a federal grant in the approximate amount of \$34 million dollars, provided the State of

Rhode Island agrees to supply the necessary land to construct the project. Therefore, the State of Rhode Island will eventually sublease or amend its lease with the Rhode Island Airport Corporation, who will in turn sublease to the Army National Guard. Chairman Flynn indicated that the Action Request Form references two (2) parcels of land; however, it appears that three (3) parcels of land are being acquired. Chairman Flynn also explained that in accordance with his calculations, the total square footage referenced on the Action Request Form appears to be incorrect. Mr. Pagliarini asked whether this is an expansion of or a new location for the existing helicopter unit. Mr. Pagliarini asked whether the project abuts the property contiguously or if it is a new location. Mr. Kalunian indicated that this project abuts the existing helicopter unit and the National Guard intends to demolish some existing buildings on the opposite side of Airport Road. Mr. Kalunian also indicated that the Army National Guard is vacating its facility located adjacent to the North Central Airport on Route 116 and said facility will be made available to the Department of Transportation as a salt storage facility. A motion was made to approve subject to the Action Request Form being revised to reflect the total square footage of Parcels 1A, 2A and the portion of 6A in the amount of 183,775 square feet by Mr. Pagliarini and seconded by Mr. Griffith.

Passed Unanimously

ITEM M – Department of Transportation – A request was made for conceptual approval to dispose of 1,250 square feet of State-owned land located on West Exchange Street in the City of Providence. Ms.

Bernardo presented a site map and aerial photographs of the subject property for review by the Committee. Mr. Bernardo explained that the Rhode Island Convention Center wishes to purchase 1,250 square feet of land to create an improved parking access/egress to its parking garage located on West Exchange Street in the City of Providence. A motion was made for conceptual approval by Mr. Pagliarini and seconded by Mr. Kay.

Passed Unanimously

ITEM N – Department of Transportation – A request was made for approval to dispose of State-owned property located on One Franklin Square in the City of Providence. Mr. Clarke explained for any new members of the State Properties Committee that the subject property was purchased in 2000, by the State of Rhode Island. The property housed an adult entertainment center together with office space utilized by employees of the Department of Transportation. In January of 2007, the Department appeared before the State Properties Committee seeking permission to dispose of the subject property. Employees of Department of Transportation were relocated from the subject property to a new location on Eddy Street in Providence, Rhode Island in April of 2007. The Department of Transportation then advertised an invitation for bids to dispose of the property. The minimum bid amount was set at \$2.3 million dollars, which was the valued determined by an external appraisal completed in December of 2006. The Department of Transportation received one qualified bid, which was submitted by the owner of the adult entertainment establishment. Therefore, the Department is before the Committee

today seeking permission to dispose of the subject property. Pursuant to section 37-7-5, the property will be offered for sale to the former owner and the municipality. Mr. Woolley asked how much the State of Rhode Island paid for the subject property in 2000. Mr. Clarke indicated that the State paid 1.9 million dollars for the subject property. However, the State of Rhode Island collected \$436,000 in rental payments and saved additional monies as a result of utilizing the property as office space for Department of Transportation employees. A motion was made to approve by Mr. Griffith and seconded by Mr. Kay. **Passed Unanimously**

ITEM O – Department of Transportation – A request was made for conceptual approval to dispose of approximately 20,718 square feet of land located along Interstate 95 North near the Route 113 access ramp in the City of Warwick. Mr. Clarke illustrated the exact location of the subject property using an aerial photograph. Mr. Clarke explained that although the Department of Transportation does not believe the subject property will generate much outside interest, as it is a “stand alone” parcel of land, the Department of Transportation is seeking permission to offer the property at a public sale via a Request for Proposals. Mr. Clarke indicated that an external appraisal valued the subject property at \$9.00 per square foot. Mr. Pagliarini asked whether the Department of Transportation will reserve an easement over the property for the sewer pipe located on the subject property. Mr. Clarke indicated the Department of Transportation will reserve an easement relative to the sewer pipe. A motion was made to grant conceptual approval by Mr. Griffith and

seconded by Mr. Woolley.

Passed Unanimously

ITEM P – Department of Transportation – A request was made for conceptual approval to dispose of approximately 6,250 square feet of land located at 2500 Boston Neck Road in the Town of North Kingstown. Mr. Clarke illustrated the location of the subject property using a site map. Mr. Clarke explained that Mr. Paliotti has been interested in purchasing the subject property for a number of years. At one time, the sale of the subject property was delayed pending a decision as to whether the State of Rhode Island was going to construct a bikepath through the area. At this time, the property has been determined to be in excess of the Department of Transportation's needs. Mr. Clarke explained that the property is located in the Historic Saunderstown District and as such the Historic Preservation & Heritage Commission has indicated that they have some interest regarding the future development of the property. Mr. Clarke explained that Mr. Paliotti wishes to purchase the subject property for beautification purposes only. Mr. Pagliarini reiterated his concerns regarding the disposition of State-owned property in a piecemeal manner. Mr. Clarke explained that the Department of Transportation is responding to the applicant's request to purchase a particular property. Mr. Griffith asked if the transfer of the property includes a historical preservation easement. Mr. Clarke indicated that the property does not presently include a historical preservation easement; however, one has been requested. Mr. Griffith indicated that as the possibility exists for the applicant to acquire additional

land, it is of utmost importance that said restrictions and easements are in place relative to the transfer of this property. A motion was made to approve by Mr. Griffith and seconded by Mr. Kay.

Passed Unanimously

ITEM Q – Department of Transportation – A request was made for approval of and signatures on a Quit Claim Deed conveying 2,129 square feet of land located on Ferry Road between Station No. 396+92.04 and 399+89.63 in the Town of Bristol.

Mr. Jackson indicated that the State Properties Committee granted conceptual approval to convey the above-referenced property to Roger Williams University on April 3, 2007. An internal appraisal valued the subject property at \$6.00 per square foot for a total purchase price of \$12,800.00. A motion was made to approve by Mr. Griffith and seconded by Mr. Woolley.

A motion was made to allow items G and I, which were previously deferred, to return to the agenda by Mr. Griffith and seconded by Mr. Kay.

Passed Unanimously

ITEM G – Department of Environmental Management – A request was made for permission to publicly advertise to seek bids from local farmers for the use of 40± acres of farm land located on Puncatest Neck Road in the Town of Tiverton. Mr. Tefft explained that the subject property is located on a portion of the Sapowet Management Area and has been tilled as cropland for producing potatoes, corn and other crops. Since the time the Department of Environmental Management acquired the property, it has been leased to local

farmers in order to maintain its agricultural use. The most recent lease expired in November of 2006; however, pursuant to a tentative agreement between the Department of Environmental Management and the Lessee, the term of the Lease will be extended for a period of one-season (approximately six (6) months), pending the approval of the State Properties Committee. At this time, the Department of Environmental Management is seeking permission to advertise for a Request for Proposals for a new five (5) year Lease Agreement, with an option to renew said Lease Agreement for an additional five (5) year term. A motion was made to grant permission for the Department of Environmental Management to advertise to solicit bids for a new Lease Agreement beginning in the 2008 growing season by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM I – Department of Transportation – A request was made for approval of and signatures on a Quit Claim Deed between the State of Rhode Island, acting by and through the Department of Transportation, and Alder Brook Builders conveying land located on Atwood Avenue in the City of Cranston. Mr. Carcieri explained that the State Properties Committee granted conceptual approval for the sale of the subject property in August of 2006. Mr. Carcieri presented an aerial photograph of the subject property for review by the Committee. Mr. Carcieri indicated that Alder Brook Builders will utilize the land for access and egress and beautification to its adjacent private property. Mr. Carcieri stated that the Quit Claim Deed includes a restriction prohibiting Alder Brook Builders from

placing any building, structure or fixed improvements on the subject property. The subject property is otherwise landlocked and accessible only by the applicant. In a separate process, Alder Brook Builders will approach the Department of Transportation for a physical alteration permit to gain access from Hartford Avenue. A motion was made to approve by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

There being no further business to come before the State Properties Committee, the meeting was adjourned at 11:00 a.m. Mr. Griffith made a motion to adjourn, which was seconded by Mr. Woolley.

Passed Unanimously

Holly H. Rhodes, Executive Secretary