

# **STATE PROPERTIES COMMITTEE MEETING**

**TUESDAY, MARCH 29, 2011**

**The meeting of the State Properties Committee was called to order at 10:05 a.m. by Chairman Ronald N. Renaud. Other members present were Robert Griffith representing the Rhode Island Department of Administration; Sue Urso, attending on behalf of Richard Woolley in his absence, representing the Rhode Island Department of Attorney General; Robert W. Kay, Public Member; and Andrew Marcaccio representing the Rhode Island Office of the General Treasurer, Ex-officio Member. Others in attendance were Meredith Pickering from the Rhode Island Senate Fiscal Office; Anthony Robinson from the State of Rhode Island General Assembly; Michael D. Mitchell and John P. Ryan from the Rhode Island Department of Administration; Colleen Kerr and Rick Kalunian from the Rhode Island Department of Transportation; John Faltus, Lisa Primiano and Michelle Sheehan from the Rhode Island Department of Environmental Management; Benjamin Copple from the Rhode Island Department of Labor and Training; J. Vernon Wyman from the University of Rhode Island; Michael Butler from the Federal Highway Administration; James H. Hahn from the Rhode Island Economic Development Corporation; and Larry Eichler.**

**Chairman Renaud stated for the record that the State Properties Committee did have a quorum present.**

**A motion was made to approve the minutes from the State Properties Committee**

meeting held on March 15, 2011, as amended, by Mr. Griffith and seconded by Ms. Urso.

### **Passed Unanimously**

**ITEM A – Department of Labor and Training – A request was made for permission to initiate negotiations with the Pawtucket Redevelopment Agency to extend the Department’s existing Lease Agreement for a one-year term for the premises located at 175 Main Street in the City of Pawtucket, which houses the Pawtucket netWORKri Center. Mr. Copple stated that the Department has occupied these premises for approximately six (6) years; however, the Lease Agreement is due to expire next month. The Department is seeking permission to extend the existing Lease Agreement for a term of one (1) year and at the end of the year, the Department will reevaluate the status of its federal funding and subsequently establish a long-term plan. Mr. Copple stated that the Pawtucket Redevelopment Agency has indicated it is willing to enter into negotiations for a one-year Lease Agreement. Ms. Urso asked what percentage of the operation’s costs the federal government normally funds. Mr. Copple indicated the operation is entirely funded by the federal government. Mr. Ryan indicated that the Department has enjoyed a great working relationship with the Pawtucket Redevelopment Agency and subject to its ability to secure the necessary federal funding the Department would like to enter into negotiations for a five-year Lease Agreement in the future. Mr.**

**Copple noted that the Pawtucket Redevelopment Agency has also expressed its satisfaction with the current arrangement and would like the Department to continue to occupy the building if possible. Mr. Griffith stated that the operation's current location is ideal for its purpose. The facility is located along several major bus routes and is situated within a pleasant area of downtown Pawtucket. Mr. Ryan agreed and stated that the Department**

**is very content at the current location. A motion was made to approve by Mr.**

**Griffith and seconded by Mr. Kay.**

**Passed Unanimously**

**ITEM B – Department of Environmental Management – A request was made for approval of and signatures on the License Agreement by and between the Department of Environmental Management and the Newport Rugby Club (the “Club”) to allow the Club to hold various events and activities at Fort Adams State Park with Authorization to Serve Alcoholic Beverages during the 2011 Season. Mr. Faltus explained that this is an annual request from the Newport Rugby Club. Mr. Faltus stated that, as Chairman Renaud may know, the majority of State parks prohibit the sale and/or consumption of alcoholic beverages on park grounds; however, Fort Adams State Park permits the sale and consumption of alcoholic beverages during several special events, as does the World War II Memorial State Park, during the annual Autumnfest Celebration through the issuance of**

**License Agreements. Mr. Faltus indicated that the License Agreement before the Committee is the standard form of agreement that the Department has utilized for many years. Mr. Faltus noted that the Certificate of Insurance that was included in the submission package has expired; however, the Club's insurance policy will be renewed prior to the first event. Therefore, the Department respectfully requests that the State Properties Committee grant its approval of the License Agreement subject to the Club providing the Department and Committee with an updated Certificate of Insurance for this year's events. Chairman Renaud asked whether the organizations are required to provide TIP training, or any training of that nature, for employees or volunteers. Mr. Faltus indicated that if the applicant engages the services of a caterer, then training of that nature would be required; however, generally for these events, trucks equipped with draft/pouring spouts and refrigeration are rented and members of the organization supervise the dispensing of the alcoholic beverages. These organizations are required to secure any necessary licenses through the City of Newport, such as the Class F1 Special Events License and they must comply with any and all licensing requirements of the City of Newport. Chairman Renaud asked who is responsible for the policing of these events. Mr. Faltus explained that the License Agreement contains a provision, which requires the Club to engage the services of an Environmental Police Officer to be on duty during these events. Mr. Kay asked if the applicant utilizes more than one portion of the park. Mr. Faltus stated that the Club only utilizes the two (2) rugby fields for matches and**

tournaments. Mr. Faltus noted that, with the exception of the initial season, there have been no problems or property damage associated with these events, which have been held at the park for many years now. Ms. Urso asked how many events the Club plans to host during the 2011 season. Mr. Faltus stated that there are three events scheduled for the following dates: May 14 and 15, 2011; July 23, 2011; and August 20, 2011. Again, Mr. Faltus respectfully requested that, if possible, the Committee grant its approval subject to the submission of an updated Certificate of Insurance prior to the first event. Mr. Kay asked the name of the insurance company. Mr. Faltus indicated that the insurance carrier is Philadelphia Indemnity Insurance through the United States of America Rugby Association. A motion was made to approve by Mr. Griffith, subject to the submission of an updated Certificate of Insurance, evidencing that the appropriate product liability and general liability insurance coverage has been secured and will be in effect prior to the first event. Said motion was seconded by Mr. Kay.

**Passed Unanimously**

**ITEM C – Department of Environmental Management – A request was made for approval of and signatures on the annual License Agreement by and between the Department of Environmental Management and Sail Newport, Inc. for various events and activities to be held at Fort Adams State Park with Authorization to Serve Alcoholic Beverages during the 2011 Season. Mr. Faltus stated that this annual request for a License Agreement from Sail Newport, Inc. is similar to the previous item. Sail Newport, Inc. is a lease holder at**

**Fort Adams State Park. They host a number of regattas throughout the season and the subject License Agreement will allow them to host social function after said regattas. Mr. Faltus stated that these events are usually held in the mule barn located near the beach at Fort Adams State Park. Once again, Mr. Faltus respectfully requested that, if possible, the Committee grant its approval subject to the submission of an updated Certificate of Insurance prior to the first event. Mr. Kay asked if the State Properties Committee will receive a copy of the updated Certificate of Insurance. Mr. Faltus indicated that he regularly provides Ms. Rhodes with copies of all updated Certificates of Insurance for the Committee's records. A motion was made to approve by Mr. Griffith, subject to the submission of an updated Certificate of Insurance prior to the first event. Said motion was seconded by Mr. Kay.**

**Passed Unanimously**

**ITEM D – Department of Environmental Management – A request was made for approval of and signatures on a License Agreement to allow Eident Sports Marketing (“Eident”) to utilize a portion of the East Bay Bicycle Path from First Street in the City of East Providence, to West Street in the Town of Barrington, on Sunday, May 1, 2011. Mr. Faltus explained that this is the fourth (4) consecutive year that Eident has partnered with Cox Communications to sponsor the Cox Providence Road Races, which consist of a 5K, a half marathon and a marathon. As portions of the East Bay Bicycle Path are utilized for the marathon, Eident is required to enter into a License Agreement with the Department for said use. Mr. Faltus indicated that they are also**

required to pay a \$500 licensing fee for use of the bicycle path. The event will be held on Sunday, May 1, 2011. Chairman Renaud asked how the licensing fee is determined and what is required of the Department throughout this process. Mr. Faltus explained that the licensing fee compensates the Department for the time he personally expends handling the administrative process and appearing before the Committee to seek approval of the License Agreement. Additionally, Mr. Faltus stated that Eident requested the assistance of two (2) members of the Colt State Park staff, for which they are charged an additional fee of \$350 to compensate the Department for overtime hours those employees work. Chairman Renaud asked if these fees adequately compensate the Department for its costs related to this event and the preparation of the License Agreement. Mr. Faltus indicated that the Department's costs are covered by these fees. Lastly, Mr. Faltus respectfully requested that, if possible, the Committee grant its approval subject to the submission of an updated Certificate of Insurance prior to the first event. A motion was made to approve by Mr. Griffith, subject to the submission of an updated Certificate of Insurance prior to this event. Said motion was seconded by Ms. Urso.

**Passed Unanimously**

**ITEM E – Department of Environmental Management – A request was made for approval of and signatures on a Conservation Easement over 99 acres of land located along Whipoorwill Terrace in the Town of Foster; known as the Delvecchio Property.**

**Ms. Sheehan presented a map of the subject property for the**

**Committee's review. She explained that the property is situated along the North/South Trail and abuts existing protected land owned by the Foster Land Trust. Ms. Sheehan stated that The Nature Conservancy was awarded a local open space grant for the purchase of the property and in exchange for this award, the Department has been granted a Conservation Easement over the 99 acre parcel of land. Mr. Griffith noted that there appears to be a substantial structure located on the property, as well as a bisecting roadway. Ms. Sheehan explained there is a dwelling on the subject property and that the roadway leads directly to the residence, but does not continue through the remaining portion of the property. A motion to approve was made by Mr. Griffith and seconded by Mr. Kay.**

**Passed Unanimously**

**ITEM F – Department of Environmental Management – A request was made for approval of and signatures on a Conservation Easement for the preservation of approximately 35.94 acres of land located along Burnt Swamp Road in the Town of Cumberland; know as the Pratt Property. Ms. Primiano indicated to Chairman Renaud that he can expect the Department to appear before the Committee on a regular basis seeking approval of conservation easements as a result of the local grant program, which is administered by the Department and funded with State Bond Funds. Ms. Primiano stated that the program typically awards 50% /50% matching grants, which encourage organizations to enter into partnerships with the Department to provide assistance in land conservation projects. Director Coit recently announced that a new grant cycle will commence in the very**

near future; but requested the staff make a diligent attempt to bring any outstanding projects to their conclusion; the Pratt property being one of those remaining projects. Ms. Primiano explained that the subject Conservation Easement provides multiple functions. First, as the easement area is located along the Diamond Hill Reservoir and Watershed, it will offer protection to said water supply. Additionally, due to the easements proximity to both farmland and land upon which rare habitats exist, it will supply protection for these natural resources. Ms. Primiano stated that the Department's contribution toward the acquisition of the subject property is \$200,000 and in exchange, it will receive a Conservation Easement over the 35.94 acre parcel of land. Chairman Renaud noted that it was previously mentioned that cows were raised and/or kept on the surrounding farmland and questioned how the Department ensures that the nearby watershed area and/or water supply source is protected from potential contamination resulting from the byproducts associated with farming and farm animals. Ms. Primiano explained that when entering into one of these partnerships, the parties develop a management plan and the Department requires all land managers to work closely with the Department to ensure their compliance with said plan. In transactions involving agriculture, the Department requires that the land managers observe and abide by what is referred to as "best management practices" and that they work with the Department's Division of Agriculture to ensure any activities associated with their use of land, within a conservation easement area, does not result in the polluting of nearby water. In this instance,

**the Town of Cumberland will work hand and hand with the Department's Division of Agriculture and Land Conservation Program to avoid any potentially hazardous situations from arising. Ms. Primiano indicated that the Department requires a candidate's strict adherence to the established management plan as a condition of receiving a grant. The Department reviews and approves the plan, so if any questionable farming activities exist, the Department can exercise its authority to demand that such an activity is modified to the satisfaction of the Department or be eliminated altogether. This management plan is also being reviewed by the Pawtucket Water Supply Board so they also have the authority to address and resolve any activity they believe has the potential to be harmful. The Department either monitors or commissions an agency at the local level to ensure the conservation easement standards are being upheld. Ms. Primiano indicated that it is often the neighbors who monitor the activities and contact the Department if they notice something amiss. Mr. Kay asked if the Pratts have satisfied the liens on the property, as well as and any all outstanding legal matters concerning the property. Ms. Primiano stated that the Department obtained a title report evidencing that any and all title and or legal issues have been resolved. Mr. Griffith asked whether Diamond Hill is managed as a water supply reservoir, thereby prohibiting any recreational use of the Watershed including fishing. Ms. Primiano stated that is correct. A motion to approve was made by Mr. Griffith and seconded by Ms. Urso.**

**Passed Unanimously**

**ITEM G – Department of Environmental Management – A request was made for approval of and signatures on a Purchase and Sale Agreement by and between Herman M. Bates and the Department of Environmental Management for the acquisition of 35 acres of land located on Durfee Hill Road in the Town of Glocester; known as the Bates Property. Ms. Sheehan presented a map of the subject property, which illustrated that said property is an inholding within the Durfee Hill Management Area. The State of Rhode Island will be purchasing the subject property as a way to ease an encroachment upon State-owned land and to facilitate its management. Ms. Sheehan noted that the parcel includes rare habitat and will be incorporated into the Durfee Hill Management Area. The State will purchase the property for \$300,000 and The Nature Conservancy will contribute \$150,000, or one half, of the total purchase price. Ms. Sheehan stated that the Natural History Survey has studied the property in previous years and has found evidence that the western side of the parcel accommodates rare habitats. A motion was made to approve by Mr. Griffith and seconded by Ms. Urso.**

**Passed Unanimously**

**ITEM H – Department of Environmental Management – A request was made for approval of and signatures on a Temporary Easement over 3,500 square feet of State-owned property located at the Eight Rod Farm Management Area in the Town of Tiverton, by and between the Department of Environmental Management and Spectra Energy. Ms. Primiano indicated that this request was received by the Department from Spectra Energy (“Spectra”) also known as Algonquin Gas**

**Company. Ms. Primiano explained that Spectra is installing some safety features on their gas line, which runs through an existing State management area. Ms. Primiano stated that the installation of said features is a safety requirement, which obligates Spectra to place testing equipment on the gas lines periodically throughout the length of the line. Spectra needs the Department to grant a temporary construction easement area to allow them to transport the safety equipment to the gas line to effectuate its installation. The Department has agreed to grant them a 3,500 square foot construction easement area for a term of one (1) year. Ms. Primiano stated that Spectra delivered a check to the State of Rhode Island in the amount of \$2,000 representing the fee for said easement. They have also provided the Department with a Certificate of Insurance evidencing proof of the appropriate insurance coverage and indemnification, which hold the State harmless, in the event of any occurrence and/or subsequent legal action resulting from Spectra's use of the easement area. Due to this project, there will be some interruption of a farmer's use of a field in the near vicinity; however, Spectra has agreed to adequately and directly compensate the farmer for said interruption. Chairman Renaud asked if there are any existing structures within or near the easement area. Ms. Primiano noted that there are no structures within the easement area, but outside the easement area there are some old farm buildings, which the Department is in the process of demolishing. Chairman Renaud asked if there are any schools or facilities of that nature in the area. Ms. Primiano indicated that there are none whatsoever as the**

easement area is within a very large, protected open space area. Mr. Kay asked if Spectra anticipates that the project can be completed within a period of one year. Ms. Primiano noted that Spectra expects that the work will be completed in much less time; however, the Department suggested a term of one-year to avoid having to return to the Committee seeking approval for renewals and/or extensions. Ms. Urso asked if this is the first time the Department will be entering into this agreement with Spectra. Ms. Primiano stated that this is the first time the Department is granting a construction easement to Spectra for this particular use. However, Spectra has an existing easement through the entirety of that management area; however, this Temporary Construction Easement Agreement will simply enlarge the area for a period of one year. Mr. Griffith asked if the Committee has received a copy of the Certificate of Insurance for its records. Ms. Primiano indicated she will be glad to forward Ms. Rhodes a copy of the Certificate of Insurance that was submitted to the Department. A motion to approve was made by Mr. Griffith, subject to the Committee's receipt of proof of insurance coverage. Said motion was seconded by Ms. Urso.

**Passed Unanimously**

**ITEM I – Department of Environmental Management – A request was made for approval of and signatures on a Park Use Agreement by and between the Department of Environmental Management and the Town of Bristol for the Town's use of a portion of Colt State Park. Ms. Sheehan stated that the Department is seeking approval of a Park Use Agreement to allow the Town of Bristol to use and manage a portion**

of Colt State Park referred to as the playing fields. Ms. Sheehan indicated that as this particular Agreement has been active since 1978, the parties are merely seeking a renewal of the Agreement. Chairman Renaud asked if there have been any problems associated with the Town's use of this portion of the park in the past. Ms. Sheehan stated there have been no problems whatsoever. Ms. Urso noted that it appears this Agreement expired in 2009 and asked if this is correct. Ms. Sheehan indicated that the Agreement did in fact expire in 2009. Mr. Griffith asked if proof of insurance coverage has been submitted to the Department and/or to the Committee for its records. Ms. Sheehan indicated that she has requested that the Town of Bristol provide proof of insurance coverage, naming the State as an additional insured; however, as of today, she has not received the same. Ms. Sheehan stated that she will forward a copy of the proof of insurance to the Committee upon her receipt thereof. A motion to approve was made Mr. Kay, subject to the Town of Bristol submitting proof of insurance coverage to the Department. Said motion was seconded by Mr. Griffith.

**Passed Unanimously**

**ITEM J – Department of Revenue/Division of Motor Vehicles – A request for**

**final approval of a Short–Term Lease Agreement by and between the Department of Revenue/Division of Motor Vehicles and Aquidneck Group, LLC for the premises located at 99 East Main Road in the Town of Middletown. Item J is deferred to a future meeting of the State Properties Committee at the request of the Department of**

## **Revenue/Division of Motor Vehicles.**

**ITEM K – Board of Governors for Higher Education/University of Rhode Island – A request was made for approval of and signatures on a Lease Agreement by and between the University of Rhode Island and the Independence Square Foundation for the premises known as suite H within the Independence Square II Building on the University’s Kingston Campus. Mr. Wyman explained that the University of Rhode Island has enjoyed a very long and successful relationship with the Independence Square Foundation. Said relationship dates back to 1991, when the parties entered into a Ground Lease that enabled Independence Square Foundation to construct a facility, which is essentially a community center. The center serves the University’s needs in terms of its academic programs, physical therapy program, as well as its not for profit entities for individuals with disabilities. Mr. Wyman stated that in 2007, the University authorized the expansion of said facility within the parameters of remaining portion of the original parcel of land. Mr. Wyman stated that the University’s Kinesiology Program, Physical Education Program and Speech and Hearing Clinic for Communicative Disorders of the Department of Human Services are all housed within this facility. Mr. Wyman noted that the University’s relationship with Independence Square Foundation has allowed the University to benefit from rates that are specifically designed for not for profit entities and, therefore, provides a kind of recovery of operating and overhead expenses for the operation of these programs. Initially, the Independence Square Foundation brought its construction funding, together with the**

original case obligation bonds, to the table and later, secured federal funding for the construction of the expansion project. Therefore, the University benefits from the availability of construction operated and managed by others, which enhances the campus while substantially benefiting from the absence of any debt obligations. Mr. Wyman indicated that this is a modest expansion of the University's presence within the facility. At this time, the aforementioned academic programs represent a total population of approximately 160 University students currently occupying the community center, which also serves other tenants. It has come to the attention of both the University and Independence Square Foundation that there is a need for additional quiet study space for students, which does not exist in the hallways or other public and common areas within the facility. There is also a need for two (2) separate offices. Mr. Wyman indicated that Suite H happens to be available at this time and consists of 1,100 square feet of space. The rental rate for the suite starts at \$15.65, which includes base rent and utility expenses. Mr. Wyman stated that the University strongly recommends that the Committee grant approval to enter into a ten (10) year Lease Agreement to occupy this available space, which is less than three (3%) percent of the total space the University occupies within said facility. Mr. Kay asked how much square footage is utilized for the Physical Therapy Program. Mr. Wyman stated that in total, the University occupies just less than 40,000 square feet of space within the 68,000 square foot facility. The Physical Therapy Program, which is a graduate program, occupies less than 20,000 square feet of space

with the majority of its classes and exercises being conducted within the facility. Mr. Wyman mentioned that the facility is located at the very perimeter of the campus beyond the athletic fields and, therefore, serves as a hub unto itself without the direct access available to the Library and other facilities. Chairman Renaud asked if the Lease Agreement contains an escalator clause, which provides for increases in the rental rate throughout the term of the Lease Agreement. Mr. Wyman explained that at the end of each fiscal year, the Independence Square Foundation evaluates its expenses for the entire year and then compares that amount with the total amount of revenue generated by rental fees. Once their financial status is determined, they make adjustments, either upward or downward, on behalf of all the tenants. Each tenant either equally shares in the benefits or makes identical contributions toward any additional costs.

Mr. Wyman noted that this is a rather unique arrangement, which ensures the rental costs remain well below current commercial rental rates. Ultimately, the assets that are present on the site will accrue to the University for \$1.00 at the expiration of the extended term Lease Agreement. Mr. Wyman explained that in view of the federal funding, the University sought authorization to enter into a twenty-five (25) year Lease Agreement with Independence Square Foundation to ensure the federal funds would be bought to bear on the expansion project. Mr. Wyman indicated that presently, the University's relationship under the Ground Lease extends to 2033 and this is a relationship the parties expect to continue long into the future. Chairman Renaud stated that in his experience as the Director of the

**Division of Facilities Management, when an agency is seeking to enter into a lease agreement for a term that exceeds twenty (20) years, said agency is required to obtain approval from the General Assembly in order to enter into said lease; Chairman Renaud asked Mr. Wyman to clarify why General Assembly approval is not required in this case. Mr. Wyman noted that he was involved in the process concerning the expansion of Independence Square; however, in that instance, the University did participate in what is referred to as a “financing lease” that was apportioned beyond the base rent for basic utilities and maintenance and included some financing that Independence Square Foundation incurred on behalf of all the tenants. In this case, it was the opinion of the University’s legal counsel that said financing fell within the language that the General Assembly has with regard to financing leases, where there is a debt obligation indebted with the lease obligation; However, Mr. Wyman indicated that there is no debt obligation associated with this space. Chairman Renaud asked Mr. Mitchell if he had any comments and/or questions concerning Mr. Wyman’s position that General Assembly approval is not required relative to the subject Lease Agreement. Mr. Mitchell indicated that he had not had an opportunity to review the Lease Agreement and had no independent knowledge as to whether the same requires the approval of the General Assembly. Mr. Wyman stated that Mr. Woolley had requested additional information regarding the original Ground Lease because the indemnification provisions are present for the University in the subject Lease Agreement and there is also a reference to cross indemnification for**

the Independent Square Foundation. Mr. Wyman stated that the Ground Lease fully addresses the matter of indemnification and it is referenced in each subsequent Lease and incorporates the Landlord's obligations under the Ground Lease. Ms. Rhodes indicated that Mr. Woolley had received and reviewed the original Ground Lease and indicated to her that he was satisfied as to the form of the subject Lease Agreement and confident that the University's request for approval of the same was appropriate. Mr. Kay asked what additional functions Independence Square Foundation performs for the University of Rhode Island. Mr. Wyman explained that Independence Square Foundation is a not for profit organization and basically offers tenancy to other not for profit entities and then manage those facilities. Independence Square Foundation also sees to it that those tenants are working together in the best interest of the joint populations. Mr. Griffith noted that the Board of Governors for Higher Education had not signed off on the document as of yet. Mr. Wyman indicated that he was unaware that the Board had not signed off on the document, but informed the Committee that the Board approved the subject Lease Agreement at its December 2010 meeting. Mr. Wyman requested that Ms. Rhodes forward the documents to the Board of Governors for Higher Education for execution and then subsequently obtain the signatures of the State Properties Committee members prior to distributing the duly executed documents to all interested parties. The Committee agreed that would be a satisfactory resolution to the matter. A motion was made to approve by Mr. Griffith, subject to the final

**execution of the Lease Agreement by the Board of Governors for Higher Education as well as execution by the members of the State Properties Committee. Said motion was seconded by Mr. Kay.**

**Passed Unanimously**

**ITEM L – Board of Governors for Higher Education/University of Rhode Island – A request for approval of and signatures on a License Agreement by and between the University of Victoria Property Investments, Inc., on behalf of Vancouver Island Technology Park Trust and the University of Rhode Island for the use of 200 square feet of storage space located at 4464 Markham Street, Suite 2201, Victoria, British Columbia. Item L is deferred to a future meeting of the State Properties Committee at the request of the Board of Governors for Higher Education/University of Rhode Island.**

**ITEM M – Department of Transportation – A request was made for approval of and signatures on a Permanent Loop Detector Easement Agreement by and between East Greenwich Square (E&A), LLC and the Department of Transportation in conjunction with a Physical Alteration Permit No. 090730. Ms. Kerr explained that the Department is seeking approval of a Permanent Loop Detector Easement Agreement relating to a development which is being constructed across the street from the easement area. The Agreement will allow for the future maintenance and repair of the loop inductors located on privately owned property. Ms. Kerr noted that no monetary compensation is associated with this transaction. A motion was made to approve by Mr. Griffith and seconded by Mr. Kay.**

**Passed Unanimously**

**The Committee may move 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 as well as pursuant to RIGL 42-46-5 (a)(7) a matter related to the investment of public funds where the premature disclosure would adversely affect the public interest.**

**A motion to enter into Executive Session was made by Mr. Griffith and seconded by Mr. Kay.**

**A roll call vote was taken and the votes were as follows: Mr. Griffith voted**

**“Aye”; Ms. Urso voted “Aye”; Mr. Kay voted “Aye”; and Chairman Renaud voted “Aye”.**

**The State Properties Committee closed the Executive Session and returned to**

**the open session of the meeting at 11:26 a.m.**

**A motion was made to seal the minutes of the Executive Session until such time**

**as all matters are resolved by Mr. Griffith and seconded by Ms. Urso.**

**Passed Unanimously**

**ITEM EI – Department of Transportation – A request was made for approval to acquire easements located along Atwood Avenue to the Pocasset River in the Town of Johnston by virtue of Condemnation**

**Plat 1075C in connection with the Statewide Drainage Improvements Project. Subsequent to a discussion regarding this matter in Executive Session, a motion to approve was made by Mr. Griffith and seconded by Ms. Urso.**

**Passed Unanimously**

**ITEM E2 – Department of Transportation – A request was made for approval to acquire land and easements for the Replacement of the Branch Avenue Bridge No. 976 Project by virtue of Condemnation Plat 2668. Following a discussion concerning this matter in Executive Session, a motion to approve was made by Mr. Griffith and seconded by Ms. Urso.**

**Passed Unanimously**

**ITEM E3 – Department of Transportation – A request was made for reauthorization and approval to acquire land in connection with the Relocation Interstate Route 195 Project, Contract No. 13-Reconnection of City Streets (Clifford Avenue) in Providence by virtue of Condemnation Plat 2728, Parcel 1A Portion of AP 21/Lot 29). Subsequent to a discussion regarding this matter in Executive Session, a motion was made to approve by Mr. Griffith and seconded by Ms. Urso.**

**Passed Unanimously**

**ITEM E4 – Rhode Island Economic Development Corporation – A request was made for approval of and signatures on an Agreement to allow use of a portion of Fort Adams State Park in conjunction with a sailing event. Following a discussion concerning this matter in Executive Session, a motion was made by Ms. Urso to amend the**

**request contained in Item E4 of the March 29, 2011, to reflect that the Rhode Island Economic Development Corporation is requesting conceptual approval of an Agreement to allow for the use of a portion of Fort Adams State Park in conjunction with a sailing event. Said motion to amend was seconded by Mr. Griffith.**

**Passed Unanimously**

**Further, subsequent to the discussion concerning Item E4 in Executive Session, a motion was made to approve the amended request by Ms. Urso and seconded by Mr. Griffith.**

**Passed Unanimously**

**There being no further business to come before the State Properties Committee, the meeting was adjourned at 11: 28 a.m. The motion to adjourn was made by Mr. Griffith and seconded by Mr. Kay.**

**Passed Unanimously**

---

**Holly H. Rhodes, Executive Secretary**