

STATE PROPERTIES COMMITTEE MEETING

TUESDAY, MAY 10, 2011

The meeting of the State Properties Committee was called to order at 10:02 a.m. by Chairman Ronald N. Renaud. Attendance of the members was taken by roll call and the following members made their presence known: Robert Griffith representing the Rhode Island Department of Administration; Richard Woolley representing the Rhode Island Department of Attorney General; and Andrew Marcaccio representing the Rhode Island Office of the General Treasurer, Ex-officio Member. Others in attendance were Meredith Brady from the Rhode Island Senate Fiscal Office; Anthony Robinson from the State of Rhode Island General Assembly; John P. Ryan from the Rhode Island Department of Administration; Colleen Kerr, Robert B. Jackson and Bruce Cadden from the Rhode Island Department of Transportation; and Lawrence Eichler.

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

The approval of the minutes from the State Properties Committee meeting held

on April 27, 2011, is deferred to the State Properties Committee meeting scheduled on

May 24, 2011.

ITEM A – Department of Revenue/Division of Motor Vehicles – A request was made for authorization to initiate negotiations with Kenneth J. Alves relative to a five (5) year lease agreement with an additional five (5) year option concerning available office space located at 238 East Main Road in the Town of Middletown to serve as the permanent site of the Division of Motor Vehicles Aquidnick Island Branch Office. Mr. Ryan indicated that as the Committee is aware, the Department of Revenue/Division of Motor Vehicles (the “DMV”) has been searching for a permanent site for the Aquidneck Island Branch Office. Mr. Ryan noted that on at least two separate occasions the Division advertised Request for Proposals (“RFP”). With regard to the most recent RFP, issued, the DMV received one proposal, which was rejected based upon the excessive cost involved. Therefore, RFP# LP153 has been formally cancelled. Mr. Ryan stated that Kenneth J. Alves is the landlord of the temporary site located at 999 West Main Road, (Unit 1A) in the Town of Middletown. Mr. Ryan indicated that said facility is serving the Division well on a temporary basis; however, they feel there is a need to move to a larger space which includes more available parking spaces for the DMV’s clientele.

Mr. Ryan clarified for the record, that the submission memorandum from Rosemary Booth Gallogly identifies the address of this potential site as 238 East Main Road in the Town of Middletown. However, in the event the negotiations are successful, Mr. Alves intends to create a new storefront entrance, which will actually be located at 52 Valley Street. Mr. Ryan stated that the facility is presently unimproved, but that the landlord has agreed to make the necessary improvements.

There will be at least forty five (45) parking spaces dedicated for the DMV's clientele and at least five (5) parking spaces dedicated for its staff. Mr. Griffith asked if the five (5) parking spaces is the standard staff allotment. Mr. Ryan stated that five parking spaces has been the standard allotment for employee parking. Mr. Griffith asked if the DMV believes forty-five (45) parking spaces will be adequate to accommodate its clientele. Mr. Ryan indicated that the DMV is confident that forty-five (45) spaces will be adequate to serve the clientele. Mr. Ryan indicated that the landlord is going to attempt to secure additional parking spaces; however, that will depend upon obtaining approvals from the Town's Planning and Zoning Boards. Mr. Woolley asked if the facility is accessible via public transportation. Mr. Ryan stated that East Main Road is an established RIPTA bus route and is actually only three (3) blocks from the former DMV site, which will ensure the customer base will be able to locate this new site fairly easily. A motion was made to approve by Mr. Woolley and seconded by Mr. Griffith. Passed Unanimously

ITEM B – Department of Transportation – A request was made for approval of and signatures on a License Agreement, by and between, the Department of Transportation and Paul Hooper to allow the applicant to utilize 8,774 square feet of State-owned land located adjacent to 636 Succotash Road in the Town of South Kingstown. Mr. Cadden explained that this is a request for approval of a License Agreement for use of State-owned land for passive recreation, beautification and surface use only. The subject parcel of land is located directly adjacent to the applicant's home. Mr. Cadden

presented an aerial photograph to better illustrate the nature and location of the subject property. Mr. Cadden indicated that the applicant's intent concerning use of the subject property is primarily for beautification as there are environmental concerns due to the land location next to the water. Mr. Woolley noted that the Action Request Form submitted with the License Agreement indicates that the proposed use of the property is for parking and beautification. Mr. Cadden stated that subsequent to the completion of said form, the applicant did clarify that the subject property would not be utilized for parking. Mr. Woolley asked that the language contained in the License Agreement be revised to specifically state that the subject property shall not be utilized for vehicle parking and/or storage. Mr. Griffith asked if Mr. Hooper has any interest in the marina located opposite the subject property. Mr. Cadden stated that he was not aware of any connection between the marina and the applicant. Mr. Griffith asked if the applicant intends to utilize the subject property for any sort of advertising. Mr. Cadden stated that Mr. Hooper indicated to him that as his home is located directly adjacent to the subject property he would like to improve the appearance of the same. Chairman Renaud stated that he has no objection to the approval of the License Agreement; however, he agrees with Mr. Woolley's recommendation that the language contained in the License Agreement be revised to specifically set forth the activities which will be permitted and those that shall be prohibited relative to the applicant's use of the subject property. Chairman Renaud stated that in view of the license fee of \$50.00 per month, he wants to ensure

that the property is not utilized for any other use other than that specified by the applicant himself. A motion to approve was made by Mr. Woolley, subject to the License Agreement being revised to include the following language concerning use of the property: Planting of vegetation for purposes of beautification and passive access only; use of the subject property for vehicle parking, storage and/or any and all other uses are strictly prohibited. Said motion to approve was seconded by Mr. Griffith.

Passed Unanimously

ITEM C – Department of Transportation – A request was made for approval of and signatures on a License Agreement, by and between, the Department of Transportation and 616 GWH, LLC, (formerly Blue Street Equity, LLC) to allow the applicant to utilize 10,000 square feet of State-owned land located adjacent to 116 George Washington Highway @ Albion Road in the Town of Lincoln for vehicle parking, beautification and signage. Mr. Jackson illustrated the exact nature and location of the subject property using an aerial photograph. Mr. Jackson noted that the request before the Committee is for the renewal of an existing License Agreement. A recent in-house appraisal of the subject property established a license fee \$375.00, per month. A motion was made to approve by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM D – Department of Transportation – A request was made for approval of and signatures on an Easement Agreement, by and between, the Department of Transportation and Cox Com, Inc. to

allow Cox to install two (2) four (4) inch CATV conduits within the approaches and portions of the New Sakonnet River Bridge No. 250 located in the Towns of Portsmouth and Tiverton. Mr. Jackson illustrated the exact nature and location of the easement area using a photograph. Mr. Jackson stated that the Department previously granted an easement to Cox Com, Inc. on the existing bridge and they are now requesting the Department grant an easement on the new bridge. Mr. Jackson indicated that Cox Com, Inc. will pay \$65,000.00 to the Department representing compensation for said easement. Chairman Renaud asked whether the \$65,000.00 is a one time fee or if Cox Com, Inc. will be required to pay an additional monthly fee for the subject easement. Mr. Jackson indicated Cox Com, Inc. is required to pay only the one time fee of \$65,000.00 for the easement. Mr. Woolley noted that the Easement Agreements includes language which requires that Cox Com, Inc. pay additional compensation in the event they allow a third party to co-locate equipment on the bridge. Such an arrangement would of course be subject to the approval of the State Properties Committee. Mr. Woolley stated that the subject Agreement is very similar to the agreements utilized for cellular telephone towers. A motion to approve was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM E – Department of Transportation – A request for approval of and signatures on a gratis License Agreement by and between the Department of Transportation and the Town of Lincoln to allow the Town to utilize 200 square feet ± of State-owned land for the Lincoln

Senior Art Center located at 150 Jenckes Hill Road in the Town of Lincoln. Item E is deferred to the May 24, 2011, State Properties Committee meeting.

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 relating to the following item:

A motion to enter executive session was made by Mr. Griffith and seconded by

Mr. Woolley.

A roll call vote was taken and the votes were as follows: Mr. Griffith voted "Aye"; Mr. Woolley 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 10:17 a.m.

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

as all matters are resolved by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM EI – Department of Transportation – A request was made for authorization to proceed with negotiations to acquire easements as shown on State Highway Plat 2734 for the construction of the Frenchtown Brook Bridge No. 435 located at Frenchtown Road and Davisville Road in the Town of East Greenwich. After discussion in executive session, a motion to approve was made by Mr. Woolley and seconded by Mr. Griffith

Passed Unanimously

There being no further business to come before the State Properties Committee, the meeting was adjourned at 10: 18 a.m. The motion to adjourn was made by Mr. Griffith and seconded by Mr. Woolley

Passed Unanimously

Holly H. Rhodes, Executive Secretary