

STATE PROPERTIES COMMITTEE MEETING

TUESDAY, JANUARY 17, 2012

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; Lawrence S. Eichler, Public Member; and Andrew Marcaccio representing the Rhode Island Office of the General Treasurer, Ex-Officio Member. Others in attendance were Anthony Robinson from the State of Rhode Island General Assembly; Annette Jacques, Paul Carcieri, Rick Kalunian, Susan Howe, Gilbert Bricault, Colleen Kerr, Eva Bernardo, Christine Brien and Daniel Clarke from the Rhode Island Department of Transportation; Lisa Primiano, Mary Kay, Michelle Sheehan, Terri Bisson and Larry Mouradjian from the Rhode Island Department of Environmental Management; J. Joseph Baxter and Erika Kruse Weller from the Rhode Island Judiciary; Matthew Shaw from the Rhode Island Department of Attorney General; Rachelle Pierce and Christine Botts from the Rhode Island Department of Behavioral Health, Developmental Disabilities and Hospitals.

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

A motion was made to approve the minutes of the State Properties Committee meeting held on Tuesday, December 20, 2011, by Mr.

Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM A – Department of Behavioral Healthcare, Developmental Disabilities and Hospitals (“BHDDH”) – A request was made for conceptual approval to sell property formerly utilized as a group home located at 45 Blueberry Lane in the Town of North Kingstown. Ms. Pierce explained that the Department is requesting conceptual approval to sell the aforementioned property via a public sale forthwith in accordance with R.I.G.L. §37-7-13. Ms. Pierce stated that the property has been vacant for more than a year and was licensed by the Department under R.I.G.L. §40-1-24 and therefore conforms with the provisions of the statute for sale to the public. Ms. Pierce indicated that an appraisal of the property was conducted by Vision Appraisal in the fall of 2011, which established the property’s value at \$271,800.00. Ms. Pierce noted that the Department of Health and Human Services commissions the services of a Realtor to sell its Medicaid recovery properties. In view of said arrangement, Ms. Pierce asked whether the Department of Administration would prefer to effect the sale of the subject property and arrange for the Realtor, or should BHDDH utilize the aforementioned services available through OHHS for purposes of selling the property. Chairman Renaud deferred the question to John Ryan. Mr. Ryan asked whether BHDDH would utilize the Request for Proposals (“RFP”) process to sell the property. Ms. Pierce stated an RFP is prepared for the Realtor contracted by OHHS. Mr. Ryan asked if a Realtor is going to market the property on behalf of OHHS. Ms. Pierce reiterated that a Realtor

is already working with OHHS on the Medicaid recovery properties and stated that Jane Morgan and Jacqueline Kelley of OHHS have discussed the possibility of engaging said Realtor for purposes of selling former group homes on BHDDH's behalf. It is Chairman Renaud's understanding that legislation is in place, which gives BHDDH the authority to market and sell the property under its control.

However, given the number of vacant former group homes to be sold, Chairman Renaud suggested that BHDDH confer with the Department of Administration concerning the method by which these properties should be marketed and sold. Mr. Griffith asked if any organizations that serve the needs of low to moderate income families expressed an interest in the subject property. Ms. Pierce explained that under the terms of R.I.G.L. §37-7-13 if a group home has been vacant for one (1) year then BHDDH is required to hold a public sale of the property. She indicated the statute also states that a facility that is licensed does not by virtue of being licensed acquire any rights to non-conforming use; therefore, as this property has been vacant for more than a year, BHDDH is required to sell the property at a public sale. Mr. Griffith asked whether a notice of intent to sell the subject property has been circulated to the various State-agencies and, if so, whether any of agencies or municipalities expressed an interest in the property. Mr. Woolley noted that this particular type of property is subject to a specific statute which prevents the property from being utilized for alternate public uses; therefore, it will once again become a privately-owned residential property. Mr. Woolley moved to approve the Department's request

for conceptual approval to sell the property subject to BHDDH and OHHS working with the Department of Administration to determine the method by which this and the remaining former group homes shall be marketed and sold. Said motion was seconded by Mr. Griffith.

Passed Unanimously

ITEM B – Rhode Island Judiciary – A request was made for final approval of and signatures on an Extension of Lease, by and between the Rhode Island Judiciary and 56 Assoc., LP relating to the premises located at 450 Main Street in the City of Pawtucket. Mr. Ryan explained that the Judiciary is seeking to document its occupancy of the aforementioned premises on a month to month basis for a period of six (6) months. Mr. Ryan further explained that the Judiciary wishes to amend the Resolution that was submitted to the General Assembly during the previous session. Mr. Ryan indicated the Judiciary’s original intent was to renew the Lease Agreement for a term of five (5) years; however, after further discussion with the landlord, the Judiciary determined that it would be beneficial to extend the Lease Agreement for a term of ten (10) years. Therefore, the Judiciary will have to submit a revised Resolution to the General Assembly to provide for the requested amendment of a term of ten (10) years rather than a five (5) year term. Mr. Ryan asked Mr. Baxter to expand on why this amendment to the Lease will benefit the Judiciary. Mr. Baxter explained that the Judiciary has reached the expiration of two (2) ten (10) year Lease Agreements for the premises located at 450 Main Street in the City of Pawtucket. The facility is

used to house the records of all the State Courts. Mr. Baxter stated that said facility suits the needs of the Judiciary very well. He indicated that parking is a major issue and the Judiciary is very pleased with the ample amount of available parking. Mr. Baxter reiterated that the Judiciary initially intended to enter into a five (5) year Lease Agreement; however, after further negotiations, 56 Associates indicated that if the Judiciary agreed to a term of ten (10) years, they would agree not increase the rent and the Judiciary would continue to pay the same rent it has paid for the past twenty (20) years throughout the entire ten (10) year term. Mr. Baxter indicated that the facility encompasses approximately 39,000 square feet of space which is sufficient to store all records and provides ample space for staff as well as visitors. For the above reasons, the Judiciary is seeking to revise Resolution 6233 SUB A which passed last year, and move to amend the same from the original five (5) year Extension of Lease to a ten (10) year Extension of Lease. Mr. Ryan stated that for this extended ten (10) year term, the Judiciary was able to employ the State's new lease document which was previously approved by the State Properties Committee. Chairman Renaud asked if the Judiciary has enjoyed the same successful working relationship with 56 Associates that many of the other agencies have reported to the Committee. Mr. Baxter indicated that one of the primary reasons the Judiciary has chosen to remain in this facility and to extend the term of the Lease is because of its great working relationship with the Landlord and his prompt response to the needs and/or requests of their tenants. Mr. Eichler asked if it would be

possible to negotiation an option to extend the Lease for an additional ten (10) term upon the expiration of this term. Mr. Ryan indicated that the Judiciary absolutely intends to request such an option and believes the Landlord will readily agree to the same. A motion was made to approve by Mr. Woolley and 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 Chevron Land and Development Company to allow Chevron to utilized 10.1 acres of State-owned land located at 431Veterans Memorial Parkway in the City of East Providence for purposes of conducting remedial activities. Ms. Bernardo explained that the original License Agreement relative to this property was entered into between the Department of Transportation and Chevron USA. Subsequently, Chevron Land and Development Company purchased all assets of Chevron USA and is now seeking to enter into a License Agreement, which reflects Chevron Land and Development Company as the current Licensee. Ms. Bernardo stated that the activities and purpose of this License Agreement are identical to the original Agreement. 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 a Grant of Easement, by and between

the Department of Transportation and The Narragansett Electric Company (“NEC”) to allow NEC to access State-owned property in order to provide electrical service to the new Air Traffic Control Tower located at Quonset State Airport. Mr. Clarke stated that this document is the standard form utilized by the Department for granting easements to allow NEC to access State-owned property for purposes of providing utility service. A motion was made to approve by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM E – Department of Transportation – A request was made for approval of and signatures on two (2) Permanent Loop Detector Easement Agreements, by and between the Department of Transportation and Richard J. Conti and by and between the Department of Transportation and Putnam Pike Realty Trust in conjunction with the ongoing Improvements to Putnam Pike (Route 44), Smithfield - Contract 2. Ms. Kerr explained that both property owners have already executed the subject Permanent Loop Detector Easements Agreements. Ms. Kerr stated that there is no monetary compensation associated with the said easements as the work being done is mutually beneficial to both the Department and the property-owners, as it will help to ease traffic congestion in the area. These enhancements are part of the Improvements to Putnam Pike (Route 44) Smithfield Project – Contract 2. A motion was made to approve both Permanent Loop Detector Easement Agreements by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM F– Department of Transportation – A request was made for approval of and signatures on a Certificate of Transfer conveying approximately 73,436 square feet of land located on India Street in the City of Providence from the Department of Transportation to the Department of Environmental Management. Ms. Brien explained that the State Properties Committee granted conceptual approval for the transfer of the subject property often referred to as the Shooter’s property on January 18, 2010. Ms. Brien indicated that the Department is before the Committee seeking approval and execution of the Certificate of Transfer to convey said property to the Department of Environmental Management. Mr. Griffith asked if this transaction is in conjunction with the bond funds which were approved last year. Ms. Brien indicated that is correct. Mr. Griffith asked if the subject property will be associated with India Point Park, or whether it will remain a separate and stand alone parcel. Mr. Primiano stated that the subject parcel will not be directly associated with India Point Park; however, the Department’s intent is to identify and implement uses that are compatible with India Point Park. Ms. Primiano explained that late last year, the Department of Environmental Management put issued a request for information to solicit ideas from the public and potential developers concerning future uses for the subject property. The Department received eight (8) responses. At that time, a working group of individuals was organized, which included representatives from the Department, CRMC, EDC and the City of Providence. The group reviewed the responses and is developing criteria for a Request for Proposals

(“RFP”) which will emphasize public use and enjoyment of this property. Mr. Griffith asked what the Department’s vision for this property is. Ms. Primiano stated that the Department envisions heavy public use of the property, marina access and waterfront access. Ms. Primiano noted that many interesting concepts were realized through the Department’s public solicitation process. Ms. Primiano stated that the RFP’s criterion will actually set the stage; however, the Department definitely anticipates some sort of commercial development of the property to help support the public’s use of the same. Chairman Renaud asked if there is any outstanding debt owed to the federal government relative to the subject property. Mr. Carcieri explained that the proceeds from the sale of the property will be deposited into the Department’s I-195 account to help defer the cost of the project. Mr. Carcieri stated that relative to this property there are no other outstanding debts owed to the federal government by the Department. A motion to approve was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM G – Department of Transportation – A request was made for approval of and signatures on a gratis License Agreement, by and between the Department of Transportation and Ship Center, LLC for use of 6,600 square feet of State-owned property to be utilized for vehicle parking. Ms. Brien presented a site map illustrating the subject property and its exact location. Ms. Brien indicated that the term of said License Agreement shall commence on January 17, 2012, and expire on August 31, 2012. Chairman Renaud recalled that there

have been multiple discussions regarding the subject property. Ms. Jacques stated there have been previous discussions relative to this property. By way of background, Ms. Jacques explained that on December 6, 2011, the Department appeared before the Committee seeking approval of a negotiated settlement, by and between the Department of Transportation and Ship Center, LLC, wherein the Department transferred a 5,400 square foot parcel of land based upon its condemnation of land belonging to Ship Center, LLC., which they used for employee and customer parking. Ms. Jacques stated that the Department actually condemned that land prior to actually needing the same and before a replacement parking lot for Ship Center, LLC could be constructed. Therefore, as part of the aforementioned settlement, the Department wishes to enter into a License Agreement with Ship Center, LLC for a term of six (6) months, to allow them to once again utilize their original parking lot until such time as the replacement parking lot is completed. Ms. Jacques indicated that in accordance with the License Agreement, the Department must provide Ship Center, LLC with a thirty (30) day written notice prior to terminating the License Agreement. Chairman Renaud asked if Ship Center, LLC has secured liability insurance coverage for its use of State owned property. Ms. Jacques stated that Ship Center, LLC has secured liability insurance coverage and has submitted a certificate of insurance evidencing the same to the Department. A motion to approve was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM H – Department of Environmental Management – A request was made for approval of and signatures on a Lessor’s Waiver and Consent, by and between the State of Rhode Island, acting through the Department of Environmental Management and Galilee Realty, LLC concerning the premises referred to as Lot 214 within the Port of Galilee in the Town of Narragansett. Ms. Kay explained that this request involves the refinancing of the above-referenced property. The subject property is presently owned by Galilee Realty, LLC. Ms. Kay stated that the upstairs portion of the building houses a restaurant called Clam Jammers and the downstairs portion of the building consists of several small souvenir and gift shops. Ms. Kay noted that Galilee Realty, LLC is a long standing tenant in the Port of Galilee and at this time wishes to obtain a loan from Bank Rhode Island. Ms. Kay explained that the Department of Environmental Management owns the land within the Port of Galilee; however, the tenants own the buildings from which they operate their businesses. As a result of this arrangement, Ms. Kay stated that lending institutions often require the Department of Environmental Management to execute tripartite agreements or waiver and consent agreements before agreeing to lend money to tenants. Ms. Kay explained that under the terms of these documents, in the event the tenant should default on their lease, the Department agrees to use its best efforts to notify the lending institution, in writing, and provide a reasonable period of time for lender to cure said default. If the lender is forced to foreclose on their leasehold mortgage, the Department agrees to allow the lender to take possession of the leased premises

or otherwise, acquire the tenant's interest under the Lease Agreement. Ms. Kay indicated that at her request, the Lessor's Waiver and Consent was revised to include a provision which stipulates that before selling the building to a third party, the lender is required to obtain prior approval from both the Department and the State Properties Committee. Additionally, the Department agrees to subordinate collateral obtained with the proceeds of the mortgage including collateral permanently affix to the building; however, the lender is required to repair any damage caused to the building as a result of the removal of permanently affixed items. Ms. Kay reiterated that the execution of these documents by the Department is a fairly standard practice when a tenant is attempting to refinance their mortgage for the purpose of making improvements to their building and/or to enhance the operation of their businesses. A motion was made to approve by Mr. Woolley and seconded by Mr. Griffith

Passed Unanimously

Ms. Kay respectfully requested that Items I and J be presented together given the relationship between said transactions. A motion was made to allow the Department of Environmental Management to combine and present Items I and J simultaneously by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEMS I & J – Department of Environmental Management – A request was made for approval of and signatures on a Termination of Amended and Restated Indenture of Lease, by and between the Department of Environmental Management and Slavin Point Judith

Company, LLC (“Slavin”) relative to Lot 230 and various piers located at 75 State Street in the Port of Galilee in the Town of Narragansett as well as a request for approval of and signatures on an Indenture of Lease, by and between the Department of Environmental Management and 75 State Street, LLC (“State Street”) relative to Lot 230 and various piers located at 75 State Street in the Port of Galilee in the Town of Narragansett. Ms. Bisson explained that Lot 230 is currently leased by Slavin. On or about October 20, 2011, Slavin entered into a Sales Agreement with State Street to purchase the buildings on the premises together with the business. Ms. Bisson stated that 75 State Street, LLC is a Rhode Island Limited Liability Corporation whose members are Richard Kyle and Glenn Goodwin. Ms. Bisson noted that the Committee may recognize the name Goodwin as they have been involved in the commercial fishing industry for many years. Ms. Bisson indicated that the Goodwins own Seafreeze located in Davisville Park at Quonset Point and are considered one of the largest producers of frozen seafood on the east coast. Ms. Bisson stated that State Street intends to use the property in Galilee to operate a fishing and fish processing business and they hope to employ between 50 and 60 people in the Port. The Indenture of Lease is for a term of five (5) years with seven (7) options to renew for a total possible term of forty eight (48) years, which is the maximum allowed by law relative to the Port of Galilee. State Street will pay an annual rental fee of \$117,000.00. Ms. Bisson stated that approval of this request is subject to the successful closing between the two entities as well as the payment of any and all outstanding

rental fees due an owing from the current tenant. Ms. Bisson indicated that the Department has conferred with the Rhode Island Economical Development (“RIEDC”) Corporation relative to the aforementioned operation at Quonset Point and was informed that State Street is a tenant in good standing, that RIEDC and State Street enjoy a very good working relationship and RIEDC is very pleased to have them as a tenant. Chairman Renaud asked what method was employed to determine the assessed rental fee. Ms. Bisson explained that several years back the Department commissioned the appraisal of each and every lot within the Port of Galilee on a Port-wide basis so that the lots are appraised in zones. Ms. Bisson noted that this particular lot is was appraised in accordance with the methodology utilized for lots designated as a ‘secondary road frontage on the bulkhead’ zone, which is valued at .70 cents per square foot. The Department is currently in the process of reviewing an updated Port-wide appraisal that will soon be presented to the State Properties Committee for review and approval. Ms. Kay indicated that the Department finds the subject proposal very attractive. She explained that Slavin has not been in operation for a number of years while it has been attempting to market the subject property. Additionally, Slavin has been delinquent in its payment of rent to the Department. Ms. Kay explained that the Department has tried to work with Slavin so that the property could be marketed; therefore, as a condition of the closing the Department will receive any and all outstanding rental payments. Ms. Kay requested that if the Committee chooses to approve this item, that said approval be

conditioned upon Ms. Kay holding all documents in escrow. Ms. Kay explained that obviously Slavin does not want its Lease terminated if there is not a lease to replace it. Mr. Woolley asked how much of the land involved in this transaction is being used for parking. Ms. Bisson directed the Committee's attention to the site map and explained which portion of the property is being utilized for parking. Mr. Woolley asked if there is any accounting of the amount of revenue generated by the parking lot and asked if the Department receives a percentage of that income. Ms. Kay stated that the Department does not receive a percentage of the revenue generated by said parking lot.

Ms. Kay stated that Slavin has a contract with Pro Park relative to said parking lot. Ms. Kay indicated that the Department is aware of the amount Pro Park pays for the lot. Ms. Kay explained that because Slavin was delinquent in their payment of rent, Pro Park delivered its rental payment in the amount of \$90,000.00 to the Department to be applied to Slavin's outstanding rent. Chairman Renaud asked how many spaces are included in the parking lot. Ms. Kay is not sure of the exact number of spaces, but estimated there has to be at least two hundred (200) parking spaces. Ms. Kay explained that if the State is not able to proceed with the proposed parking garage, the parking spaces in that lot will be absolutely critical in order ensure there is adequate parking for people utilizing the Block Island Ferry. Chairman Renaud asked whether there is any way to reconfigure that lot to create additional parking spaces if the State is unable to proceed with the proposed parking garage. Ms. Bisson believes that Pro Park has already maximized that lot to create the greatest number

of parking spaces possible. Mr. Woolley commented that the land within the Port of Galilee was condemned to support the commercial fishing industry and it seems to him that many of the lots are being leased for parking. Mr. Woolley believes that in those cases the State should at least receive a percentage of the revenue generated by these parking lots. Mr. Woolley noted that the intent for assessing lower rental fees for Port property was to assist fishing related businesses as opposed to assisting cash generating ventures such as parking lots. Ms. Kay noted that many of the issues presently being discussed will lead nicely into the following item which concerns the proposed State-owned parking garage. A motion to approve Items I and J with the condition that Ms. Kay will hold both documents in escrow was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM K – Department of Environmental Management – A request was made for approval to issue a Request for Proposals (“RFP”) to Lease Lots 96 and 117 in the Port of Galilee in the Town of Narragansett for the construction and operation of a parking garage facility. Mr. Mouradjian stated that the concept of a parking garage facility within the Port of Galilee has been discussed within the Department for several years. The Department appeared before the Committee in April of 2009, seeking approval to issue a Request for Proposals (“RFP”). Mr. Mouradjian stated that both the previous administration and director of the Department of Environmental Management instructed the staff to issue an RFP to solicit public interest believed

to exist at the time. Mr. Mouradjian stated that the concept is to examine the various parking operations in the Port of Galilee and to attempt to consolidate them into a multi-level platform parking garage to accommodate the needs of the tourist, fishermen, Interstate Navigation and other businesses within the Port. Mr. Mouradjian stated that the Department has finally prepared the RFP which has been scrutinized by various agencies and is now ready to issue the RFP to determine whether there is any interest in a public/private partnership for construction and operation of a parking garage. Mr. Mouradjian indicated that the primary focus will be providing parking for Block Island residents as well as perhaps providing commercial fisherman with under-cover storage space given the seasonality of businesses within the Port of Galilee. Mr. Mouradjian stated that the Department is before the Committee seeking permission to issue the RFP at this time. Mr. Woolley stated for the record, that as a Block Island resident, a season pass holder who regularly utilizes the existing parking lot and on behalf of the many Block Island residents who rely on season passes as their lifeline to the mainland, after reviewing the documents submitted by the Department, he noted that there is no specification, provision or even mention that any proposal shall take into account the needs of the Town of New Shoreham and its residents. Mr. Woolley asked if the Town of New Shoreham has had any involvement in the development of this RFP or whether the Town is even aware that that there is an RFP. Mr. Mouradjian assured Mr. Woolley that the Town of New Shoreham is aware of the Department's intent to issue an RFP for the construction and

operation of a parking garage facility. Mr. Mouradjian indicated that the Department has met with both the First Warden and the Town Administrator to discuss the concerns of the Town. Mr. Mouradjian noted that as the parking garage will be a public/private partnership, the Department retains the authority to regulate the fee structure in order to protect the needs of the Town and its residents and to ensure that there is no price gouging. Mr. Mouradjian indicated that price control falls under the Department's jurisdiction and due to the unique nature servicing to Block Island residents, the Department would continue the practice of discounting season passes and that type of governance would be issued as part of any contractual relations with a potential partner. Mr. Mouradjian explained that there are myriad scenarios regarding the form this public/private partnership could take. The private component of the partnership could be an investor who builds the facility and it later becomes the property of the State or the State may choose to operate the facility independently. Mr. Mouradjian indicated there are many unanswered questions at this time; however, the State is fully aware of the fact that it does not possess the wherewithal to develop this parking garage as a capitol project. Thus, the Department is interested in issuing the RFP to determine if there is any interest and if so what types of proposals may be offered. It is Ms. Bisson's understanding that the RFP does address the needs of the Block Island residents. She directed the Committee's attention to page seven (7) of the RFP and noted language that states that the Department anticipates that the arrangements for seasonal passes with Block Island residents

would remain in place. Additionally, the Department would likely consider some flexibility relative to daily parking rates as well. Mr. Woolley thanked Ms. Bisson, but indicated his concern is that said language is not contained in the proposed lease. Mr. Woolley asked that the proposed lease be revised to include clear and concise language relating to the issues affecting the Town of New Shoreham and the needs of its residents particularly the Department's intent to make season passes available to residents as previously discussed. Ms. Kay stated that if the Committee is willing to approve this item, the motion can be subject to the proposed lease being revised to include said language. Chairman Renaud asked what the fee schedule is. Ms. Bisson stated that the fees for the 2011 Season Passes and daily are as follows:

Season Passes

Rhode Island Senior Residents: \$ 75.00

Rhode Island Residents: \$150.00

Out of State Visitors: \$250.00

Daily Parking Rate for all Cars: \$ 10.00

Mr. Mouradjian noted that each one of the above passes allows for the parking of either one or another vehicle as each pass is assigned keeping the "two vehicle unit" in mind. The Department work very closely with the Town to ensure that the specific needs of the residents were taken very seriously. Chairman Renaud asked whether parking was free in the Port of Galilee during the off-season months. Mr. Mouradjian stated that between, October 15th and April

1st, the lot is open to the general public as well as to Block Island residents. Mr. Griffith noted that the proposed parking garage facility, although not in the traditional sense, is an Intermodal transportation site, as RIPTA provides bus service to the site and obviously, it is the site for the embarking and disembarking of passengers of the Block Island Ferry. He questioned whether it would be appropriate to include language within the RFP identifying this site as an Intermodal transportation site. Mr. Mouradjian stated that he believes there was a significant investment of Intermodal funds into the most recent renovations to Interstate Navigation's facilities. The Department has solicited a portion of the remainder of said funds for improvements to the State pier as part of that Intermodal connection. He assumes that if Interstate Navigation has any interest in collaborating with the State to facilitate this project, there would be a wherewithal to solicit those available federal funds to assist with this project. Mr. Woolley asked whether the age of eligibility for a senior season pass is 62 or 65. Mr. Mouradjian indicated the required age for seniors is 65 years of age. A motion to approve was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM L – Department of Environmental Management – A request was made for approval of and signatures on a Conservation Easement granted to the Department of Environmental Management from the Tiverton Land Trust over sixteen (16) acres of land located at 270 Highland Road in the Town of Tiverton; known as the Clark Property. Ms. Sheehan explained that the Tiverton Land Trust was awarded an

Open Space Grant for this property in October 2011, and they are now seeking to close on this property and transfer the subject Conservation Easement to the Department. The purchase price for the property is \$375,000.00. Ms. Sheehan stated that in exchange for the Conservation Easement, the Department will be contributing \$187,500.00 toward the purchase price. A motion to approve was made by Mr. Woolley and seconded by Mr. Griffith.

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 relating to the following items:

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

by Mr. Woolley.

A roll call vote was taken and the votes were as follows: Chairman Renaud voted "Aye," Mr. Eichler voted "Aye," Mr. Griffith voted "Aye" and Mr. Woolley voted "Aye."

After a detailed discussion relating to Executive Session Item E1,

Item E2 and Item E3 concluded, a motion to return to the open session of the State Properties Committee meeting and to seal the Executive Session minutes until such time as said matter is resolved was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

Upon returning to open session at 11:46 a.m., the Committee proceeded to vote relative to Item E1, E2 and E3 presented in Executive Session:

ITEM E1 – Department of Transportation – A request was made to proceed with negotiations to acquire land needed for the Long-Term Improvements to Apponaug Circulator located in the City of Warwick. After being discussed in Executive Session, a motion was made to approve by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM E2 – Department of Environmental Management – A request was made for permission to continue to negotiate and to bid at public auction to acquire land and buildings located at 1100 Tower Hill Road in the Town of North Kingstown. After being discussed in Executive Session, a motion was made to approve by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM E3 – Department of Transportation – A request was made by Chapel Associates, LLC for a pretrial conference with the State Properties Committee regarding litigation pending in the Providence Superior Court as: Chapel Associates, LLC vs. State of Rhode Island,

through the Department of Transportation, CA No. 10-5198. Said pre-trial conference is mandatory pursuant to the provisions of Rhode Island General Laws § 37-6-20. After being discussed in Executive Session, 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 10:50 a.m. The motion to adjourn was made by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

Holly H. Rhodes, Executive Secretary