

**State of Rhode Island
Department of Administration**

**Minutes of the
State Properties Committee Meeting**

**Held on
Tuesday, April 9, 2013
10:00 AM**

**Held at
Department of Administration
One Capitol Hill, 2nd Floor (Conference Room C)
Providence, Rhode Island 02908**

Committee Members Present (listed in alphabetical order):	
Michael Goldberg	Ronald Renaud, Chairman
Robert Griffith	Richard Woolley, Esq.
Non Committee Members Present (listed in alphabetical order):	
Terri Bisson	John Faltus
Gilbert Bricault	Michael Mitchell, Esq.
Christine Brien	Robert Paquette
Paul Carcieri	Nancy Russolino
Daniel Costa	Michelle Sheehan
Joseph DaSilva	

Attendance of the State Properties Committee members was taken by roll call. All Committee members were present; therefore, Mr. Renaud called the meeting to order at 10:00 AM.

ITEM A:

On behalf of the Department of Administration, Mr. Michael Mitchell, Esq., appeared before the State Properties Committee to request approval of and signatures on the 2013 Office Sublease Assignment Agreement, by and between the Department of Administration and the U.S. Territory of Guam, Office of the Governor for office space located at the Hall of the States, Suite 619, 400-444 North Capitol Street, NW, Washington DC.

After discussion between Mr. Mitchell and the members of the State Properties Committee, Mr. Renaud asked for a motion to approve this Sublease Assignment

Agreement. Mr. Woolley made the motion, which was seconded by Mr. Griffith. The motion to approve this Sublease Agreement was unanimously passed by the Committee.

ITEM B:

Mr. Renaud asked for a motion that this item (A request for approval of and signatures on a License Agreement, by and between the Department of Administration and The Color Run to allow said organization to utilize Station Park from October 19, 2013 through October 20, 2013) be deferred to the State Properties Committee meeting of April 23, 2013, in accordance with the Department of Administration's submission memorandum. Mr. Woolley made the motion to defer this Item, which was seconded by Mr. Griffith. The motion to defer this item until April 23, 2013 was unanimously passed by the Committee.

ITEM C:

On behalf of the Department of Education, Mr. Joseph DaSilva, School Construction Coordinator, appeared before the State Properties Committee to request the final approval of and signatures on an Agreement to Transfer Ownership of the Cranston Area Career and Technical Center located at 100 Metropolitan Avenue in the City of Cranston to the City of Cranston, Rhode Island. Mr. DaSilva notified the Committee that this is one of several transfers and these are State properties that are located adjacent to schools in their municipalities and they are run locally. He went on to say that the idea behind this is that the General Assembly and the Governor's office have requested that they start to move these properties back to the municipalities in which they serve and as a result, saving the State long term costs. Mr. DaSilva went on to say that they are in the final stages of that agreement and they have a sign off from the City and did present this to the Board of Education yesterday evening but there was a hiccup with the request for a Quick Claim Deed versus the Bargain and Sale Deed which the City was not familiar with. Mr. DaSilva added that as a result of this, the City tabled their approval to two weeks from yesterday. Mr. DaSilva stated this is where he remains today. Mr. Woolley stated the issue of whether or not a Bargain and Sale Deed or a Quick Claim Deed should be used from now on and the State's disposing of its properties has come up and this Deed is not supposed to be signed until 2014. Mr. Woolley stated that it was his expectation that as a matter of policy, Bargain and Sale Deeds would be requested instead of Quick Claim Deeds. Mr. Woolley went on to say that in order to avoid having this become an

issue in 2014, Mr. Woolley asked if they would be willing to do a Bargain and Sale Deed instead and it is his understanding that the City of Cranston is OK with this. Mr. DaSilva stated that yes, the City does not have any problem with it. Mr. Woolley added that this would be a benefit to the State to do the Bargain and Sale Deed because it is less of an exposure of liability for the State. Mr. Renaud asked Mr. Woolley if he had the opportunity to review this and really understand the process and asked if there is any action that we could take today without their Board's approval [i.e. offer something subject to Board approval]. Mr. Woolley stated that they could move approval subject to the Board of Educations' approval. Mr. Woolley asked if there are "time constraints" on this. Mr. DaSilva answered that the Department of Education has been without a Board for the past 3-4 months so that is one of the reasons why this has taken so long. Discussion ensued amongst the Committee Members and Mr. DaSilva. Mr. Renaud stated that under any other circumstance, he would push to support Mr. DaSilva today but quite honestly, without Ms. Rhodes here to do paperwork anyway, it may not get off the table for two weeks. That being said, Mr. Renaud and the State Properties Committee members would prefer to wait until the next meeting. Mr. Renaud asked for a motion to defer this item to the next meeting to be held on April 23, 2013. Mr. Woolley made the motion to defer this Item, which was seconded by Mr. Griffith. The motion to defer this item until April 23, 2013 was unanimously passed by the Committee.

ITEM D:

On behalf of the Department of Environmental Management, Mr. John Faltus appeared before the State Properties Committee to request approval of and signatures on a new five (5) year (2013-2017) License Agreement, by and between the Department of Environmental Management and the Newport Festivals Foundation, Inc. (the "Foundation") to allow the Foundation to continue to present music festivals at Fort Adams State Park. After much discussion amongst Mr. Faltus and the State Properties Committee, Mr. Renaud asked for a motion to approve this item. Mr. Woolley made the motion to approve this Item, which was seconded by Mr. Griffith. The motion to approve this new five year License Agreement was unanimously passed by the Committee.

ITEM E:

On behalf of the Department of Environmental Management, Ms. Terri Bisson and Mr. Dan Costa appeared before the State Properties Committee to request approval of and signatures on an Indenture of Lease, by and between the Department of Environmental Management and NGC, Inc. d/b/a The Town Dock to lease Lots 242, 274 and Dock KK in the Port of Galilee. After much discussion amongst Ms. Bisson, Mr. Costa and the State Properties Committee, Mr. Renaud asked for a motion to approve this item. Mr. Griffith made the motion to approve, which was seconded by Mr. Woolley. The motion to approve this Indenture of Lease was unanimously passed by the Committee.

ITEM F:

On behalf of the Department of Environmental Management, Ms. Michelle Sheehan appeared before the State Properties Committee to request approval and signatures on a Second Amendment to Easement Agreement, by and between the City of East Providence and the Department of Environmental Management for access to construct a fishway on the Omega Pond Dam in the City of East Providence. After discussion amongst Ms. Sheehan and the State Properties Committee, Mr. Renaud asked for a motion to approve this item. Mr. Woolley made the motion to approve, which was seconded by Mr. Griffith. The motion to approve this Second Amendment to Easement Agreement was unanimously passed by the Committee.

ITEM G:

On behalf of the Department of Transportation, Ms. Christine Brien appeared before the State Properties Committee to request approval and signatures on a License Agreement, by and between the Department of Transportation and D'Ambra Construction Company in conjunction with the Broadway Water Main & Sanitary Sewer Project for use of the 6000 square feet of vacant land from April 1, 2013 through and including November 30, 2013. After discussion amongst Ms. Brien and the State Properties Committee, Mr. Renaud asked for a motion to approve this item. Mr. Woolley made the motion to approve, which was seconded by Mr. Griffith. The motion to approve this License Agreement was unanimously passed by the Committee.

Mr. Renaud asked for a motion to convene to Executive Session. Mr. Griffith made the motion to move 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. Mr. Woolley seconded the motion and a roll call vote was taken. The motion to move to Executive Session passed unanimously and everyone except for the State Properties Committee members left the room at this point.

Open Session:

Following the Committee's return to open session, Mr. Renaud asked for a motion to seal the minutes. Mr. Woolley made a motion to seal the minutes of the Executive Session, and Mr. Griffith seconded the motion and the motion passed unanimously.

Adjournment:

Mr. Renaud asked for a motion to adjourn the meeting. Mr. Woolley made the motion, which was seconded by Mr. Griffith. The motion to adjourn today's meeting was unanimously approved by the Board.

Mr. Renaud thanked everyone for their time and patience today. The meeting was adjourned at 10:55 AM

Respectfully submitted,

Nancy J. Russolino