

# **DEPARTMENT OF ADMINISTRATION**

## **STATE PROPERTIES COMMITTEE MEETING MINUTES**

**TUESDAY, FEBRUARY 12, 2013**

The meeting of the State Properties Committee was called to order at 10:04 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 K. Griffith representing the Rhode Island Department of Administration; Richard Woolley representing the Rhode Island Department of Attorney General; Michael Goldberg 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; John Ryan from the Rhode Island Department of Administration; Colleen Kerr and Michael Hilton from the Rhode Island Department of Transportation; Jay Aron, Larry Mouradjian, Terri Bisson. Richard Bianculli, Jr. and Robert Paquette from the Rhode Island Department of Environmental Management; Richard Delfino and Donna Broccoli for the Rhode Island Department of Corrections; Bob Billington and from the Blackstone Valley Tourism Council; and Paul Grimaldi from the Providence Journal.

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

A motion to approve the minutes of the meeting held on January 29, 2013 was made by Mr. Griffith, subject to the correction of a couple of

minor typographical errors. Said motion was seconded by Mr. Woolley.

**Passed Unanimously**

**ITEM A – Department of Behavioral Health, Developmental Disabilities and Hospitals – A request was made for approval of and signatures on a Lease Agreement, by and between the Department of Behavioral Health, Developmental Disabilities and Hospitals and The Providence Center for the premises located within the Mathias Building at the Pastore Complex in the City of Cranston. Item A is deferred to a future meeting of the State Properties Committee at the request of the Department of Behavioral Health, Developmental Disabilities and Hospitals.**

**ITEM B – Department of Corrections – A request was made for approval to advertise a Request for Proposals (“RFP”) to secure a new facility for the Providence Adult Probation and Parole Unit (the “Unit”) and a request for approval to negotiate a short-term Lease Agreement with the current landlord. Mr. Ryan explained that the Department of Corrections’ Adult Probation and Parole Unit has been located at Prairie Avenue in the City of Providence for the past five (5) years. Mr. Ryan indicated that although the location has suited the Unit well, it has quite frankly outgrown the facility. Mr. Ryan stated that the Department’s request before the Committee today is twofold. The Department is first requesting permission to advertise a Request for Proposals (“RFP”) in order to identify a suitable alternative location and the Department is also seeking permission to negotiate a short-term six (6) month extension of the existing lease with the**

current landlord, Urban League of Rhode Island. Mr. Ryan explained that said extension will allow the Unit to continue to operate uninterrupted until a suitable alternative location can be identified. Chairman Renaud asked what the square footage of the current location is. Mr. Ryan indicated that the current space consists of approximately 2,900 square feet, however, the Unit is seeking a new facility offering 4,500 to 5,000 square feet of space in order to accommodate its present needs. Mr. Griffith asked if the RFP will include any restrictions on the location of the new facility in terms of its proximity to schools, daycare centers, etc. Mr. Delfino stated that the Office is charged with supervising all categories of offenders at the Providence location. He noted that there is a large population of sex offenders living in the Providence area and they report and are supervised by this particular unit. As such, Mr. Delfino indicated that this unit should not be located near any schools, daycare facilities or any other establishment/business which prohibits such offenders from being within a specific proximity to children. Mr. Griffith recalled that this issue arose relative to the Unit's current location as a daycare facility also operates from the Prairie Avenue site. Mr. Delfino explained that the current arrangement was possible because of the operation, co-location and presence of a twenty-four (24) hour per day/seven (7) days per week Providence Police substation operating from the site. However, when seeking to identify a new facility, the Department will carefully consider the existing tenants and the nature of their businesses before contemplating negotiating a lease agreement. A motion to approve was made by Mr. Griffith and

seconded by Mr. Woolley.

**Passed Unanimously**

**ITEM C – Department of Environmental Management – A request was made for approval of and signatures on an Easement Agreement, by and between Jeffrey A. Marlowe and the Department of Environmental Management (“DEM”) for access to and portage around a fishway situated adjacent to the Village of Shannock Horseshoe Falls Dam in the Town of Charlestown. Mr. Bianculli explained that this is another fishladder project which has already been completed. Mr. Bianculli noted that one can see from the color aerial photograph before the Committee that the fishladder has been constructed. The request before the Committee today is for approval of an easement for access to said fishladder by agents of DEM and another easement for portage that would allow boaters and kayakers to remove their boats and get around both the fishladder and the dam. Mr. Bianculli indicated that unfortunately, this morning he noticed that a portion of the portage easement, marked by hash marks on the left side of the plan, is located on property owned by Dog House Acquisitions, LLC. Mr. Bianculli stated that said LLC is owned by Jeffrey Marlow; however, it was not added to the Easement Agreement and as such Mr. Marlow should sign the Agreement on behalf of Dog House Acquisitions, LLC as well because a portion of the subject easement is located on property owned by the LLC. Mr. Bianculli stated that he will have to amend the Easement Agreement to allow for Mr. Marlow’s signature, on behalf of Dog House Acquisitions, LLC, to be added to the document. Therefore, he respectfully requested that the State**

**Properties Committee to approve the subject Easement Agreement, subject to the document being revised to include Dog House Acquisition, LLC on the first page of the document as well as to revise the signature page to include Mr. Marlow's signature on behalf of Dog House Acquisitions, LLC. A motion was made to approve by Mr. Woolley, subject to the aforementioned revisions to include Dog House Acquisitions, LLC to the Easement Agreement and with the understanding that the Committee's signature page will be held in escrow until the Agreement is revised and duly executed by Mr. Marlow. Said motion was seconded by Mr. Griffith.**

**Passed Unanimously**

**ITEM D – Department of Environmental Management – A request was made for approval of and signatures on an Indenture of Lease, by and between the Department of Environmental Management and the Blackstone Valley Tourism Council, Inc. Ms. Bisson stated that for those who are not familiar with the Blackstone Valley Gateway Center (the "Center") located on Interstate 295 North, it is one of the most beautiful facilities in the State of Rhode Island. Ms. Bisson explained that the Center was initially set up to operated as a private/public partnership so that its operation and management could be sustained whether or not the Department/State experienced difficult fiscal challenges. Ms. Bisson noted that said arrangement worked very well as the Rhode Island State Police operated a substation from said facility. Further, the Department of Transportation managed the overnight tractor trailer parking lot and the Blackstone Valley Tourism Council served and provided tourists and locals with information**

concerning events and sites of interest located in the Blackstone Valley. Further, the Department of Environmental Management retains a maintenance garage at the site and its staff is charged with managing the existing fourteen (14) to seventeen (17) miles which makes up the Blackstone Valley bike path. Ms. Bisson explained that previously there was also a privately owned coffee/food business which operated within the Center; however, it ceased its operation and vacated its Lease Agreement in 2011. Previously, the Center operated on a twenty-four (24) hour, seven (7) day per week basis; however, since the coffee/food vendor vacated its lease and the premises, the Department has been forced to close the Center down at 4:00 p.m. The Center now only provides travelers with port-a-johns located in the parking lot. Ms. Bisson indicated that it quickly became apparent to the Department, that it did not have the type of marketing and tourism skills necessary to attract businesses and events to the facility in order to make it the sort of hub of activity the Department had originally envisioned. Thus, the Department initiated discussions and sought the expertise of the Blackstone Valley Tourism Council (the "Council") so that the Department's original vision for the Center could be realized with the Council's help. The Department is seeking approval of the proposed Indenture of Lease with the Council for a nominal fee of \$1.00 per year. In exchange for said arrangement, the Council will provide on site managing and marketing skills/tools to transform the Center into the viable and thriving facility. Mr. Mouradjian explained that the Center is an exceptional facility in that it is the "gateway" to the Blackstone Valley

as well as the public's access point to the Blackstone Valley bike path, the Kelley House Museum and the Blackstone Linier State Park. Mr. Mouradjian emphasized that the Center is not merely an important destination for the residents of Rhode Island, but also serves under a unique agreement with the Federal Highway Administration as a truck stop and rest area. That being said, Mr. Mouradjian indicated that the issue of absorbing the maintenance, operational and staffing costs for said facility has proved to be too much of a burden for the Department to handle alone. Mr. Mouradjian stated that the Department maintains the bike path; however, the front portion of the facility which is the highway side has typically been maintained by the tenants. Mr. Mouradjian indicated that once upon a time, a Dunkin Donuts franchise leased space within the Center, however, unfortunately, said franchise chose to vacate its lease. However, the Council has been a constant presence at the Center and has provided useful information to locals and tourists regarding the Blackstone Valley area. Mr. Mouradjian noted that the Department considers this partnership to be extremely productive. After examining its administrative responsibilities inclusive of advertising a Request for Proposals ("RFP") for purposes of identifying a replacement food vendor, the Department believes the arrangement of allowing the Council to partner with the Department and lease the Center in exchange for services while giving them the ability, under the Department's authority review, to provide food, beverages and services to the public from space located within the building, is a better way for the Department to conduct business. Mr. Mouradjian

that said arrangement allows the Council the opportunity and flexibility to work with local business to provide a presence at the site and for the Department to establish some extended program opportunities for farmers' markets and other Rhode Island based programs. Therefore, Mr. Mouradjian respectfully requested and urged the Committee to approve this Indenture of Lease and ultimately this partnership. Mr. Billington indicated that the Council has worked with the Department for the past seven (7) years in the Center and has been fortunate enough to provide staff in the Center from 9:00 a.m. to 5:00 pm. on a seven (7) day per week basis. Mr. Billington noted that when Dunkin Donuts occupied a portion of the center, 300,000 visitors were welcomed to the Center. Mr. Billington indicated that without the vendor's presence, obviously, the number of visitors has decreased greatly, especially during the winter months. During the summer months, it is anticipated that the number of visitors will once again increase; however, there is no expectation that the Center will see any place near 300,000 visitors until such time as a very responsible and active tenant(s) is identified and wishes to lease space within the Center. Mr. Billington stated that the Council has enjoyed a fabulous working relationship with the Department; therefore, when the Department approached the Council to consider a partnership, the Council's response was that it strongly believed the Center could be re-invigorated and that it certainly believed it could be instrumental in assisting the Department in reaching that goal. Mr. Billington stated that the bike path is one of the richest amenities of the Blackstone Valley. The Council is very proud of the existing

twelve (12) mile long park and excited about its future growth. This year the bike path will be connected to Woonsocket and hopefully will soon be extended to the North Smithfield/Massachusetts line, which the Council believes will attract more residents of Massachusetts to visit and take advantage of this beautiful asset. Last year, the East Bay bike path was connected to the Blackstone Valley bike path via an on-road sharrow program. Mr. Billington noted that this is the first time this program was introduced to Rhode Island and the Council worked with the Department of Transportation to connect the Bristol portion of the bike path to the Woonsocket portion. Mr. Billington noted that it is critical that the Center not only be a welcome center located along I-295, but more importantly that it serve as the park headquarters and the place where people begin their journey on the Blackstone Valley bike path. Mr. Billington stated that the bike path is also connected to the City of Central Falls, as the Council spends a great deal of time trying to think of ways for that City to regenerate itself. The Blackstone Valley Visitors Center is easily the most beautiful visitors' center in the State of Rhode Island and the Council would like to be an equal partner in making it once again a success. Mr. Mouradjian indicated that there is an effort to potentially establish a national park within the Blackstone River Valley Corridor. He noted that the Center and other of the Department's assets in the vicinity will play a critical roll in helping to encouraging federal legislation to support a proposed national park within the Blackstone Corridor. Mr. Mouradjian stated that not only is the Visitors Center a very important site, but as partnerships are the way of the future, he sees this

particular partnership as an amazing opportunity to serve as a model for future private/public collaborations. It is Mr. Griffith's opinion that any sublease entered into by the Council shall include a provision requiring the sub-lessee to secure product liability insurance coverage in accordance with the requirements of the State of Rhode Island and further that the sublease be required to provide evidence of product liability insurance coverage in the form of an insurance certificate and endorsement, to be submitted to both the Department of Environmental Management and to the State Properties Committee prior to the approval of any sublease agreement. Mr. Woolley agreed and with Mr. Griffith's comments and noted that due to the nature of the activity at the Center, it would behoove the both the Department and the Council to secure good, solid insurance policies across the board, as said activity could be viewed as more propriety than governmental in nature. Mr. Mouradjian assured the Committee that the Department completely understood the business aspects of the partnership between the Department and the Council. Chairman Renaud asked how many potential businesses the Department visualizes leasing space within the Center. Mr. Mouradjian indicated that the Center encompasses quite a large amount of available space; therefore, if the potential providers the Department has talked to would act in a quicker manner rather than an administrative manner, the Department sees leasing space to quite a few providers. A motion to approve was made by Mr. Woolley and seconded by Mr. Griffith, subject to the submission of all required certificates of insurance to both the Department and to the Committee.

**Passed Unanimously**

**ITEM E – Department of Environmental Management – A request was made for approval of and signatures on an Indenture of Lease, by and between the Department of Environmental Management and Roger Monfette to lease the caretaker’s residence located at 1090 Tower Hill Road in the Town of North Kingstown. A motion was made to approve by Mr. Woolley and seconded by Mr. Griffith, subject to the submission of all required certificate of insurance.**

**Passed Unanimously**

**ITEM F – Department of Environmental Management – A request for approval of and signatures on an Indenture of Lease, by and between the Department of Environmental Management and Tyler P. Young to raise and harvest crops on State-owned property located in the Eight Rod Management Area in the Town of Tiverton. A motion was made to approve by Mr. Woolley and seconded by Mr. Griffith.**

**Passed Unanimously**

**ITEM G – Department of Environmental Management – A request for approval of and signatures on an Indenture of Lease, by and between the Department of Environmental Management and Henry Wright to raise and harvest crops on State-owned property known as the Woodmansee Unit located within the Arcadia Management Area in the Town of Exeter. A motion to approve was made by Mr. Woolley and seconded by Mr. Griffith.**

**Passed Unanimously**

**ITEM H – Department of Environmental Management – A request for**

**approval of and signatures on an Indenture of Lease, by and between the Department of Environmental Management and Jeffrey C. Tefft to raise and harvest crops on State-owned property known as the Rockville Unit located within the Arcadia Management Area in the Town of Hopkinton. A motion to approve was made by Mr. Griffith and seconded by Mr. Woolley.**

**Passed Unanimously**

**ITEM I – Department of Environmental Management – A request for approval of and signatures on an Indenture of Lease, by and between the Department of Environmental Management and Jeffrey C. Tefft to raise and harvest crops on State-owned property known as the Woody Hill located within the Arcadia Management Area in the Town of Hopkinton. A motion to approve was made by Mr. Woolley and seconded by Mr. Griffith.**

**Passed Unanimously**

**ITEM J – Department of Environmental Management – A request for approval of and signatures on an Indenture of Lease, by and between the Department of Environmental Management and George C. Palmer to raise and harvest crops on State-owned property known as the Wright Farm located within the Carolina Management Area in the Town of Richmond. 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 item:**

**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: Mr. Griffith voted “Aye” and Mr. Woolley voted “Aye” and Chairman Renaud voted “Aye.”**

**After a detailed discussion relating to Executive Session Item E1 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 10:53 a.m. the Committee proceeded to**

**vote relative to Item E1 presented in Executive Session.**

**ITEM E1 – Department of Transportation – A request was made for authorization to acquire 108 acres of land and improvements located in the Town of Charlestown to mitigate potential adverse effects the Replacement of the Providence Viaduct Bridge No. 578 will have on the Providence Covelands Archaeological District.**

**After discussion in Executive Session, a motion was made to approve Item E1 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: 54 a.m. The motion to adjourn was made by Mr. Griffith and seconded by Mr. Woolley.**

**Passed Unanimously**

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**Holly H. Rhodes, Executive Secretary**