

DEPARTMENT OF ADMINISTRATION

STATE PROPERTIES COMMITTEE MEETING MINUTES OF

MAY 20, 2014

The meeting of the State Properties Committee was called to order at 10:03 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 B. Woolley representing the Rhode Island Department of Attorney General; Robert L. Brunelle, Public Member; and Christopher Feisthamel representing the Rhode Island Office of the General Treasurer, Ex-Officio Member. Others in attendance were Kelly Carpenter from the Rhode Island Fiscal Senate Office; Robert B. Jackson, Eva Bernardo, Colleen Kerr, Richard Kalunian and Paul Carcieri from the Rhode Island Department of Transportation;

Upon a motion to approve by Mr. Woolley and seconded by Mr. Griffith, the Committee voted unanimously to approve the meeting minutes from the State Properties Committee meeting held on May 20, 2014

ITEM A - Office of the Public Defender - A request was made for approval to exercise an option to renew a Lease Agreement and to initiate Lease negotiations with the principals of Forward Point, LLC

related to the premises located at 160 Pine Street in the City of Providence.

upon a motion to approve made by Mr. Woolley and seconded by Mr. Griffith, the Committee unanimously voted to approve the above request.

ITEM B - Department of Environmental Management - A request for approval of and signatures on a Conservation Easement, by and between A. Street Realty, LLC and the Department of Environmental Management over portions of Assessor's Plat 33, Lot 28 located on Shun Pike in the Town of Johnston. Item B is deferred to the June 3, 2014, meeting of the State Properties Committee at the request of the Department of Environmental Management.

ITEM C - Department of Environmental Management - A request was made for approval of and signatures on a Warranty Deed for the purchase of 5.2 acres of land located along Plainfield Pike in the Town of Coventry; known as the Haynes Property. Upon a motion to approve made by Mr. Woolley and seconded by Mr. Griffith, the Committee voted unanimously to approve the above request.

ITEM D - Department of Environmental Management - A request was made for approval of and signatures on a Warranty Deed for the purchase of 3.35 acres of land located along Hazard Road in the Town of West Greenwich; known as the Strynar Property. Upon a motion to approve made by Mr. Woolley and seconded by Mr. Brunelle, the Committee voted unanimously to approve the above request.

ITEM E - Department of Environmental Management - A request was

made for approval of and signatures on a Warranty Deed for the purchase of 2.65 acres of land located along Hazard Road in the Town of West Greenwich; known as the Dussault Property. Upon a motion to approve made by Mr. Woolley and seconded by Mr. Griffith, the Committee voted unanimously to approve the above request.

ITEM F - 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/Department of Environmental Management and Bank Rhode Island in connection with an Indenture of Lease dated December 16, 2003, between the Department of Environmental Management and Galilee Realty, LLC in the Port of Galilee. Upon a motion to approve made by Mr. Woolley and seconded by Mr. Griffith, the Committee voted unanimously to approve the above request.

ITEM G - Department of Education ("RIDE") - A request was made for approval of and signatures on three (3) Quitclaim Deeds for the transfer of ownership for the following Career Technical Centers:

- 1. A Quitclaim Deed, by and between RIDE and Newport Public Schools, transferring ownership of the Newport Area Career and Technical Center located at 15 Wickham Road in the City of Newport; and**

- 2. A Quitclaim Deed, by and between RIDE and Chariho Regional School District, transferring ownership of the Chariho Career and Technical Center located at 459 Switch Road in the Town of**

Richmond; and

3. A Quitclaim Deed, by and between RIDE and the East Providence School District, transferring ownership of the East Providence Area Career and Technical Center located at 1198 Pawtucket Avenue in the City of East Providence.

Upon a motion to approve made by Mr. Griffith and seconded by Mr. Woolley, the Committee voted unanimously to approve the above request.

ITEM H - Department of Transportation - A request was made for review and execution of a Purchase and Sale Agreement and Bargain and Sale Deed for the conveyance of 2,662 square feet of land located at 405 Mendon Road in the Town of Cumberland to Just Us, LLC. Upon a motion to approve made by Mr. Woolley and seconded by Mr. Griffith, the Committee unanimously voted to approve the above request.

ITEM I - Department of Transportation - A request was made for conceptual approval to dispose of 13,232± square feet of land located adjacent to 610 Manton Avenue in the City of Providence. Upon a motion made by Mr. Griffith and seconded by Mr. Woolley, the Committee voted unanimously to approve the above request. Said approval was granted subject to the Department abiding by with the Committee's

guidance/request that the

subject property be transferred for compensation in the form of money rather than

receiving compensation in the form of landscaping or other improvements.

ITEM J - Department of Transportation ("RIDOT") - A request was made for review and execution of Agreement and Temporary Partial Non-Exclusive Assignment of Easement, by and between RIDOT, The Economic Development Foundation of Rhode Island and Fiber Technologies Networks, LLC for the installation of Fiber Optic Cable at Highland Corporate Park Drive in the Town of Cumberland. Upon a motion made by Mr. Woolley and seconded by Mr. Griffith, the Committee voted unanimously to approve the above request.

ITEM K - Department of Transportation - A request was made for conceptual approval to convey the following three (3) parcels of land: Mr. Woolley requested that as he has some very specific questions and concerns regarding the Lockwood Marina, LLC Parcel, the three following three (3) properties be handled and considered separately. The Committee, having no objections, agreed that the subject properties would be handled separately.

1. Lockwood Marina, LLC Parcel ~ 10,761± square feet of land located adjacent to Lot 4, Assessor's Plat 87-2 or 650 Succotash Road, South Kingstown. In accordance with the directives of the State Properties Committee, the Department shall require Lockwood Marina, LLC to provide both the Department and the State Properties Committee with an accounting of any and all revenue realized from its

unauthorized use of State-owned property and its illegal practice of charging the general public to park on State-owned property without the State's knowledge or consent. The Committee averred that it finds the applicant's behavior particularly egregious in view of Mr. Lockwood's previous attestations before the State Properties Committee, indicating that if in fact any parking fees had been assessed against the public for parking on State-owned land in the past (although he certainly was not aware of such activities) that he would cease and desist from continuing this practice forthwith. Especially now that the Committee had made him aware of this inadvertent transgression. However, subsequent to Mr. Lockwood's previous assurances and his receipt of a formal "cease and desist demand" from the Department of Transportation, he continued to charge the public for parking on State-owned land purely for his financial benefit. The Committee also recommended that the Department cordon off the State-owned land from which Mr. Lockwood is using to financially benefit.

2. Capt'N Jacks Restaurant Parcel ~ 12,600± square feet of land located adjacent to Lots 8, 10, & 11, Assessor's Plat 87-3 or 706 Succotash Road, South Kingstown; and

3. Shoreline Realty Inc.(Wakamo Park) Parcel - 23,527± square feet of land located adjacent to Lot 5, Assessor's Plat 87-3 or 697 Succotash Road, South Kingstown.

ITEM L - Department of Transportation - A request was made for approval of and signatures on a Purchase and Sale Agreement and a Bargain and Sale Deed, by and between the Department of

Transportation and the Town of North Kingstown for the conveyance of 40,942 square feet of land located at Stony Land and Huling Road in the Town of North Kingstown. (Robert B. Jackson to attend)

ITEM M - Department of Administration - A discussion concerning Risk Control and Liability Exposure to the State of Rhode Island for events held on State-owned land.

Upon a motion made by Mr. Woolley and seconded by Mr. Griffith, the Committee voted unanimously to defer Item M to the June 3, 2014 meeting of the State Properties Committee.

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:

On a motion made by Mr. Griffith and seconded by Mr. Woolley to enter executive session, a roll call vote was taken and the votes were as follows: Mr. Brunelle voted "Aye," Mr. Griffith voted "Aye," Mr. Woolley voted "Aye" and Chairman Renaud voted "Aye." Said motion passed unanimously.

After detailed discussions relating to executive session Items E1 and E2 concluded, on a motion made by Mr. Griffith and seconded by Mr. Woolley, the Committee voted unanimously to return to the open session of the State Properties Committee meeting and to seal the

executive session minutes until such time as said matters are resolved.

Upon returning to open session at 11:33 a.m., the Committee proceeded to

vote relative to Items E1 and E2 presented in executive session.

ITEM E1 - Department of Transportation - A request was made for re-authorization to acquire right of way for the Relocation of Winslow Park located in the City of Warwick by virtue of Condemnation Plat 420-TFG. After a detailed discussion concerning Item E1, upon a motion made by Mr. Woolley and seconded by Mr. Griffith, the Committee voted unanimously to approve the above request.

ITEM E2 - Department of Transportation - A request was made for an Administrative Settlement with a private property owner to complete negotiations and eliminate further litigation acting in conjunction with the Replacement of Great Island Bridge No. 499 in the Town of Narragansett. After a detailed discussion concerning Item E2, on a motion made by Mr. Griffith and seconded by Mr. Woolley, the Committee voted unanimously to approve the above request.

There being no further business to come before the State Properties Committee, upon a motion made by Mr. Woolley and seconded by Mr. Griffith, the Committee voted unanimously to adjourn the May 20, 2014, meeting of the State Properties Committee at 11:34 a.m.

Holly H. Rhodes, Executive Secretary

State Properties Committee