

## STATE PROPERTIES COMMITTEE MEETING

TUESDAY, FEBRUARY 1, 2011

The meeting of the State Properties Committee was called to order at 10:00 a.m. by Chairman Kevin M. Flynn. Other members present were 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 Colleen Kerr, Gil Bricault and John Glynn from the Rhode Island Department of Transportation; Michelle Sheehan from the Rhode Island Department of Environmental Management; Ronald Renaud from the Rhode Island Department of Administration; Joseph P. da Silva of the Rhode Island Department of Education; and Paul Grimaldi from the Providence Journal.

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

A motion was made for approval of the minutes from the January 18, 2011, State Properties Committee meeting by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

ITEM A – Department of Environmental Management – A request was made for approval of and signatures on a Purchase and Sale Contract by and between Carol Fargnoli and Norma J. Bucci *and* the Department of Environmental Management for the acquisition of 13.6 acres of land located along Snake Hill Road in the Town of Glocester; known as the Fargnoli Property. Ms. Sheehan indicated that the subject property abuts the Department's Killingly Pond Management Area. A purchase price of \$16,000 has

been established relative to said property. Ms. Sheehan noted that the funding source for the acquisition is the Department's Open Space Bond Fund. Ms. Sheehan noted that the Department is receiving a substantial discount relative to this acquisition, as the appraised fair market value is \$28,000. Chairman Flynn asked why the purchase price is so low. Ms. Sheehan explained that the property is nearly a land locked parcel. A right of way does exist; however, it is difficult to locate. Therefore, due to the impaired access to the property, the purchase price was reduced. Mr. Griffith asked if the Department intends to develop hiking trails on the property. Ms. Sheehan stated that there are existing hiking trails through the surrounding properties; however, she is not sure whether they will be extended to this more remote parcel. A motion to approve was made by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM B – Department of Education – A request was made for conceptual approval to transfer ownership of the East Providence Area Career and Technical Center located at 1998 Pawtucket Avenue in the City of East Providence to the East Providence School District. Mr. da Silva indicated that several career and technical facilities have all been transferred to the local school district including Coventry, Providence and very shortly the transfer of the Chariho facility will be complete. Mr. da Silva indicated that a “draft” Transfer Agreement was submitted for the Committee's review. However, the Department of Education is still in negotiations with the East Providence School District relative to the terms and condition of said agreement. Mr. Woolley requested that a reversionary clause be included in the Transfer Agreement; therefore, in the event the property is sold and it ceases to be utilized as an educational facility, the property would

revert back to the State of Rhode Island. Mr. da Silva indicated that he would see that a reversionary clause was included and sent to Mr. Woolley for his approval. Chairman Flynn asked Mr. da Silva to provide a brief summary relative to why it is beneficial to the State that ownership of these career and technical centers are transferred to the communities. Mr. da Silva explained that the facilities are presently owned by the State of Rhode Island; however, they are operated and maintained by the local school districts. Mr. da Silva stated that the Agreements between the State and the local school districts have been repeatedly breached which has created substantial difficulties and impaired communication between the parties. Mr. da Silva stated that it has been determined by past administrations, the General Assembly and the Board of Regents that it was in the best interests of the student and the State to transfer these facilities back to the school districts that operate them. Additionally, Mr. da Silva noted that the transfer of these facilities will also result in a substantial savings to the State of Rhode Island. A motion was made to approve by Mr. Woolley subject to the Agreement to Transfer being modified to include a reversionary clause. Said motion was seconded by Mr. Griffith.

The State Properties Committee allowed the presentation for Item D to be heard out of sequence.

Passed Unanimously

ITEM D – Department of Education – A request was made for conceptual approval to transfer ownership of the Newport Area Career and Technical Center located at 15 Wickham Road in the City of Newport. Mr. da Silva indicated that the circumstances relating to this property are essentially identical to those discussed in

Item B. The Newport Area Career and Technical Center is located on Rogers High School property. Again the facility is owned by the State and operated by the Newport School District. Mr. da Silva stated that he would ensure that a reversionary clause was included in this Transfer Agreement as well. A motion was made to approve by Mr. Woolley subject to the Agreement to Transfer being modified to include a reversionary clause. Said motion was seconded by Mr. Griffith.

Passed Unanimously

ITEM C – Department of Transportation – A request for conceptual approval to dispose of State-owned property located at 57 Brownell Street in the City of Providence. Chairman Flynn noted that he has received numerous telephone calls relative to this item, because as a result of the language used to post this item on the agenda, it appears that the Department is seeking to dispose of this historic dwelling rather than just a small portion of the parking lot. Mr. Glynn presented an aerial photograph of the subject property, which he indicated should quell all concerns regarding the Department's intent. Mr. Glynn explained that the historic dwelling is presently owned by the Amos House, which is a charitable organization. This request concerns a small rectangular portion of the parking lot located adjacent to the historic dwelling located at 57 Brownell Street. Mr. Glynn explained that the previous owner of said property encroached upon State own land by paving and striping approximately five (5) parking spaces. Mr. Glynn stated that the land is surplus to the Department's needs and as the property is situated approximately twenty (20') feet above the highway, the Federal Highway Administration has indicated that it has no problems relative to the sale of the subject property. Mr. Glynn indicated that the established purchase price for the property is \$1,201, which was

agreed to by all interested parties. Said purchase price essentially reimburses the Department for its expenses in preparing this transaction. Mr. Glynn noted that the Purchase and Sale Agreement contains language, which stipulates that if the Amos House ever sells the 57 Brownell Avenue property, the title of the portion of the land transferred by the State shall automatically revert back to the State of Rhode Island. Mr. Glynn explained that the Department feels this provision is necessary as the Amos House is purchasing the property for an amount much less than fair market value. A motion was made to approve by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

The Committee moves 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.

A motion was made to enter Executive Session 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 Flynn voted "Aye".

ITEM E1 – Department of Transportation – A request was made for authorization to acquire a permanent aerial easement in connection with the Replacement of Union Avenue Bridge No. 452 Project located in the City of Providence by virtue of Condemnation Plat 2746, Parcel 1C. After a discussion in Executive Session, a motion was made to approve by Mr. Woolley and seconded by Mr. Griffith.

Passed Unanimously

ITEM E2 – Department of Transportation – A request was made for authorization to acquire two (2) permanent easements and two (2) temporary easements in connection with the construction of the Northwest Bike Trail/Woonasquatucket River Bikeway by virtue of Condemnation Plat 2661, Parcels 1B, P and 2B, P. After a discussion in Executive Session, a motion was made to approve by Mr. Griffith and seconded by Mr. Woolley.

Passed Unanimously

A motion was made to close the Executive Session of the State Properties Committee meeting and return to the open session by Mr. Griffith and seconded by Mr. Woolley at 10:19 a.m.

Passed Unanimously

A motion was made to seal the Executive Session minutes until such time as these matters are resolved.

Passed Unanimously

There being no further business to come before the State Properties Committee, a motion to adjourn was made by Mr. Griffith and seconded by Mr. Woolley. The meeting adjourned at 10:20 a.m.

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Holly H. Rhodes, Executive Secretary  
State Properties Committee