

STATE PROPERTIES COMMITTEE

Tuesday, January 11, 2005

The meeting of the State Properties Committee was called to order at 10:06 A.M. by Chairman Jerome F. Williams. Other members present were, Genevieve Allaire Johnson, Esquire, representing the Department of Attorney General, Mr. Robert Griffith, representing the Department of Administration, and Mr. Thomas Barry. Also present were Ms. Marueen McMahon and Messrs. Daniel Clarke, Anthony DeQuattro and Rick Kalunian from the Department of Transportation; and, Orestes Monterey, Ph.D., from Rhode Island College.

The Minutes of the meeting held on December 21, 2004 were approved.

1. OLD BUSINESS

At a recent meeting regarding the appraisal of property under the jurisdiction of the Department of Environmental Management located on Allens Avenue, Providence, the Committee had requested the Department go back to the appraiser and reconfirm the appraisal with Peter Scotti & Associates. Ms. Primiano from the Department forwarded correspondence relative to that property to the Chair, Mr. Williams and this information was included in the mailing to the members of the Committee. The Chair, Mr. Williams commended Ms. Primiano on the good job she did in explaining the process that was done and the appraisal done by Peter Scotti & Associates. The Chair asked Ms. Lanni to send a copy of the minutes of this meeting to Ms. Primiano, highlighting Mr. Barry's remarks.

Mr. Thomas Barry commented that the correspondence indicated that the appraiser excluded any sale that took place where an agency that was involved in it had the right of eminent domain, which meant that all sales that the State participated in where it purchased land, were excluded from any analysis in this appraisal of the

property we were selling. Mr. Barry went on to say, that the State could actually be on both sides of the situation. The State could get an appraisal to say how much the land is worth when the State is buying it, and then when the State sells another piece, the State cannot use that as a comparison. Mr. Barry stated he cannot totally agree. He went on to say that he does not feel that it affects the Allens Avenue property, but down the road he is not necessary sure that he would totally agree.

2. NEW BUSINESS – Miscellaneous - The next meeting of the State Properties Committee is scheduled to be held on Tuesday, January 25, 2005.

ITEM A – RHODE ISLAND COLLEGE – A request was made by Rhode Island College for conceptual approval to initiate negotiations with Nextel Corporation for the installation of equipment on the Brown Dormitory roof at Rhode Island College.

Nextel Corporation has shown an interest in installing an antenna in one of the residence halls on the campus and would like to initiate negotiations.

A Motion was made by Mr. Griffith and seconded by Mr. Barry, to approve the request of Rhode Island College for conceptual approval to initiate negotiations with Nextel Corporation for the installation of equipment on the Brown Dormitory roof at Rhode Island College utilizing input from the CIO and other State agencies regarding valuation and terms.

Passed Unanimously

ITEM B – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval and signatures on Amendment to License Agreement with Gano Holdings, LLC for property on India Street, Providence.

At the request of the Department, this matter was tabled.

ITEM C – DEPARTMENT OF TRANSPORTATION –

A request was made by the Department for approval and signatures on Temporary Easement Agreement with Gano Holdings LLC over property on Gano Street, Providence in conjunction with the Relocated Route 195 Project.

At the request of the Department, this matter was tabled.

ITEM D – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for conceptual approval of compensation in the amount of \$24,300.00 for a Temporary Easement Agreement over property at Point and Hoppin Streets, Providence in conjunction with the Relocated Route 195 Project.

The Department is proposing to acquire a Temporary Easement by agreement with the Rhode Island Hospital in conjunction with the Relocated Route 195 Project. This property is the former CORO building located at Point and Hoppin Streets in Providence. The Department requires this easement for roadway improvements from the Point Street approach to the Point Street overpass. The Temporary Easement area needed consists of 5,534 square feet. An additional area needed for delivery of equipment and to pass and re-pass in conjunction with paving and striping the parking area or lot consists of 7,548 square feet. The Department has obtained an appraisal indicating a value of \$24,300.00 for the 5,534 square foot temporary easement area for two years based on \$23.00 per square foot with a 10% return each year (discounted). The Department has not assigned a value to the 7,548 square feet. No documents were presented for approval and signature at this time. The Department will return with documents for final approval and signatures.

A discussion took place regarding the need and importance for future items such as this being presented in the Executive Session. The Chair was concerned that the

Department was modifying a previous policy that reviewed property valuation in Executive Session prior to discussion with the property owner. Mr. Kalunian acknowledged the policy and agreed that items similar to this would follow the approved policy in the future.

A Motion was made by Mr. Griffith and seconded by Mr. Barry to approve the request of the Department for conceptual approval of compensation in the amount of \$24,300.00 for a Temporary Easement Agreement over property at Point and Hoppin Streets, Providence in conjunction with the Relocated Route 195 Project. Inherent in this Motion is that Committee is approving value only and the Department will return with documents for final approval and signatures.

Passed Unanimously

ITEM E – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval and signatures on Supplemental Agreement No. 1, United States Government and State of Rhode Island for lease of land at Quonset Point.

The State leased 65 acres of land at Quonset Point for military purposes in 1981. The term of this Lease was fifty (50) years through December 2031. Subsequently, this property was sublet by the United States Air Force to the Rhode Island air National Guard. The Supplemental Agreement No. 1 corrects property descriptions in the Lease and updates certain entries. One most significant change extends the term of the lease on a year-to-year basis from 2031 to 2050.

A lengthy discussion took place regarding the extension of the term of the Lease. Clarification will be made by the Department as to whether or not the Department is allowed to extend the Lease. The Committee will also work with Legal Counsel to research this also.

A Motion was made by Mr. Griffith and seconded by Mr. Barry to table the request of the Department for approval and signatures on a Supplemental Agreement No. 1, United States Government and State of Rhode Island for lease of land at Quonset Point until the Committee is legally able to approve extending the Lease beyond the current term.

Passed Unanimously

ITEM F – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval and signatures on Quit-claim Deed conveying property on Succotash Road, South Kingstown to Kenport Marina, LLC.

In August of 2003, the Department received conceptual approval from the State Properties Committee to convey 21,000 square feet of property on Succotash Road, Wakefield to Kenport Marina to enable them to expand their operations. The Department has taken another look at this property and desires to preserve some of the property for access to the water. The Department has worked with Kenport Marina to dwindle down the amount of the conveyance to 4,676 square feet to address concerns by Statewide Planning. The property has been appraised at \$10.00 per square foot. The Department had originally requested to convey 21,000 square feet of land.

A Motion was made by Mr. Griffith and seconded by Mr. Barry to approve the request of the Department for approval and signatures on Quit-claim Deed conveying property on Succotash Road, South Kingstown to Kenport Marina, LLC.

Passed Unanimously

ITEM G – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval and signatures on License Agreement with Grasso's Service Center Inc. for vehicle parking on Hartford Avenue, Providence.

Grasso's Service Center Inc. was seeking to license 5,000 square feet of land along Hartford Avenue in Providence for vehicle parking. The appraised value for this License was \$250.00 per month. Mr. Barry commented about the Department using the income approach to valuing parking spaces, and discussion took place about the value of parking spaces.

A Motion was made by Mr. Griffith and seconded by Mr. Barry to table the request of the Department for approval and on a License Agreement with Grasso's Service Center Inc. for vehicle parking on Hartford Avenue, Providence.

Passed Unanimously

The Committee moves to go into Executive Session, pursuant to Rhode Island General Law 42-46-4 (a)(5) for the specific purpose of discussion or consideration related to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.

The property being considered is located in North Kingstown.

A Motion was made to go into Executive Session by Mr. Griffith and seconded by Ms. Genevieve Allaire Johnson. A roll call vote was made. Ms. Allaire Johnson voted "Aye", Mr. Griffith voted "Aye", Mr. Barry voted "Aye", and the Chair voted "Aye".

A Motion was made by Ms. Allaire Johnson and seconded by Mr. Griffith to close the Executive Session and return to the regular meeting.

The regular session of the State Properties Committee re-opened with the following request.

DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval of the acquisition of Condemnation Plat 2601B, Parcels 1 A & 1B, in connection with the Freight Rail Improvement Project, North Kingstown.

This piece of property is involved in construction now for the Freight Rail Improvement Project, North Kingstown. There was additional property that the Department realized was needed, during construction. A total of one parcel will be affected by this project by an acquisition of 98 square feet and a two - year temporary easement totaling 9,074 square feet. Total compensation for this project is estimated at \$915.00.

The Action Request Form erroneously stated that the Appraised Value was \$11,705.00. That amount referred to previously acquired property and that was the old value. The new value is only \$915.00. Conversation ensued regarding spread - sheets being submitted with the requests.

A Motion was made by Mr. Barry and seconded by Mr. Griffith to approve the request of the Department for approval of the acquisition of Condemnation Plat 2601B, Parcels 1 A & 1B, in connection with the Freight Rail Improvement Project, North Kingstown. Approval was granted subject to the re-submission of the Action Request Form to reflect the correct amount of \$915.00.

Passed Unanimously

With the exception of Items “E” and “G”, which the Committee tabled, all matters presented to the Committee were approved by all present.

There being no further business to come before the Committee, the meeting adjourned at 11:05 A.M.

Anne L. Lanni, Executive Secretary