

STATE PROPERTIES COMMITTEE

Tuesday, June 21, 2005

The meeting of the State Properties Committee was called to order at 10:07 A.M. by Chairman Jerome F. Williams. Other members present were Richard Woolley, Esquire, representing the Department of Attorney General, Mr. Robert Griffith, representing the Department of Administration, and Mr. Robert W. Kay, Public Member. Also present were, Misses Marlene McCarthy-Tuohy and Mary Hamilton and Messrs. John Ryan, William Ferguson and Robert Brunelle, from the Department of Administration; Ms. Christy Healey, from the Department of Business Regulation; Mr. Jeff Renzi, from the Department of Corrections; Ms. Maureen McMahon and Mr. Daniel Clarke, from the Department of Transportation; Mary Kay, Esquire and Messrs. John Faltus and Stephen Volpe, from the Department of Environmental Management; Mr. Steven Feinberg, from the RI Film and Television Office; Messrs. Touthoua Xiong and William Waters and Ms. Gemma Gorham, from the Department of Health; Mr. Adams McCarthy, from Blind Decker Productions; Mr. Thomas Brueckner, from The Narragansett Bay Commission; Anthony Bucci, Jr., Esquire, for The Narragansett Bay Commission; Jacqueline Kelley, Esquire, from the Department of Human Services; Sean Coffey, Esquire, Burns & Levinson, LLP; John Boehnart, Esquire, for the City of Providence; and, Mr. Peter Lord, from the Providence Journal;

The Minutes of the meeting held on June 21, 2005 were approved.

NEW BUSINESS – Miscellaneous - The next meeting of the State Properties Committee is scheduled to be held on Tuesday, July 12, 2005.

The Chair, Mr. Williams stated that it may be necessary to hold a Special Meeting of the State Properties Committee for three items. That meeting will be scheduled for a

day next week. The Executive Secretary will arrange for this meeting and advise the members.

ITEM A – RHODE ISLAND STATE POLICE – Conceptual approval - State Police Headquarters site.

The Chair, Mr. Williams gave a presentation. Information was presented to the State Properties Committee at the meeting of June 8, 2005 relative to the State Police Headquarters and Crime Lab. An aerial view was displayed of the Water Resources Board property, the State of Rhode Island property and the approximate location of the facility. The Water Resources Board provided conceptual approval for this project. This is state owned land and from a construction point of view it is less complex than the second site, the original primary site being looked at in Cranston off Route 2 and Howard Avenue. The Water Resources board did conceptually approve this, listing a number of conditions. In addition, it will require a Legislative change because this land is designated as “Open Space” and would have to modify that designation in order to build the facility on that property.

The Chair stated the press has indicated that this would have an impact on the reservoir. He went on to say, based on discussions with the Water Resources Board, it is outside the buffer zone of any reservoir that would be built. This would not impact the ability for the state at any time to obtain water through ground water wells or if the reservoir is built, it is that far away from the parcel that is needed for the reservoir. In addition, it is designated “open space”. One of the things that the state is committed to as part of this project, is to identify other state owned land that the state could designate as a replacement. The Chair also said that the state has a number of capitol projects that are underway, Unlike the State Police who have very specific requirements, other projects

are being placed on state owned land in office complex campuses. The Traffic Tribunal is being constructed on state owned land at the Pastore Complex, and the Training School is being constructed on two separate parcels at the Pastore Complex. The Chair stated the State Police have unique needs relative to being centrally located in the state and also having direct and immediate access to the highways.

The Chair identified the conditions that the Board has set up as follows.

- to confirm that all the utilities were connected to municipal supplies
- that there would be a state-of-the-art storm water retention system and that if there was any back up fuel that was needed for heat and air conditioning, that there would be the smallest amount and the state would do everything it could to minimize the risk of having back up fuel on that location.
- there will also be a comprehensive review done by DEM relative to wetlands, water protection and endangered species.
- there will be an MOU that will be established between the Rhode Island State Police and the Water Resources Board, providing oversight by the Board
- there are some issues relative to lighting on the property so that the State will not be doing any damage to the species that are out there.
- the state is going to confirm procedures and protocols relative to waste removal for the Crime Lab;
- Legislation will be required.

Mr. Williams stated the Rhode Island State Police are coming before the State Properties Committee for conceptual approval. One of the components of the

Legislation is to allow the State Properties Committee to have the final approval with the Memorandum of Understanding being subject to the State Properties Committee.

Mr. Griffith stated he would move approval, for purposes of discussion, which was seconded by Mr. Woolley.

Mr. Griffith wanted to add, as a member of the Water Resources Board, he can attest to the fact that the Department of Administration has been very forthright and responsive to the Board's concerns in this matter, and it is under those circumstances that the Board has approved this in concept. Mr. Griffith wanted to reiterate what the Chairman said. He went on to say, the specific site is not either in the impoundment area for a future reservoir or in the buffer zone and it is on the very periphery of it. The wetlands determination that DEM is conducting should also show that the ground water flow in this specific area is actually away from the impoundment area, so that in the unlikely possible event of some kind of contamination spill, the threat to the ground water wells that are being developed in the area and the future reservoir actually constructed in the area would be minimal. The biggest concern was and remains (and the Department of Administration shares that concern with the Board) the precedent that this sets and everyone is in agreement that appropriate steps have been taken to limit and minimize that for the future.

Mr. Griffith had questions relative to the status of the legislation and the MOU, since it is his understanding that the Rhode Island State Police cannot proceed until the Legislation is approved and the MOU is agreed to.

The Chair, Mr. Williams stated the Legislation has gone through a redraft yesterday and should be ready by Tuesday of next week for introduction. The process regarding the MOU is just beginning and is underway.

A motion and second was on the table for conceptual approval to utilize the Water Resources Board site for the construction of the combined State Police Headquarters and Crime Lab. Inherent in the motion is the understanding that this is subject to Legislative approval prior to any final action by the State Properties Committee or the Water Resources Board and further subject to the Memorandum of Understanding between the State Police and the Water Resources Board.

Passed Unanimously

The Chair, Mr. Williams left the meeting at 10:20 A.M. and turned the Chair over to Mr. Robert Griffith. Mr. Williams returned during the presentation of Item “B” and resumed the Chair.

ITEM B - DEPARTMENT OF ADMINISTRATION – A request was made by the Department for approval to hold a Farmer’s Market on the lawn of the Department of Administration Building, Smith Street side, on Thursdays, beginning July 14 through October 2005.

The Department of Health approached the Department of Administration with an idea to do a Farmers Market here at the William Powers building. There are several Farmers Markets being done in the City and throughout the state. This program also involves the Department of Environmental Management. DEM would be arranging for the farmers who would be on site selling their produce from local farms. The plan is to use the front right part of the lawn, west of the center walkway. This area is being used to keep it segregated from the Day Care Playground. This program is focused on state employees being able to purchase farm produce from local farmers. This would take place once a week on Thursdays from 11:00 A.M. to 3:00 P.M. beginning July 14, 2005 and running through October 2005. This is tied in and coordinated with the Governor’s

Wellness Program. This project involves the Departments of Administration, Health and Environmental Management. A Memorandum of Understanding has been drafted.

Mr. Kay inquired about the traffic that will be generated and Mr. Ferguson stated the Department will coordinate with the Capitol Police to ensure that the traffic issues are being handled properly. It is anticipated that most customers will be state employees who will be walking to the Farmers Market so a big increase in traffic is not expected.

The Chair, Mr. Williams expressed concern about any damage that may be caused to the lawn and suggested using the side area where the Gazebo is located and have the Farmers Market between DOT, DOA and DOH. A discussion ensued regarding this issue. One of the problems with using that area is that trucks cannot be in that area and the vendors will be operating out of their trucks. The Department of Environmental Management has agreed to repair the lawn if there is any damage to it. Mr. Ferguson stated that this would be done on a trial basis, and if there were problems with it, even during the season, the Departments could cease having it. If there were problems the Departments could evaluate it at the end of the season and decide if it was worth the effort, etc. Additional discussion took place. The Chair suggested using tables and have the vendors bring their goods to the tables and have the Farmers Market in the courtyard of all three buildings. The Chair stated he would approve this on a trial basis. The Chair discussed the issue of where the customers would park and expressed concerns about parking near the day care area where the children are walking about.

A motion was made by Mr. Griffith and seconded by Mr. Kay to approve the request of the Department for approval to hold a Farmer's Market on the lawn of the Department of Administration Building, Smith Street side, on Thursdays, beginning July 14 through October 2005. Approval was granted subject to the concerns expressed by

members of the Committee and that this be done on a trial basis and an after action report be done at the end of the year so that if this Farmers Market is held next year, appropriate adjustments can be made.

Passed Unanimously

ITEM A1 – DEPARTMENT OF ADMINISTRATION – A request was made by the Department for conceptual approval of a Film Location Agreement with Blind Decker Productions for the use of the State House Rotunda, House Chambers, House Lounge and other areas in the State House, July 6, 2005 through November 8, 2005.

The Department had entered into a Film Location Agreement with Blind Decker Productions for the production that “Showtime” is doing, former called “The Hill” and now, “The Brotherhood”. Blind Decker is interested in filming eleven (11) more episodes and want to use the State House as before, to do some filming. There would be about eight (8) days of filming the State House during the period beginning July 6 through the end of the calendar year. A Film Location Agreement is being drafted and will be presented to the Committee for final approval and signatures. The Department requested approval of a Film Location Agreement with Blind Decker Productions, subject to the provision of a Certificate of Insurance and Certificate of Authority and final signing by the Blind Decker representative. Subsequent to receiving the Certificate of Authority, the Department would be in a position to get a signature on the document. A damage deposit in the amount of \$5,000.00 has been received.

Mr. Woolley inquired if Blind Decker would be working around any of the sessions of the General Assembly if it continues into the summer. Mr. Ferguson responded yes, and requested that the film company provide a detailed schedule prior to making any commitments to moving in there to be reviewed by his staff and make sure

that the State House is available before committing to any dates. These dates will be coordinated with Chief Tocco and Samuel DeVincenzo, Building Superintendent.

A motion was made by Mr. Griffith and seconded by Mr. Woolley, to approve the request of the Department of a Film Location Agreement with Blind Decker Productions for the use of the State House Rotunda, House Chambers, House Lounge and other areas in the State House, July 6, 2005 through November 8, 2005, subject to the receipt of the Certificate of Insurance, Certificate of Authority and final signing of the Film Location Agreement by the Blind Decker representative.

Passed Unanimously

ITEM C – NARRAGANSETT BAY COMMISSION – A request was made by The Narragansett Bay Commission for approval to acquire Permanent and Temporary Easements for the rehabilitation of the Omega Pump Station, East Providence.

The Narragansett Bay Commission requires permanent easements and temporary construction easements for the replacement of the Omega Pump Station Force Main which is over 50 years old. This is the replacement of the force main that runs from the Omega Pump Station to Bourne Avenue in East Providence.

A 4,753 square foot permanent easement and a 17,160 square foot temporary easement are required to be taken from Aspen Aerogels, Inc. The appraised value of the easements is \$14,800.00 (\$7,100.00 for the permanent easement and \$7,700.00 for the temporary easement.)

A total of 43,768 square feet of permanent easements and a total of 117,696 square feet of temporary easements are required to be taken from the City of East Providence. The appraised value of the easements is \$97,970 (\$45,770 for the permanent

easements and \$52,200 for the temporary easements.) The values were determined by two independent appraisers and a review appraiser.

A motion was made by Mr. Woolley and seconded by Mr. Kay to approve the request of The Narragansett Bay Commission for approval to acquire Permanent and Temporary Easements for the rehabilitation of the Omega Pump Station, East Providence.

Passed Unanimously

ITEM D – FIRE SAFETY CODE – BOARD OF APPEAL AND REVIEW/
OFFICE OF CHILD ADVOCATE – A request was made by the Departments for final approval and signatures on Lease Agreement with Flexible Leased Business Spaces for space at 272 West Exchange Street, Suite 301, Providence.

At the request of the Departments, this Item was deferred to a Special Meeting that will be scheduled next week.

ITEM E – DEPARTMENT OF HUMAN SERVICES – A request was made by the Department for approval and signatures on Lease with Licht Properties for space at 555 Valley Street, Providence for storage space for the Department’s Services for the Blind and Visually Impaired.

The Department appeared before the Committee previously for permission with Licht Properties for storage space that is located at 555 Valley Street, Providence. This is 900 square feet that is used for the Department’s Services for the Blind and Visually Impaired to store equipment. This Third Amendment to Indenture of Lease is for a three (3) year renewal. The rent for this space is \$351.00 per month.

A Motion was made by Mr. Griffith and seconded by Mr. Woolley to approve the request of the Department for approval and signatures on Lease with Licht Properties for

space at 555 Valley Street, Providence for storage space for the Department's Services for the Blind and Visually Impaired.

Passed Unanimously

ITEM F – DEPARTMENT OF HUMAN SERVICES – A request was made by the Department for approval and signatures on Lease with Post Road Plaza, Ltd. for space at 7732-7736 Post Road, North Kingstown for the West Bay Area district office.

The Department appeared before the Committee previously for permission to enter into a renewal for office space at 7732-7736 Post Road, North Kingstown. This is a five (5) year option. The office space consists of 4,300 square feet. This space has been inspected for fire code and handicapped accessibility. The issue of handicapped accessibility has been resolved. There are two other issues with the fire code that the landlord has stated he would take care of. The rent has increased to \$11.50 per square foot. The landlord did some refurbishing of the space, built some offices, a conference room, lighting and improving the air ducts. He has done this work and it is included in the square footage price. If the Department were to cancel, there would be the usual penalty for the refurbishing.

Mr. Woolley discussed the escape clause in the Lease. The Lease did not contain the usual cancellation clause and it was suggested that an Addendum be added to include the standard language of the cancellation clause.

A Motion was made by Mr. Griffith and seconded by Mr. Kay to approve the request of the Department for approval and signatures on Lease with Post Road Plaza, Ltd. for space at 7732-7736 Post Road, North Kingstown for the West Bay Area district office. Approval was granted subject to completion of the fire code changes and an

Addendum being added to the Lease to include the standard language of the cancellation clause.

Passed Unanimously

ITEM G – DEPARTMENT OF BUSINESS REGULATION – A request was made by the Department for approval and signatures on two Lease Amendments for parking and storage space.

The Department came before the Committee on March 8, 2005 seeking permission to enter into an extension for the storage facility located at 222 Richmond Street, Providence with Belvoir Properties, Inc. This renewal term will coincide with the remainder of the existing lease that the Department maintains at its headquarters facility across the street from the storage space, which expires on April 30, 2007. This is for 1600 square feet and the rate is \$6.00 per square foot.

A Motion was made by Mr. Kay seconded by Mr. Woolley to approve the request for approval and signatures on Lease Amendment with Belvoir Associates, LLC for storage space at 222 Richmond Street, Providence.

Passed Unanimously

The Department of Business Regulation has an opportunity to lease thirteen (13) parking spaces located adjacent to the Department's parking area. The spaces are \$90.00 per month. This Lease would run with the Lease Agreement for the building, which expires in 2007.

A Motion was made by Mr. Griffith seconded by Mr. Kay to approve the request of the Department for approval and signatures on Lease Amendment with 233 Richmond Street, LLC for sixteen (16) additional parking spaces.

A discussion took place regarding space being made available for clients.

Passed Unanimously

ITEM H – DEPARTMENT OF CORRECTIONS – A request was made by the Department for a Waiver of the normal Request for Proposals process to seek space for the Safe Streets Unit.

The Department was seeking permission to waive the normal RFP process and seek office space in the Providence area for the Safe Streets Program. The Safe Streets Unit is a combination of the Department of Children, Youth and Families, the Department of Corrections and the Providence Police Department. The space that has been utilized since the year 2000 has been a combination of some of the main headquarters at the Providence Police Station and the Municipal Training Academy at Chad Brown. The Department of Corrections has received a request from Chief Esserman asking if the Department of Corrections could relocate staff since they need the space for the Police Department. The Department would like to locate the program in the community, where the offender population lives.

A request to waive the RFP process has been received from the Director of Administration, Beverly E. Najarian.

A Motion was made by Mr. Woolley and seconded by Mr. Griffith to approve the request of the Department for a Waiver of the normal Request for Proposals process to seek space for the Safe Streets Unit.

Passed Unanimously

ITEM I – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – A request was made by the Department for approval and signatures on License Agreement

with the R.I. Abenaki Council for use of Colt State Park in Bristol on August 27 and August 28 for the annual Indian PowWow.

This is an event that has also sponsored by the R.I. Historical Preservation and Heritage Commission. Currently, they do not have a Certificate of Insurance with their License Agreement. Upon approval, in the past, the R.I. Historical Preservation and Heritage Commission has been providing insurance for the event. The Department was requesting approval subject to the insurance being provided.

A Motion was made by Mr. Griffith and seconded by Mr. Woolley to approve the request of the Department for approval and signatures on License Agreement with the R.I. Abenaki Council for use of Colt State Park in Bristol on August 27 and August 28 for the annual Indian PowWow, subject to receipt of the Certificate of Insurance.

Passed Unanimously

ITEM J – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – A request was made by the Department for approval and signatures on License Agreement with the City of Newport to utilize Fort Adams State Park for the Fourth of July fireworks display, July 3, with a rain date of July 4.

This is an annual request to utilize Fort Adams State Park for the Fourth of July fireworks display. This will be held July 3, with a rain date of July 4. The Department does have a Certificate of Insurance being provided by the vendor, Pyro Engineering, Inc., which lists the State as an additional insured. The City of Newport also provides the Department with insurance through the Rhode Island Interlocal Risk Management Trust. The City has an annual policy that runs July 1 to July 1 and they plan on having a renewal policy issued to the Department on Friday, July 1st prior to the close of the business day. No alcoholic beverages are allowed to be served at Fort Adams State Park.

A Motion was made by Mr. Griffith and seconded by Mr. Woolley to approve the request of the Department for approval and signatures on License Agreement with the City of Newport to utilize Fort Adams State Park for the Fourth of July fireworks display, July 3, with a rain date of July 4.

Passed Unanimously

ITEM K – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT –

A request was made by the Department for approval and signatures on License Agreement with the Town of Jamestown to utilize Fort Wetherill State Park for the Fourth of July fireworks display, July 1, with a rain date of July 5.

The Department has received insurance from Telstar Display Fireworks, Inc., the vendor, naming the State of Rhode Island as additional insured.

A Motion was made by Mr. Griffith and seconded by Mr. Woolley to approve the request of the Department for approval and signatures on License Agreement with the Town of Jamestown to utilize Fort Wetherill State Park for the Fourth of July fireworks display, July 1, with a rain date of July 5.

Passed Unanimously

ITEM L – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – A request was made by the Department for final approval and signatures on Quit-claim Deed for the conveyance of property at 242 Allens Avenue, Providence.

This matter was deferred to a Special Meeting to be scheduled next week.

Mary Kay, Esquire gave an update on the surplus of the 5.66 acres of property located at 242 Allens Avenue, Providence. The Department came before the Committee on May 25, 2005 for the approval of the Purchase and Sale Contract with Tidewater Reality, LLC and Promet Marine Services Corp. The Department was surplussing this

piece of property and Promet Marine Services and Tidewater Realty LLC related entities were the highest bidder when the Department went out for a request to sell the property. The Department negotiated the Purchase and Sale Contract. It was subject to several conditions, including an ELUR which is an Environmental Land Use Restriction which is placed on the property; that the property is being sold as is, the property is being sold subject to the Lease that Promet Marine Services currently has on the property and that a closing had to occur not later than June 30, 2005. Once the final agreement was reached with Promet and signed by Promet, a letter was sent to the City Clerk as required by RI Gen Laws 37-7-3 informing the City of the sale. The City has a prior right to purchase the property. The letter specifically set out the terms and it has to be accepted on the same terms and conditions. The City has thirty (30) days to exercise the right of first refusal, and on June 14, 2005, the Department received a letter from Mayor Ciciline informing the Department that the City was in fact, exercising its right to purchase the property. Thursday, June 17, 2005 the City of Providence adopted a Resolution to move forward with the purchase of the surplus property. On June 18 the Department sent letters to the City of Providence informing them that it had to move forward in the same terms and conditions, including a closing to occur before or on June 30, 2005. The City has informed the Department that they will be moving to close on or before June 30 subject to all the current terms of the Purchase and Sale Contract. The Department brought to the attention of the Committee that the Purchase and Sale Contract signed by the State Properties Committee at its May 25 meeting had a right to terminate on behalf of the state for exactly this issue. Section 21 Right to Terminate states that if the City did exercise its right that was sent on May 18 within the thirty (30) day period, that the contract would be terminated and would be null and void. The Department stated

everyone was aware that there was this potential. The Department has had contact with the City over the past year about the surplus of this particular piece of property on Allens Avenue. The Department has been contacted by the Counsel for the City, John Boehnert, Esquire, who is present at this meeting. Because of the late nature there are draft documents, but there are several issues that need to be looked at. The City has informed the Department they intend to move forward within the time frame, which is June 30. The Department would be requesting a Special Meeting.

Mr. Woolley stated the only issue he had was whether they complied with the need to exercise the right within the thirty (30) days. He went on to say, apparently they did and he did not realize that. Ms. Kay stated the Department received the first letter informing the Department on June 14.

The Chair, Mr. Williams asked the City if there was any problem with the timetable and would documents be ready. Attorney John Boehnert stated that the City did not anticipate any problem.

Mr. Woolley inquired as to what legal issues needed to be ironed out. The Department stated it had sent out legal documents to the Office of the Attorney General and to the Department of administration's Legal Counsel. The form of the documents needed approval; the City would have to complete its title examination within the short period of time. Ms. Kay stated she also had discussed with the City that the Department would need some kind of an opinion letter on the Providence Redevelopment for a closing on the property. From the statutory authority creating the Redevelopment Authority, it looks like it is a part of the City Government, but it is up to them to be able to certify that to the Department.

The Chair inquired when the existing Purchase and Sale expires. Ms. Kay stated that Purchase and Sale required a closing on later than June 30, 2005. She would take the position that pursuant to the termination clause that she had referred to earlier, that if the City exercised their right this contract will terminate and will be deemed null and void.

Sean Coffey, Esquire, introduced himself as the attorney for Promet Marine Services and Tidewater Realty, the purchaser. He stated that the Committee did approve on May 25, 2005 the Purchase and Sale Agreement with his client, with a provision added, rather late in the day, that it would be subject to these “second rights”, really, under the Statute that the City may have. Mr. Coffey referred to a letter that Promet and Tidewater sent to the Chair and to the Director of the Department of Environmental Management. The letter stated, among other things, that Promet and Tidewater expended considerable sums and resources to complete the purchase. Mr. Coffey stated, there are a number of issues, and “we” take exception with any argument that the Purchase and Sales Agreement is currently void. We believe that will not happen until the City actually effectively exercises its right by closing in accordance with the terms of the agreement and other terms. He went on to say, “we” take a position that the City has already waived its right with respect to this property by notice to this Committee on February 17, 2005, which was solicited in a memorandum from “you” to the City of Providence.

Attorney Boehnert responded saying that the City agrees with Legal Counsel’s interpretation of the termination provision of the agreement; secondly, the Statute is clear and a waiver of the right occurs thirty (30) days after the notice is received and there has been a failure to accept the offer, and the City timely accepted the offer, so there is no waiver.

Mr. Coffey stated their position is that it was waived in February.

The Department requested a Special Meeting. Attorney Coffey requested that notice of the Special Meeting be made to him. No action was taken at this meeting. All parties will be advised of the Special Meeting.

ITEM M – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval and signatures on Temporary and Perpetual Easements to The Narragansett Bay Commission for use of property in Lincoln to construct a sewer pump station.

The Department of Transportation and The Narragansett Bay Commission have been working together to accommodate a sewer pump station adjacent to Route 116 in the Town of Lincoln. The proposed station has been reviewed and approved by the Department's Land Sale Committee and The Narragansett Bay Commission has completed the design of the station. Both the Department and The Narragansett Bay Commission have agreed on the market value for the permanent easement for the permanent placement of the structure as well as a temporary easement to accommodate the construction of the area.

The Temporary Construction Easement is for a period of 18 months and consists of 48,527 square feet of land. NBC will pay the Department \$10,423.00 for the temporary easement. The Perpetual Easement consists of 33,245 square feet. The Department will receive \$42,781.00 for this easement.

A Motion was made by Mr. Griffith and seconded by Mr. Woolley to approve the request of the Department for approval and signatures on Temporary and Perpetual Easements to The Narragansett Bay Commission for use of property in Lincoln to construct a sewer pump station.

Passed Unanimously

ITEM N – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval to convey property on Pawtucket Avenue, East Providence to East Providence Auto Sales.

In January of 2003 the Committee granted conceptual approval to convey 3,200 square feet of land to East Providence Auto Sales. Subsequent to receiving that approval, the Department conducted an in-house appraisal of the property and determined that the price was about \$10.00 per square foot, or \$32,000.00. East Providence Auto Sales submitted an appraisal that indicated that the parcel was excess land, of little value to anyone but East Providence Auto Sales and came back with an offer of \$15,000.00. A series of negotiations have taken place and East Providence Auto Sales has submitted a final and best offer of \$25,000.00. It is the Department's recommendations to accept the \$25,000.00 offer. The Department was requesting approval to accept the \$25,000.00 offer, subject to the pre-emptive rights of the City of East Providence and the former owners.

A Motion was made was made by Mr. Griffith and seconded by Mr. Woolley to approve the request of the Department for approval to convey property on Pawtucket Avenue, East Providence to East Providence Auto Sales for the sum of \$25,000.00.

Passed Unanimously

ITEM O – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval and signatures on Warranty Deed conveying property on Vinton Avenue, Cranston to the Department from Ronald Cataldi.

On April 12, 2005, the Committee approved and executed a Quit Claim Deed, Access Easement and Lease Agreement in conjunction with the transfer of property from

the Department to Mr. Ronald Cataldi. As part of the total package, Mr. Cataldi has agreed to transfer 15,000 square feet of land to the Department of Transportation via a Warranty Deed. This Deed has been prepared. Once this document is executed, a formal closing will be held where the property is actually exchanged.

A Motion was made by Mr. Griffith and seconded by Mr. Woolley to approve the request of the Department for approval and signatures on Warranty Deed conveying property on Vinton Avenue, Cranston to the Department from Ronald Cataldi.

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.

A Motion was made to go into Executive Session by Mr. Griffith and seconded by Mr. Kay. A roll call vote was made. Mr. Griffith voted “Aye”, Mr. Kay voted “Aye”, and the Chair voted “Aye”.

A Motion was made by Mr. Griffith and seconded by Mr. Kay to close the Executive Session and return to the regular meeting. The Motion was approved unanimously.

ITEM P – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval of Condemnation Plat 2633, Hartford Avenue Reconstruction Project, Johnston.

This item was reviewed and discussed in Executive Session. The State Properties Committee approved this project and the spreadsheet on March 29, 2005. Since that

time, there have been several revisions. One owner, Hartford Assoc., is donating its acquisition cost with the exception of a sign. There is a reduction in the total cost of this construction project in the amount by approximately \$78,000.00.

A Motion was made by Mr. Griffith and seconded by Mr. Woolley to approve the request of the Department for approval of the revised figures for Condemnation Plat 2633, Hartford Avenue Reconstruction Project, Johnson.

Passed Unanimously

Mr. Griffith noted receipt of a copy of the Appraisal and Highest and Best Use Report for Vacant Group Home - 125 Forfork Street, Cranston for property . The Chair stated that this is something the Committee had requested and when the Department returns to the Committee, this will be addressed.

All matters presented to the Committee were approved by all present.
There being no further business to come before the Committee, the meeting adjourned.

Anne L. Lanni, Executive Secretary