

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On May 26, 2020 – remotely via telephone conference –

Pursuant to Governor Lamont's Executive Order No. 7B regarding suspension of In-Person Open Meeting requirements, the State Properties Review Board conducted its Regular Meeting at 9:30AM on May 26, 2020 remotely via telephone conference at (866)-692-4541, passcode 85607781.

Members Present:

Edwin S. Greenberg, Chairman
Bruce Josephy, Vice Chairman
John P. Valengavich, Secretary
Jack Halpert
Jeffrey Berger
William Cianci

Members Absent:

Staff Present:

Dimple Desai
Thomas Jerram

Guests Present

Chairman Greenberg inquired if there were any public participants. None responded.

Chairman Greenberg called the meeting to order.

Mr. Valengavich moved and Mr. Halpert seconded a motion to enter into Open Session. The motion passed unanimously.

OPEN SESSION

1. ACCEPTANCE OF MINUTES

Mr. Valengavich moved and Mr. Berger seconded a motion to approve the minutes of the May 21, 2020 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Director Desai informed the Board that the Department of Agriculture has submitted a new proposal to acquire the development rights of a farm in Voluntown and that Members should review their calendars in preparation of scheduling an upcoming site visit.

3. REAL ESTATE- UNFINISHED BUSINESS

PRB #	20-068
Transaction/Contract Type:	RE/ License Agreement
Origin/Client:	DAS/BOR
Licensee:	Capital Workforce Partners
Property:	Bristol, North Main Street (430)
Project Purpose:	Co-location at Tunxis Community College (TXCC)
Item Purpose:	New License Agreement

May 22, 2020 Update:

At its meeting held on May 14, 2020 the State Properties Review Board voted to suspend this item pending resolution of the following issues:

- Clarification of when the co-location commenced and whether CWP has been paying rent and reimbursing their pro-rata share of increased operating expenses since their occupancy commenced.

DAS provided the following response from Tunxis Community College.

CWP has been paying us \$4,000/month since October 2018. They have continued to pay through the shutdown. We do not invoice for any other charges and there hasn't been any increases to our lease either.



Nancy A. Eschenbrenner

Director of Finance and Admin. Services

neschenbrenner@tunxis.edu

860.773.1304

Tunxis Community College

271 Scott Swamp Road, Farmington, CT

tunxis.edu

OK

- Submission of an updated Exhibit C (Campaign Contribution and Solicitation Limitations) to include current statutory language.

DAS provided the following response from Capital Workforce Partners.

From: Johnson, Alex <AJohnson@capitalworkforce.org>

Sent: Thursday, May 21, 2020 12:55 PM

To: Pysh, Thomas <Thomas.Pysh@ct.gov>

Cc: Staley, Kimberly <kstaley@capitalworkforce.org>

Subject: Re: DAS-BOR and CWP Bristol, Main St. (430) License Agreement status

Tom

Please accept this email as my authorization to amend exhibit C per the below referenced agreement.

Alex B. Johnson

OK

RECOMMENDATION: It is recommended that SPRB **approve** the License Agreement with CWP to co-locate within TXCC space at 430 North Main Street, Bristol.

At the December 6, 2016 SPRB Meeting, under PRB #16-276, the SPRB approved a new Lease for the continued use of 8,003 square feet of office space by the Board of Regents and TXCC at 430 North Main Street, Bristol. The Lease commenced on December 19, 2016, and will terminate on December 28, 2021. The rent for this space is \$122,445.96/year, or \$15.30/sf, fixed for the five year term. Lessee expenses include natural gas, water, sewer, electricity, janitorial and light and lamp replacement and 18% of taxes over base lease year rate (2017)

Under this Proposal (PRB #20-068), DAS and BOR are seeking SPRB approval to co-locate Capital Workforce Partners (CWP) within 2,500 square feet of the Leased space at 430 North Main Street. The co-location of TXCC with CWP (which operates an American Jobs Center) will benefit regional programs for workforce education and job training. The proposed License Agreement has the following terms:

DESCRIPTION	PRB #20-068 Agreement for Shared Space/Expenses
Parties to Agreement	DAS-BOR-CWP
Shared Areas	2,500 sq.ft. within the Leased Premises as identified in Exhibit A.
License Fee	\$48,000/year, payable in \$4,000 monthly installments (\$19.20/sf)
Term	One year upon AG approval, automatic one-year renewal terms
Shared Expenses	CWP shall reimburse TXCC for actual operating expenses, other than electricity, $(2,500 \div 8,003 = 31\%)$.
Telephone, Data, Copier	CWP is responsible for all photocopier, telephone & IT resources.
Termination Clause	Either party may terminate with 30 days advanced written notice.

The License Agreement has been approved by each party as follows:

- BOR initial request to DAS for License Agreement: August 23, 2018;
- Capital Workforce Partners: April 22, 2019;
- Board of Regents: April 30, 2019;
- DAS Commissioner: May 13, 2019;
- Office of Policy & Management: March 2, 2020; and
- Submission to SPRB: April 24, 2020.

Staff inquired with DAS for clarification of the following issues:

1. Please clarify whether CWP staff is already utilizing space within this location, without the benefit of a License Agreement, based on their advertising this location on their website: <https://capitalworkforce.org/american-job-centers/>.
DAS Response: Yes, BOR didn't want to lose the opportunity so they went ahead with it.
Staff Response: The BOR's initial request to DAS for this License Agreement was on August 23, 2018. In your response below you indicate that BOR didn't want to lose the opportunity so they permitted the co-location. Please clarify when the co-location commenced and whether CWP has been paying rent and reimbursing their pro-rata share of increased operating expenses since their occupancy commenced.
DAS Response: Awaiting response from BOR.
2. Please provide an electronic copy of the existing Lease for this location.
DAS Response: Attached OK
3. Please clarify if there is sufficient reserved/unreserved parking included in the Lease to accommodate additional CWP staff and is there any financial impact with the Lessor if the addition of CWP staff exceeds the parking included in the Lease.
DAS Response: All parking is sufficient. No financial impact with the lessor. OK
4. Please clarify how Capital Workforce Partners (CWP) will reimburse TXCC for operating expenses in light of the DAS memo stating CWP will reimburse TXCC for any increase in operating expenses, excluding electric, and the License Agreement states "Licensee shall also reimburse Licensor actual operating expenses other than electricity for the License Area."
DAS Response: Tunxis will identify the increase to the CWP in writing as it occurs for inclusion into the lease payment. DAS will be cc'd on the correspondence. Costs are based on a prorated share. OK
5. Regarding operating expenses, please clarify if the CWP reimbursement based on their pro-rata share of occupied space, or some other basis?
DAS Response: The CWP occupies 2,500 s.f. within the leased space of 8,006 s.f. The prorated share of the total is 31%
6. Please clarify if CWP will have access to the Leased Premises beyond TXCC normal business hours.
DAS Response: No OK
7. Please confirm if Exhibit C (Campaign Contribution and Solicitation Limitations) is current in light of the AG identifying outdated language in Exhibit L (Campaign Contribution and Solicitation Limitations) in the most recent Worker's Compensation Lease.

DAS Response: No, it is not, we anticipate getting it slip sheeted on or before this Thursday. OK

RECOMMENDATION: It is recommended that SPRB **suspend** the License Agreement with CWP to co-locate within TXCC space at 430 North Main Street, Bristol pending resolution of the following issues:

- Clarification of when the co-location commenced and whether CWP has been paying rent and reimbursing their pro-rata share of increased operating expenses since their occupancy commenced.
- Submission of an updated Exhibit C (Campaign Contribution and Solicitation Limitations) to include current statutory language.

4. REAL ESTATE – NEW BUSINESS

PRB # 20-079
Transaction/Contract Type: RE – Town Road Release
Origin/Client: DOT/DOT
Project Number: 92-93-75A
Grantee: City of New Haven
Property: New Haven, Route 34 (3.08 acres)
Project Purpose: Relocation of Route 34
Item Purpose: QC Deed

CONVEYANCE FEE: \$0

In 1956 and 1957 DOT acquired 23 parcels of land for the relocation and construction of Richard C. Lee Highway (Route 34). The State is now releasing the remaining land of the original acquisitions, totaling 3.08 acres to the City of New Haven. This is a release of land acquired for highway purposes only and there is no monetary consideration.

DOT informed staff that there are many older acquisitions that were not subject to an Agreement, requiring release to the host municipality. DOT conveys these parcels as they are utilized and maintained by the host municipality.

The Quit-Claim deed releases the following:

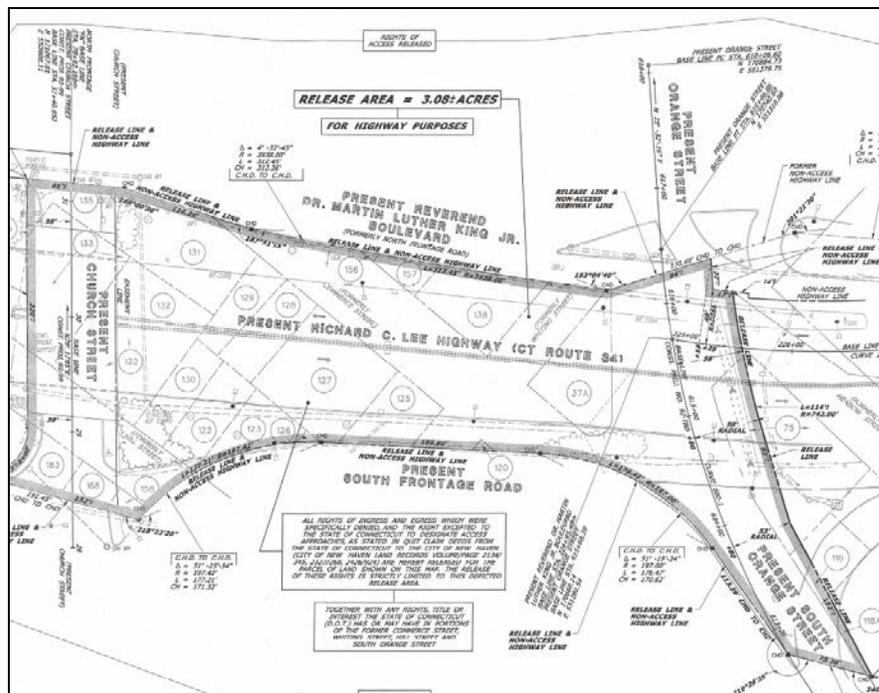
STATE FILE NO.	FORMER OWNER	DEED TYPE/ VOLUME/PAGE	DATE OF DEED
092-093-037A	City of New Haven	Quit-Claim Deed 1947/191	9/13/1957
092-093-0075	Hofwal Realty Corp.	Cert. of Cond. 1912/575	11/8/1956
092-093-116	Albert Goldman & Sons, Inc.	Cert. of Cond. 1929/5	3/20/1957
092-093-118A	Edward D. Goldman, et al	Cert. of Cond. 1929/27	3/20/1957
092-093-120	John DePaola, et al	Cert. of Cond. 1926/487	3/25/1957
092-093-122	Mary Gasparino a.k.a Mary Gasparrino et al	Cert. of Cond. 1921/499	1/23/1957
092-093-123	Julia Perrie Fracasso	Cert. of Cond. 1927/87	3/4/1957
092-093-125	The Produce Realty Corporation	Cert. of Cond. 1927/247	3/8/1957
092-093-126	Marianna Chiarelli a.k.a. Mariana Chiarelli	Cert. of Cond. 1921/507	1/23/1957
092-093-127	The J.W. Hine Estate, Inc.	Cert. of Cond. 1925/225	2/19/1957
092-093-128	Argee Realty, Inc.	Cert. of Cond. 1921/505	1/23/1957
092-093-129	Louis Adelman	Cert. of Cond. 1918/89	12/18/1956

092-093-130	Lucia Vastola	Cert. of Cond. 1905/47	8/13/1956
092-093-131	Estate of Edward Malley, et als	Cert. of Cond. 1925/229	2/19/1957
092-093-132	Helen Skitgis	Cert. of Cond. 1905/49	8/13/1956
092-093-133	Rose B. Gingold	Cert. of Cond. 1920/97	1/8/1957
092-093-134	Lena Annunziata a.k.a. Adelina Annunziata	Cert. of Cond. 1904/112	8/8/1956
092-093-135	Hill-Commerce Realty Company	Cert. of Cond. 1926/501	3/25/1957
092-093-138	William S. Perloth, et als	Cert. of Cond. 1920/95	1/8/1957
092-093-156	Leonard Marenga, et al	Cert. of Cond. 1938/141	7/1/1957
092-093-157	Philip Shiffrin	Cert. of Cond. 1922/211	2/1/1957
092-093-158	Jennie V. Annicelli	Cert. of Cond. 1906/321	9/4/1956
092-093-168	Joseph Lancia, et al	Cert. of Cond. 1906/319	9/4/1956
092-093-183	Hill Street Properties Inc.	Cert. of Cond. 1929/505	4/9/1957

None of the acquisitions were subject to Board review and approval as all were prior to 1975 and all were acquired via condemnation.

RECOMMENDATION: Staff recommend **approval** of this Quit Claim Deed to assign the land and easements acquired by the State to the City of New Haven is recommended for the following reasons:

1. The conveyance complies with Section 13a-80 of the CGS governing the release of excess property and easements by the commissioner of transportation.
2. The descriptions in the Quit-Claim to release the real property are consistent with the description in the DOT acquisition deeds.



PRB # 20-080
Transaction/Contract Type: RE – Town Road Release
Origin/Client: DOT/DOT
Project Number: 164-233-4A
Grantee: Town of Windsor
Property: Windsor, Prospect Hill Rd
Project Purpose: The Reconstruction of Prospect Hill Rd
Item Purpose: QC Deed

CONVEYANCE FEE: \$0

DOT acquired and is now releasing the following land and easements which were originally acquired for the **Urban Systems Improvements for the Reconstruction of Prospect Hill Rd.** The project is complete and it is now necessary for the State to assign the land and easements to the Town per Section 11 of Agreement No. 5.22-01(12). This is a release of land and easements acquired for highway purposes only and there is no monetary consideration.

The Quit-Claim deed releases the following:

STATE FILE NO.	FORMER OWNER	INSTRUMENT	BOOK/PAGE	RECORDED DATE
164-233-1	Marianne Daae Morneau	Warranty	1769/811	5/8/2013
164-233-2	Tammy Rabbett	Certificate of Condemnation	1771/341	5/23/2013
164-233-3	Ann Parkin	Warranty	1769/812	5/8/2013
164-233-4	John C. Fulse and Anna M. Fulse	Certificate of Condemnation	1779/143	8/21/2013
164-233-5	William Slattery and Lee Ann Slattery	Warranty	1772/403	6/4/2013
164-233-6	John M. Camara and Michelle Camara	Easement	1775/565	7/10/2013
STATE FILE NO.	FORMER OWNER	INSTRUMENT	BOOK/PAGE	RECORDED DATE
164-233-7	Regina J. Wiggins	Easement	1769/100	4/30/2013
164-233-8	Dalia David	Easement	1771/344	5/23/2013
164-233-9	Jeffrey W. Silliman and Dianne D. Silliman	Warranty	1774/820	7/1/2013
164-233-10	Carole E. Mauri, Trustee, or her successor in trust under the Carole E. Mauri Revocable Trust Agreement dated March 22, 2001	Warranty	1768/557	4/25/2013
164-233-12	Drew T. Seifried and Melissa A. Seifried	Warranty	1777/633	8/7/2013
164-233-13	Thomas N. Pompa Jr. and Flavia E. Pompa	Certificate of Condemnation	1770/776	5/20/2013
164-233-14	Stanley V. Sadosky Jr. and Gail A. Sadosky	Certificate of Condemnation	1770/773	5/20/2013

Seifried et al was approved by the Board under PRB File #13-139.

RECOMMENDATION: Staff recommend **approval** of this Quit Claim Deed to assign the land and easements acquired by the State to the Town of Windsor is recommended for the following reasons:

1. The conveyance complies with Section 13a-80 of the CGS governing the release of property and easements by the commissioner of transportation.
2. Section 11 of Agreement No. 5.22-01(12) between the State and Town of Windsor, approved by the Attorney General on July 20, 2012, requires “That all properties and rights acquired by the State for the

construction of said Project that are within the proposed highway lines of Prospect Hill Road will be released for highway purposes to the Municipality upon completion of construction.”

PRB # 20-081
Transaction/Contract Type: RE – Town Road Release
Origin/Client: DOT/DOT
Project Number: 07-185-1 & 07-185-2
Grantee: Town of Berlin
Property: Berlin, Farmington Avenue
Project Purpose: Replacement of Bridge No. 04474 Farmington Avenue over the Mattabeset River
Item Purpose: Quit Claim Deed

CONVEYANCE FEE: \$0

DOT acquired and is now releasing the following land and easements which were originally acquired for the **Replacement of Bridge No. 04474 Farmington Avenue Bridge over the Mattabeset River.** The project is complete and it is now necessary for the State to assign the easements to the Town per Section 4.6 of Master Municipal Agreement for Rights of Way Projects No. 04.02-02(14). This is a release of two easements acquired over an area of 265 sf for highway purposes only and there is no monetary consideration.

The Quit-Claim deed releases the following:

<u>Grantor</u>	<u>Instrument</u>	<u>Volume/Page</u>	<u>Recorded Date</u>
Outfront Media LLC formerly known as Gannett Outdoor Co. of Connecticut	Easement	709/998	04/23/2015
W. Sperry Nickerson	Certificate of Condemnation	711/49	06/01/2015

Neither acquisition was reviewed by the Board.

RECOMMENDATION: Staff recommend **approval** of this Quit Claim Deed to assign the two easements acquired by the State to the Town of Berlin is recommended for the following reasons:

1. The conveyance complies with Section 13a-80 of the CGS governing the release of property and easements by the commissioner of transportation.
2. Section 4.6 of Master Municipal Agreement for Rights of Way Projects No. 04.02-02(14) between the State and Town of Berlin, approved by DOT on August 7, 2014, requires “Upon completion of the construction project, as determined by the DOT, all property and property rights acquired by the DOT for the Project shall be released in a quit claim deed with the designation ‘for transportation purposes’ to the Municipality in which the property is located.”

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILES #20-068 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE

#20-068. The motion passed unanimously.

PRB FILES #20-079 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #20-079. The motion passed unanimously.

PRB FILES #20-080 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #20-080. The motion passed unanimously.

PRB FILES #20-081 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #20-081. The motion passed unanimously.

9. NEXT MEETING – Thursday, May 28, 2020.

The meeting adjourned.

APPROVED: _____ **Date:** _____
John Valengavich, Secretary