

## STATE PROPERTIES REVIEW BOARD

### Minutes of Meeting Held On February 1, 2021 – 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 February 1, 2021 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  
William Cianci  
Jeffrey Berger

#### **Members Absent:**

#### **Staff Present:**

Dimple Desai  
Thomas Jerram

#### **Guests Present**

At Chairman Greenberg's request, Vice Chairman Josephy led the meeting.

Vice Chairman Josephy 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 January 28, 2021 Meeting. The motion passed unanimously.

#### **2. COMMUNICATIONS**

Mr. Berger provided Board Members with an update on his ongoing conversations and review about certain proposed legislation that affects the State Properties Review Board.

#### **3. REAL ESTATE- UNFINISHED BUSINESS**

#### **4. REAL ESTATE – NEW BUSINESS**

<b><i>PRB File #:</i></b>	<b>#20-242</b>
<b><i>Transaction/Contract Type:</i></b>	RE – Lease
<b><i>Origin/Client:</i></b>	DOT/DOT
<b><i>DOT Project #:</i></b>	92-532-11B
<b><i>Lessee:</i></b>	City of New Haven
<b><i>Property:</i></b>	New Haven, Waterfront Street Connector (43,200 sf)
<b><i>Project Purpose:</i></b>	Waste Stockpile Area – Downtown Crossing Project
<b><i>Item Purpose:</i></b>	One-Year Lease with One-Year Option

**Lease Price:** \$0

**Project Background:**

The State owns a 43,200 square foot site improved with asphalt-paved parking on Waterfront Street Connector, at the intersections of Fulton and Alabama Streets. DOT is in possession of a Subsurface Site Investigation Report prepared by Logical Environmental Solutions, LLC for the City of New Haven and WSP USA, Inc.

Under this proposal (PRB #20-242), DOT is seeking SPRB approval to enter a Lease with the City of New Haven for a 1-year term, with one, 1-year option to extend the term.

The terms of the lease are as follows:

Lessee	City of New Haven
Premises	43,200 square feet of land “as-is” and “where-is”
Use	Storage of non-hazardous material construction materials and debris
Term	1 years commencing upon AG approval, one, 1-year, option to extend
Termination	Either party can terminate with 30 days’ notice, with or without cause
Rent	\$0.00/month.
Utilities, costs	All by tenant
Insurance	Requires additional insurance pursuant to DEEP requirements “General Permit for Contaminated Soil and/or Sediment Management (Staging & Transfer)”
Environmental	Lessee responsible for environmental issues above base line provided in Investigation Report
Other	Lease includes specifications as contained in “Standard Highway Lease Specifications & Covenants: Governmental” dated 4/1/2019, which are attached to the lease. The specifications include insurance and indemnification requirements.

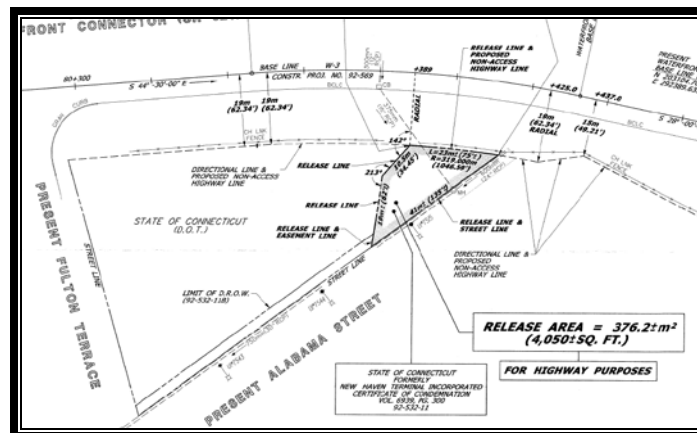
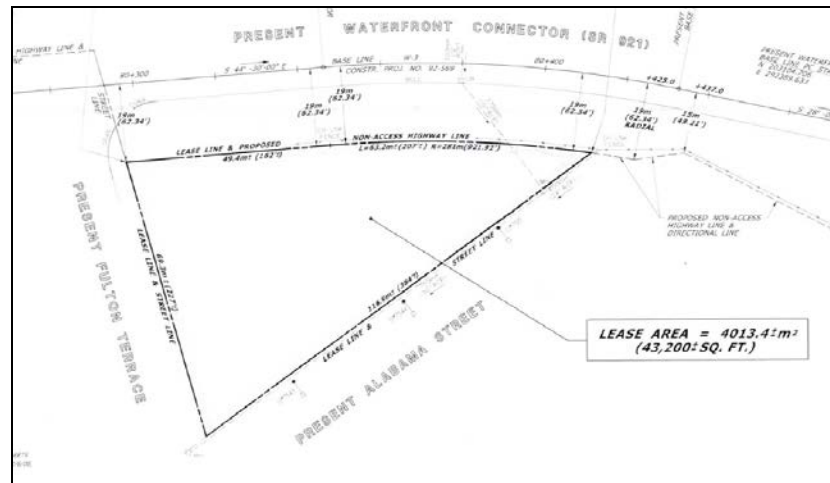
The Lessee executed the Lease on November 23, 2020. The Lessor executed the Lease on December 11, 2020. OPM approved the Lease agreement on December 28, 2020.

Staff inquired with DOT regarding the following:

- Please clarify if the Lease should be modified as the land area in Article #1 of the Lease, stating “approximately 43,200 square feet” should be modified to reflect land conveyed to the City of New Haven under DOT Project #92-532-11C (4,050 square feet of land), approved by the SPRB under PRB #19-064.  
**DOT Response: The lease area is correct as it is. The area released under 92-532-11C was transferred to the Town for highway purposes as it is part of the local road. OK**

**RECOMMENDATION:** Board approval of the lease-out agreement to City of New Haven is recommended for the following reasons:

- The commissioner of transportation has the authority under CGS §13a-80 to enter into lease agreements, subject to the approval of OPM (received 12/28/2020), the SPRB & the AG.
- This covers 43,200 square feet of land to be used as part of the storage of construction materials and debris in conjunction with the Downtown Crossing Project.
- The Lessee pays no rent. The term of the lease is for 1 year, commencing upon approval of the AG. The lease includes one 1-year option, at the same terms. The State reserves the right to terminate the lease with 30 days’ notice.



From PRB #19-064.

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS
6. ARCHITECT-ENGINEER - NEW BUSINESS
7. OTHER BUSINESS
8. VOTES ON PRB FILE:

**PRB FILE #20-242** – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #20-242. The motion passed unanimously.

9. NEXT MEETING – Thursday, February 4, 2021.

The meeting adjourned.

**APPROVED:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
John Valengavich, Secretary