

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On March 27, 2023 – 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 March 27, 2023 remotely via telephone conference at (860)-840-2075 and use passcode 284890492#.

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

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 March 23, 2023 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Director Desai reminded the Board that a Site Visit is tentatively scheduled for Wednesday, March 29, 2023, in conjunction with a Proposal being reviewed under PRB #23-022-A. DoAG will confirm the appointment.

Mr. Berger updated the Board on proposed Legislation that will impact the Board.

Director Desai informed the Board that a change to CGS 13a-73(h) in July 2021, effectively changing the Board's review authority to acquisitions and settlements above \$10,000, increased from \$5,000, and that DOT will only submit those acquisitions above \$10,000.

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

PRB #	23-031
Transaction/Contract Type:	RE – Lease
Origin/Client:	DOT/DOT
DOT Project #:	82-19-23A
Lessee:	City of Middletown

Property: Middletown, Harbor Dr. – 0.28 acres
Project Purpose: Continued Parking Use
Item Purpose: New 5-Year Lease

Lease Price: \$0

Project Background:

At the June 3, 2002 SPRB Meeting under PRB #02-260, the Board voted to approve a Lease of 0.28 acres of land to the City of Middletown for public parking places only, located on westerly side Harbor Drive, with non-access frontage on Route 9. The parking area is located generally opposite of the John K. Smith Boathouse. The Lease was for an initial 5-year term, through 4/30/2007, with two five-year options to extend the Lease through 4/30/2017. There was no monetary consideration. The original Lease was reviewed by the Board under PRB File Number #82-291. DOT utilized a “Renewal Agreement” with the City of Middletown during the period of May 1992 through April 2002, not reviewed by the Board, with a copy of the Agreement provided for SPRB records.

Under this Proposal (PRB #23-031) DOT is seeking SPRB approval of a new Lease (Lease Out) for the City of Middletown’s continued use for public parking purposes. DOT states their statutory authority to Lease this land is pursuant to CGS §13a-80. SPRB review is required pursuant to CGS §13a-80(a).



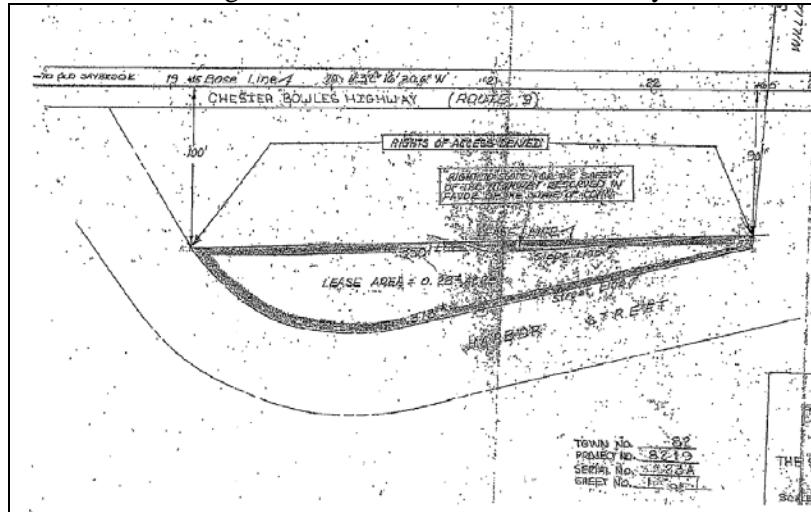
The terms of the lease are as follows:

Lessee	City of Middletown
Premises	Middletown, Harbor Dr – 0.28 acres
Use	Restricted to use for public parking purposes
Term	Five years commencing upon AG approval, two (2), five-year options to extend
Termination	Either party can terminate with 30 days' notice, with or without cause
Rent	\$0.00/month.
Utilities, costs	All by tenant, if available (no electric, gas, sewer or water currently at site)
Other	Lease includes specifications as contained in “Standard Highway Lease Specifications & Covenants: Governmental, under \$50,000” dated 7/1/2022, which are attached to the lease. The specifications include insurance and indemnification requirements.

The Lessee executed the Lease on December 9, 2022. The Lessor executed the Lease on February 1, 2023. OPM approved the Lease agreement on February 16, 2023.

RECOMMENDATION: Board approval of the Lease (lease-out) agreement to City of Middletown 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 2-16-23), the SPRB & the AG.
- The 0.28 acre will continue to be used solely for public parking purposes.
- The Lessee pays no rent. The term of the lease is for 5 years, commencing upon approval of the AG. The lease includes two (2) additional five-year options, subject to a review and update of the rental fee. The State reserves the right to terminate the lease with 30 days' notice.



5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER – NEW BUSINESS

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILE #23-031 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #23-031. The motion passed unanimously.

9. NEXT MEETING – Special Meeting, Wednesday, March 29, 2023.

The meeting adjourned.

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