

## STATE PROPERTIES REVIEW BOARD

### Minutes of Meeting Held On December 7, 2023

– solely by means of electronic equipment - via telephone conference –

Pursuant to CGS §1-225a, the State Properties Review Board conducted a Regular Meeting at 9:30AM on December 7, 2023. Pursuant to the statute, this Meeting was held solely by means of electronic equipment, with Participants connecting via telephone conference at (860)-840-2075 and used passcode 284890492#.

The Notice provided designated this Regular Meeting as open to the public. Call in instruction were provided as: Dial toll free (860)-840-2075 and use passcode 284890492#. If you have any questions or need assistance to attend these Meetings, you can contact SPRB Director Dimple Desai at [dimple.desai@ct.gov](mailto:dimple.desai@ct.gov) to make appropriate arrangements.

#### **Members Present – solely by means of electronic equipment:**

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

#### **Members Absent:**

#### **Staff Present – solely by means of electronic equipment:**

Dimple Desai  
Thomas Jerram

#### **Guests Present – solely by means of electronic equipment:**

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 December 4, 2023 Meeting and December 5, 2023 Special Meeting. The motion passed unanimously.

#### **2. COMMUNICATIONS**

Director Desai informed Board Members of a discussion with John Walsh from DAS-BEST regarding the state's data-center and the Board's approval of a Second Amendment to Lease under PRB #23-051. Mr. Walsh plans on attending the Board's January 2, 2024 Meeting to provide a quarterly update with respect to the relocation of the data center.

Staff presented the Board with a monthly voucher statement pursuant to CGS 13a-73(h) identifying two DOT real estate acquisitions for less than \$10,000.

**3. REAL ESTATE- UNFINISHED BUSINESS**

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Open Session and into Executive Session at 9:37. The motion passed unanimously.

**EXECUTIVE SESSION**

***PRB #:*** 23-191  
***Transaction/Contract Type:*** RE / Lease  
***Origin/Client:*** DAS / DDS

**Statutory Disclosure Exemptions: 1-210(b)(24)**

***PRB #:*** 23-210-A  
***Transaction/Contract Type:*** AG / PDR  
***Origin/Client:*** DoAG/DoAG

**Statutory Disclosure Exemptions: 1-200(6) & 1-210(b)(7)**

Upon completion of the Board's review of these two Proposals, the Board remained in Executive Session to discuss PRB #23-204 under Real Estate – New Business.

**4. REAL ESTATE – NEW BUSINESS**

***PRB #*** 23-196  
***Transaction/Contract Type:*** RE – Easements  
***Origin/Client:*** DEEP/DEEP  
***DEEP Project #:*** A-2019-18  
***Lessee:*** Town of South Windsor  
***Property:*** South Windsor, Beelzebub Rd (191 & 259)  
***Project Purpose:*** DEEP Avery Brook Flood Control Area  
***Item Purpose:*** Permanent Drainage Easement (1,200 sf) & Temporary Grading Easement (23,728 sf) Agreements

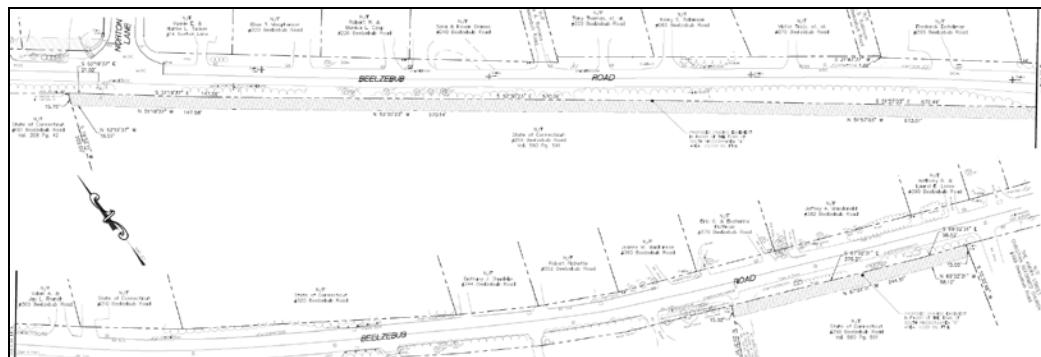
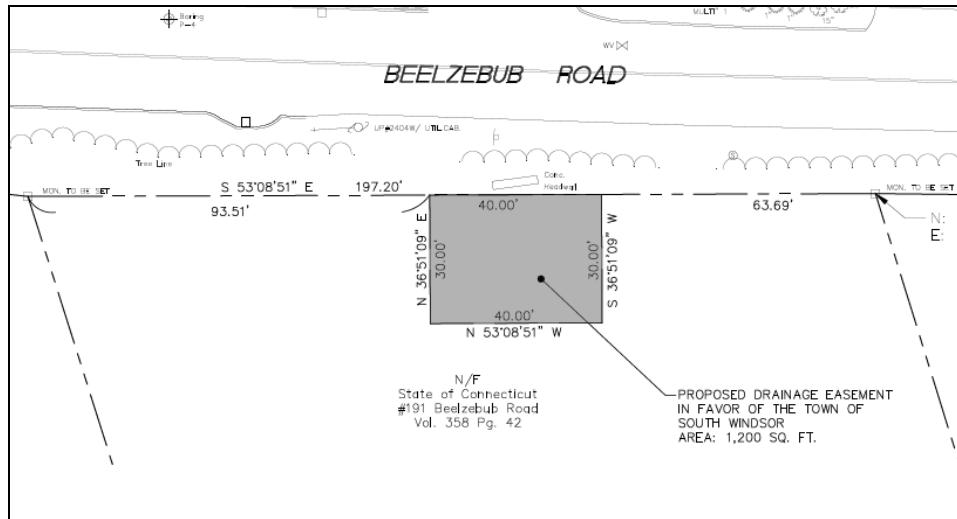
**Project Background:**

Following the floods of 1955, the State of Connecticut acquired about 80 acres of land and interests in land along Beelzebub Road in South Windsor to construct the Avery Brook Flood Control Area. The Town of South Windsor is reconstructing Beelzebub Road to include new stormwater drainage pipes, catch basins, and stormwater outfall and energy dissipators. Other than the new stormwater outfall and rip rap energy dissipators, no new sidewalks or other civil improvements are proposed at the DEEP Flood Control property.

The temporary easement agreement obligates the Town to restore DEEP land to its prior condition or better upon completion of work, excepting for the authorized new elevations grading, and terminates on December 31, 2025. The permanent easement agreement obligates the Town to maintain and keep free of debris the new stormwater outfall system on DEEP land.

Under this Proposal (PRB #23-196) DEEP is seeking SPRB approval of a Permanent Drainage Easement over an area of 1,200 square feet with the Town of South Windsor to maintain and keep free of debris the new stormwater outfall system on DEEP land. In addition DEEP seeks approval of a Temporary Grading Easement over an area of 23,728 square feet to restore DEEP land to its

prior condition or better upon completion of work, excepting for the authorized new elevations grading. There is no monetary consideration for either easement agreement.



Red Arrow – Permanent Easement  
Blue Arrow – Temporary Easement

The Grantee executed the Agreement on June 1, 2023. The Grantor (DEEP) executed the Agreement on July 31, 2023. DAS approved the Agreement on August 24, 2023 and OPM approved the Agreement on September 21, 2023.

**RECOMMENDATION:** Board approval of the Permanent Drainage Easement (1,200 sf) & Temporary Grading Easement (23,728 sf) Agreements for the following reasons:

- The Commissioner of Energy and Environmental Protection has the authority under CGS §22a-324 to enter into real estate agreements, subject to the approval of DAS, OPM, SPRB & the AG.
- The permanent easement requires the Town of South Windsor to keep free of debris the new stormwater outfall system on DEEP land.
- The temporary easement permits the Town of South Windsor to effect improvements to the roadway and the town must restore DEEP land to its prior condition or better upon completion of work, excepting for the authorized new elevations grading.

**Sec. 22a-324. (Formerly Sec. 25-109b). Conveyance and transfer of real property for watershed program purposes.** (a) The Commissioner of Energy and Environmental Protection, with the advice and consent of the Commissioner of Administrative Services, the State Properties Review Board and the Secretary of the Office of Policy and Management, may sell, lease and convey in the name of the state, or otherwise dispose of, or enter into agreements concerning, any land, buildings and real property owned by the state and obtained for or in connection with works of improvement under sections 22a-318 to 22a-322, inclusive, which land, buildings or real property are not necessary for such purposes, reserving for the state the rights and privileges necessary for constructing, operating and maintaining the works of improvement, except those relating to recreational or fish and wildlife developments, provided for under said sections.

**EXECUTIVE SESSION**

The Board remained in Executive Session after discussion PRB #23-191 and 23-210-A to discuss the following Proposal.

**PRB #:** 23-204  
**Transaction/Contract Type:** RE / Amendment  
**Origin/Client:** DAS / DSS

**Statutory Disclosure Exemptions: 1-210(b)(24)**

Upon completion of the Board's review of this Proposal and the two Proposals under Real Estate – Unfinished Business, Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Executive Session and into Open Session at 10:05. The motion passed unanimously.

**OPEN SESSION**

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS
6. ARCHITECT-ENGINEER - NEW BUSINESS
7. OTHER BUSINESS:

Chairman Josephy requested a motion to approve Board Fees and Mileage reimbursement for Chairman Josephy, Vice Chairman Berger, Secretary Valengavich, and Mr. Halpert for attending the Site Visit in Suffield on Tuesday, 12-05-2023, for a proposal reviewed under PRB #23-210-A. Secretary Valengavich made the motion, seconded by Mr. Berger. The motion passed unanimously.

**8. VOTES ON PRB FILE:**

**PRB FILE #23-191** – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve FILE #23-191. The motion passed unanimously.

**PRB FILE #23-210-A** – Mr. Halpert moved and Mr. Berger seconded a motion to approve FILE #23-210-A. The motion passed unanimously.

**PRB FILE #23-196** – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve FILE #23-196. The motion passed unanimously.

**PRB FILE #23-204** – Mr. Valengavich moved and Mr. Berger seconded a motion to approve FILE #23-204. The motion passed unanimously.

**9. NEXT MEETING** – Monday, December 11, 2023 – will be held solely by means of electronic equipment.

The meeting adjourned.

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