

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On November 18, 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 November 18, 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
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 November 15, 2021 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

<i>PRB File #:</i>	21-163
<i>Transaction/Contract Type</i>	DAS/DMV/DOC
<i>Location:</i>	Waterbury, Thomaston Ave (2200)
<i>Lessor:</i>	Nichols Realty, LLC
<i>Assignee:</i>	Thomaston Omega, LLC
<i>Project Purpose:</i>	Consent to Assignment (Exhibit G)
<i>Item Purpose:</i>	Consent for Assignment as required under Section 17.09 and Exhibit G of the Leases

DMV moved to this location in 1994 under the original base lease (7,725 sf) approved under PRB #94-007 and the most recent lease was approved under PRB #07-261, as amended under PRB #12-269 (1st Amendment) and PRB #18-025 (2nd Amendment).

DOC moved to this location in 2016 under the original base lease (9,644 sf) approved under PRB #15-251.

Under this submittal Nichols Realty, LLC is requesting DAS approval for assignment of these two Leases to Thomaston Omega, LLC. The property was sold for \$2,291,000 on September 9, 2021, and recorded in the Waterbury land records on September 14, 2021 (Fiduciary Deed V.8342/P.259) and a copy of the Fiduciary Deed filed with the City of Waterbury was provided to DAS. Under the Consent to Assignment; Thomaston Omega, LLC accepts and acknowledges all of the existing lease terms with the State.

Staff asked DAS to clarify the following:

1. Please provide a copy of the written notice from Nichols Realty, LLC pursuant to Exhibit I (Right of First Refusal) of the Lease (DOC) approved by the Board under PRB #15-251 and approved by the AG on November 12, 2015. Additionally, please provide a copy of DAS' response to the written notice.

DAS Response: Please find attached the following.

Staff Response: DAS provided. OK.

2. Please clarify whether Moishe Schwartz was authorized to sign both Exhibits in light of the Thomaston Omega, LLC Consent to Company Action by Members specifically stating that Israel Salamon was specifically authorized to execute and deliver said documents as follows:

RESOLVED: That Israel Salamon, a Member of the Company is hereby authorized to execute and deliver in the name and on behalf of the Company any and all agreements, instruments, affidavits or other documents in connection with the Commitment.

DAS Response: Please see a revised consent.

Staff Response: DAS provided revised consent identifying Israel Salamon as eligible for executing the document. OK.

3. Please provide a Certificate of Insurance as required by Section 9 of the Lease.

DAS Response: Please find attached the following.

Staff Response: DAS provided. OK.

4. Please provide an updated Exhibit E – Statement of Financial Interest pursuant to Public Act 91-166.

DAS Response: Please find attached the following.

Staff Response: DAS provided. OK.

Recommendation: SPRB Staff recommend approval of this Consent to Assignment.

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILES #21-163 – Mr. Berger moved and Mr. Valengavich seconded a motion to approve PRB 21-163. The motion passed unanimously.

9. NEXT MEETING – Monday, November 22, 2021.

The meeting adjourned.

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