

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On June 4, 2012 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on June 4, 2012 in the State Office Building.

Members Present: Edwin S. Greenberg, Chairman
Bennett Millstein, Vice-Chairman
Mark A. Norman
Pasquale A. Pepe

Members Absent: Bruce Josephy, Secretary
John P. Valengavich

Staff Present: Brian A. Dillon, Director
Mary Goodhouse, Real Estate Examiner

Chairman Greenberg called the meeting to order.

Mr. Norman moved and Mr. Millstein seconded a motion to enter into Open Session. The motion passed unanimously.

OPEN SESSION

ACCEPTANCE OF MINUTES OF MAY 29, 2012. Mr. Norman moved and Mr. Millstein seconded a motion to approve the minutes of May 29, 2012. The motion passed unanimously.

COMMUNICATIONS – Mr. Dillon received a letter from Carol Carson, Executive Director of the Office of State Ethics, commending the Board for the timely submission of statements of financial interest as required by statute.

REAL ESTATE- UNFINISHED BUSINESS

REAL ESTATE- NEW BUSINESS

Mr. Norman moved and Mr. Millstein seconded a motion to go out of Open Session into Executive Session. The motion passed unanimously.

EXECUTIVE SESSION

PRB # 12-130 **Transaction/Contract Type:** RE / New Lease
Origin/Client: DAS / DMHAS
Statutory Disclosure Exemptions: 4b-23(e); 1-200(6) & 1-210(b)(7)

The Board commenced its discussion of the proposed lease at 9:35 a.m. and concluded at 9:38 a.m.

Mr. Norman moved and Mr. Millstein seconded a motion to go out of Executive Session into Open Session. The motion passed unanimously.

OPEN SESSION

PRB # 12 - 143 **Transaction/Contract Type:** RE / Sale

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Origin/Client: DOT / DOT
Project Number: 177-1707-1(A)
Grantee: David and Susan Hanson
Property: 52 South Main Street, Marlborough
Project Purpose: DOT sale of excess property
Item Purpose: DOT sale of approximately 8,592- SF of land improved with an 801 SF residential structure.

Ms. Goodhouse said that this is a re-submittal by DOT to Quit Claim 8,592± SF of residential property, improved with an 801± single family residence to the high bidder for \$27,600. The prior proposal was a sale to Deborah Routhier for \$63,300. Ms. Routhier withdrew her bid.

The buyers entered the second highest bid in public auction held March 2011. There were two other bids: \$100 and \$12,000. Due to groundwater contamination, the DOT appraisal found that the property had no value in that the cost to remove the improvements (\$30,000 if done by the state) exceeded the appraiser's opinion of the value of the property as though vacant. Please see attached narrative prepared by Edward Sass of the DOT.

The property is 0.20 acres, with 112 feet of frontage on South Main Street, and a lot depth of between 80 and 85 feet. The house lacks potable water and cannot be used for residential purposes. Additionally, the house is in a deteriorating condition. If the house is razed, a new residential structure cannot be built because (1) there is no potable water; and (2) the lot does not conform to the R-80 zone.

The original DOT acquisition occurred in 1994 (PRB #94-338; purchase price: \$102,000) when it was discovered that the well for this property was contaminated with salt from the Department's and the Town of Marlborough's nearby salt storage facility. The groundwater remains contaminated. A public water supply line is over a mile from the property. There is no likelihood of extending the public water line into this area in the near future.

Ms. Goodhouse recommended Board approval of the proposed sale. The sale to the high bidder responding was not completed. These buyers submitted the second highest bid. Bid announcement disclosed lack of potable water.

The sale complies with the provisions of Sections 4b-21, 3-14b and 13a-80 of the CGS that govern the disposition of conforming surplus property. In order, The DPW, OPM, DEP, DMR & DECD waived interest in the land, the town chose not to exercise a first right of refusal, and the sale will be to the remaining high bidder.

The Quit Claim Deed conveys the land "as is", "with all faults and defects". The deed recites, "There is no potable water at the above described premises...." The deed also states that the State makes no warranties or representations regarding the condition of the premises, "including, but not limited to, any past, present or future environmental conditions or the availability or functionality of any heating, air conditioning, plumbing, electrical, sewage, drainage, water or other building, utility or like systems."

PRB # 12-145 **Transaction/Contract Type:** RE / Voucher
Origin/Client: DOT / DOT

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Project Number: 107-167-026
Grantor: James R. & Terrie A. Schmiedel
Property: 68 Hill Parkway, Middlebury, CT
Project Purpose: Oxford Airport Federal Aviation Regulation, Part 150 Noise Study
Item Purpose: Acquisition of 0.46+/- acres of land, in fee, together with all improvements situated thereon, a "total take".

Ms. Goodhouse reported that in January 2009, DOT and the Federal Aviation Administration (FAA) approved the Final Waterbury-Oxford Airport FAR (FAA) Part 150 Noise Study and the associated Noise Compatibility Program (NCP). The NCP recommended the voluntary acquisition of 72 single-family homes impacted by incompatible noise levels generated by the Waterbury-Oxford Airport. The 72 homes lie within the Runway Projection Zone, are adjacent to it, or are within certain decibel day night level (DNL) noise contours.

The subject property at 68 Hill Parkway, Middlebury, is the 26th acquisition in this project. It is located in the project's Phase 3 (of 7) area, which has 11 properties located on Hill Parkway and Christian Road. Ms. Goodhouse recommended approval for the following reasons:

1. DOT has authority under Section 13b-44 to establish and maintain state airports, and acquire any lands determined to be necessary to improve the adequacy of existing state airports.
2. DOT has authority under Section 8-273a to provide relocation assistance and undertake the acquisition of real property on a federally funded project provided the acquisitions and relocation payments and assistance procedures comply with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act.
3. The appraisal report prepared by Anthony John DeLucco as of 2/24/2012 supports the compensation of \$278,000.

ARCHITECT-ENGINEER - UNFINISHED BUSINESS

ARCHITECT-ENGINEER – NEW BUSINESS

PRB# 12-146 **Transaction/Contract Type:** AE / Commission Letter
Project Number: BI-RT-837 **Origin/Client:** DCS/DOE
Contract: BI-RT-837-ARC Commission Letter #4
Consultant: Antinozzi Associates, P.C.
Property: Eli Whitney Technical High School, Hamden

Project Purpose: Additions and Renovations to Eli Whitney Technical High School
Item Purpose: Commission Letter #4 to compensate the consultant for additional services related to the design and construction administration of a new boiler system at the school.

Mr. Dillon reported that at Eli Whitney Technical High School, the project renovation & remodeling consists of the exterior & interior remodeling and renovation of 135,968 GSF of existing building facilities and the construction of 91,290 GSF of new building area for a total building project area of 227,258± GSF. Additional improvements include the reconstruction of athletic fields and perimeter site fencing, new landscaping and the resurfacing of existing parking lots.

On 03/31/2005, the Board approved the Architect's Contract, *construction and total project budgets* were \$43,212,000 and \$57,824,000, respectively. In 2006, PA 06-158 authorized an increase to \$54,554,000 and

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\$74,286,000, respectively. Since that time, PA 08-169 has authorized project budget increases to \$70,000,000 for construction and \$98,000,000 to the total project budget.

Mr. Dillon explained that Commission Letter #4 will modify AA's contract and provide additional services for the design and construction administration needed to replace the existing boiler system with a hot water condensing boiler. The additional work will include but not be limited to the disposal of the existing system, integration of a new EMS system, commissioning and a revised phasing plan.

After an evaluation of the new total design fee, Mr. Dillon recommended that the Board approve Commission Letter #4 for Antinozzi Associates to provide additional project services.

OTHER BUSINESS

The Board took the following votes in Open Session:

PRB FILE #12-130 – Mr. Norman moved and Mr. Millstein seconded a motion to approve PRB File #12- 130. The motion passed unanimously.

PRB FILE #12-143 – Mr. Pepe moved and Mr. Norman seconded a motion to approve PRB File #12- 143. The motion passed unanimously.

PRB FILE #12-145 - Mr. Pepe moved and Mr. Norman seconded a motion to approve PRB File #12-145. The motion passed unanimously.

PRB FILE #12-146 – Mr. Norman moved and Mr. Millstein seconded a motion to approve PRB File #12-146. The motion passed unanimously.

The meeting adjourned.

APPROVED: _____ **Date:** _____

Bruce Josephy, Secretary