



RESOLUTION

concerning

LEASE OF A PORTION OF JENNINGS HALL
at
SOUTHERN CONNECTICUT STATE UNIVERSITY
to
ATLANTIC NYNEX MOBILE, INC.

July 18, 1997

WHEREAS, Section 4b-38 of the Connecticut General Statutes provides that the Board of Trustees may lease land or buildings, and facilities under their control and supervision, and

WHEREAS, Bell Atlantic NYNEX Mobile, Inc. has requested permission from Southern Connecticut State University to lease approximately 240 square feet in the penthouse of Jennings Hall for installation of antennas, and

WHEREAS, It has been determined by Southern that the space is not needed for use by the university, and

WHEREAS, The Treasurer of the State of Connecticut has determined that the agreement does not affect the status of any tax-exempt obligations issued by the State of Connecticut, and

WHEREAS, The lease agreement stipulates that use of the property is contingent upon meeting all policies, regulations and laws of local, state and federal agencies, therefore be it

RESOLVED, That the Board of Trustees for the Connecticut State University System approve the agreement with Bell Atlantic NYNEX Mobile, Inc. to lease space at Southern Connecticut State University's Jennings Hall for the installation of antennas.

A Certified True Copy:
[Signature]
William J. Cibes, Jr.
Chancellor

STAFF REPORT FINANCE, ADMINISTRATION AND DEVELOPMENT COMMITTEE

ITEM

Lease of a portion of Jennings Hall at Southern Connecticut State University to Bell Atlantic NYNEX Mobile, Inc.

BACKGROUND

The Board of Trustees pursuant to CGS Section 4b-38(g) "...may lease land or buildings, or both, and facilities under the control and supervision of such board when such land, buildings or facilities are otherwise not used or needed for use by the constituent unit and such action seems desirable to produce income or is otherwise in the public interest, provided the treasurer has determined that such action will not affect the status of any tax-exempt obligations issued or to be issued by the State of Connecticut...."

ANALYSIS

Bell Atlantic NYNEX Mobile, Inc. requested permission from Southern to lease approximately 240 square feet in the penthouse of Jennings Hall. They want to lease this space for the installation and maintenance of wires, cable, conduits and pipes associated with antenna structures. All improvements and alterations made to the space will be at Bell Atlantic's expense and subject to approval by Southern. The antennas and equipment will be installed in the interior of the penthouse, but if in the future it is necessary to install an antenna(s) on the exterior, they will be of a color that matches the face of the penthouse. Typically these antennas do not extend above the roof line and therefore will not be visible from the grounds surrounding Jennings Hall.

The lease agreement stipulates that Bell Atlantic's ability to use the property is contingent upon meeting all obligations of compliance with any and all environmental laws, including permits, regulations, guidelines, standards, or policies of all local, state and federal agencies. Approval has been granted by the City of New Haven Board of Zoning Appeals and currently the agreement is being reviewed by the Office of the State Treasurer to ensure that the agreement does not affect the State's tax-exempt status. Once it has received approval from the Treasurer, it will be reviewed for approval "as to form" by the Office of the Attorney General. The agreement was reviewed initially by the CSU Assistant Attorney General with language and form modifications being made in consultation with Bell Atlantic's attorneys.

The initial term of the lease is for five years with an annual rental of \$14,600. The agreement can be automatically extended for three additional five-year terms unless terminated by either the lessee or lessor by giving written notice of at least six months. Upon termination, the lessee will remove all equipment and restore the penthouse to its original condition within 90 days.

CHANCELLOR'S RECOMMENDATION

Approve the lease agreement between Board of Trustees and Bell Atlantic NYNEX Mobile, Inc..