

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

Legislative Office Building, Room 203

Concord, New Hampshire

Wednesday, February 21, 2018

**MEMBERS PRESENT:**

Speaker Gene Chandler, Resigning Chair

Rep. John Graham, New Chair

Rep. John Cloutier

Rep. Mark McConkey

Sen. Regina Birdsell

Sen. Bill Gannon

Sen. Bob Giuda

(The meeting convened at 3:30 p.m.)

**(1) Nomination of New Chair**

**\*\*** GENE CHANDLER, State Representative, Carroll County, District #01, and Speaker of the House of Representatives: Okay. My last presumably, hopefully, act as Chairman of this Committee. I would nominate Representative Graham to be the new chairman.

MARK MCCONKEY, State Representative, Carroll County, District #03: Second.

CHAIRMAN CHANDLER: Seconded by Representative McConkey. Any other nominations?

REGINA BIRDSSELL, State Senator, Senate District #19: Well, at least you're here. The last meeting wasn't here and got nominated.

CHAIRMAN CHANDLER: We covered all the bases. Okay. All those in favor say aye? Opposed? Motion carries. Thank you.

**\*\*\* {MOTION ADOPTED}**

JOHN GRAHAM, State Representative, Hillsborough County, District #07 and new Chairman: Oh, you want to change seats and everything? Thank you. Thank you all.

JOHN CLOUTIER, State Representative, Sullivan County, District #10: You're the new -- Congratulations, Representative Graham. I missed --

CHAIRMAN GRAHAM: Oh, I'll be right back. Look at this.

REP. CLOUTIER: Can I ask a question? Who nominated Representative Graham to be chair?

CHAIRMAN GRAHAM: Chandler.

REP. CLOUTIER: Chandler, okay.

REP. MCCONKEY: I seconded.

REP. CLOUTIER: Okay. Thank you.

CHAIRMAN GRAHAM: And I appreciate it. I think I've done this before so it's not totally new.

**(2) Acceptance of Minutes of the November 14, 2017, Meeting.**

CHAIRMAN GRAHAM: I would move -- ask for the acceptance -- a motion for the acceptance of --

**\*\* DANIEL DANIELSON State Representative Hillsborough County District #07:** So move.

CHAIRMAN GRAHAM: -- thank you -- minutes of the last meeting. I have a motion to accept the minutes. Is there a second?

WILLIAM GANNON, State Senator, Senate District #23: Second.

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CHAIRMAN GRAHAM: All those in favor signify by saying aye? Opposed nay? The ayes have it and the minutes are adopted.

\*\*\* {MOTION ADOPTED}

**(3) Old Business:**

CHAIRMAN GRAHAM: Old Business. LRCP 17-034, Additional Information, Department of Administrative Services. Anybody here who wishes to speak about that? Do we need to do anything with it?

PAM ELLIS, Administrative Assistant, Office of Legislative Budget Assistant: No.

**(4) New Business:**

CHAIRMAN GRAHAM: All right. No questions. We're moving on to New Business. Item LRCP 18-001, Department of Transportation, a request for authorization to sell 3.3 plus or minus acre parcel of State-owned land located in Town of Wentworth. Is the Department here? Please come forward. Might as well stay there, too. We have other things.

PHIL MILES, Chief of Property Management, Department of Transportation: Yeah, we do.

CHUCK SCHMIDT, Bureau of Right-of-Way, Department of Transportation: Good afternoon. I'm Chuck Schmidt from the Bureau of Right-of-Way of the Department of Transportation. I have Phil Miles here. He's the Chief of Property Management at the Department.

MR. MILES: Good afternoon.

MR. SCHMIDT: So the Department requests authorization to sell a 3.3-acre parcel of State-owned land on the easterly side of Route 25 in the Town of Wentworth by a sealed bid process to the abutters for the minimum bid price of \$4,900, which includes

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an \$1,100 administrative fee, subject to the conditions as specified in the request dated December 29, 2017.

We brought this request forward last time. There was some discussions about if the rail corridor would stay open, and I had indicated it would. So when we went back to verify all of that, the issue arose that the appraisers hadn't valued it with it being open. So this basically just revises the amount to reflect that.

CHAIRMAN GRAHAM: Any questions from Members of the Committee? If not, what is the pleasure of the Committee on this item?

**\*\*** REP. MCCONKEY: Move ought to pass.

REP. CLOUTIER: I'll second that motion.

CHAIRMAN GRAHAM: Moved and seconded that we approve item LRCP 18-001. Any discussion? If not, all those in favor signify by saying aye? Opposed nay? The ayes have it, and the item is adopted.

**\*\*\* {MOTION ADOPTED}**

CHAIRMAN GRAHAM: Moving on to LRCP 18-002 from the Department of Transportation, which is a request authorization to sell 18,000 plus or minus square foot parcel of State-owned land in the Town of Alton.

**\*\*** REP. DANIELSON: Chairman, I move --

CHAIRMAN GRAHAM: Does anybody want to know anything about it?

BOB GIUDA, State Senator, Senate District #02: Is it Rumney? Alton or Rumney?

CHAIRMAN GRAHAM: Alton.

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SEN. BIRDSELL: It says in the Town of Rumney under explanation. The Department of Transportation received a request from the abutter Thomas Stevenson and Virginia Stevenson.

CHAIRMAN GRAHAM: Are you on 002?

MR. MILES: It's a typo. It should be Alton.

CHAIRMAN GRAHAM: Okay. My mistake. Thank you all.  
Any -- anything from Members of the Committee? Yeah.

SEN. GIUDA: Just to follow-up. Are we sure whether or not is it Route 25 in Alton?

MR. SCHMIDT: Yes, it is.

SEN. GIUDA: Okay. Just want to make sure somebody hadn't transposed it.

MR. SCHMIDT: Correct.

CHAIRMAN GRAHAM: Any other questions?

REP. DANIELSON: Should we wait until that --

MR. SCHMIDT: Excuse me. I'm sorry, it is 28A.

REP. DANIELSON: Maybe we should table this item until the next time so we get the corrections made.

MR. SCHMIDT: They do show correct in the agenda if that helps you.

CHAIRMAN GRAHAM: But not on the item.

REP. MCCONKEY: On the agenda I didn't see the change.

SEN. GIUDA: Is it appropriate, Mr. Chairman, to do a pen change?

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CHAIRMAN GRAHAM: I would be willing to do that, as long as all of the Members of the Committee are willing to go along with that.

SEN. BIRDSELL: I am.

CHAIRMAN GRAHAM: Not coming back for another meeting.

SEN. GIUDA: So if I may? Would you mind stating exactly what should be stated in the requested action?

MR. SCHMIDT: Absolutely. Request authorization to sell an 18,000 plus or minus square foot parcel of State-owned land located on the northerly side of New Hampshire 28A in the Town of Alton directly to Thomas Stevenson and Virginia Stevenson for \$5,600, which includes a \$1,100 administrative fee, subject to the conditions as specified in the request dated January 16<sup>th</sup>, 2018.

SEN. BIRDSELL: So the information, the requested action is accurate.

MR. SCHMIDT: Correct.

MR. MILES: Yes.

SEN. GIUDA: Explanation then needs to be revised.

MR. SCHMIDT: Yes.

REP. DANIELSON: Is that part of the motion to revise it?

SEN. GIUDA: I can't hear.

REP. DANIELSON: Is that part of the motion to revise the information?

**\*\*** SEN. GIUDA: I will move that we pass this agenda item conditional on appropriate language New Hampshire Route 28A in

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the Town of Alton under the first paragraph of explanation and anywhere else in the document where that address is referenced.

REP. CLOUTIER: I didn't have time to write down but hopefully the person taking it --

CHAIRMAN GRAHAM: It's moved and seconded. Any discussion?

REP. CLOUTIER: Who made the motion?

CHAIRMAN GRAHAM: Senator Giuda.

REP. CLOUTIER: You made the motion, Senator, and who made the second?

REP. MCCONKEY: I seconded.

REP. CLOUTIER: Representative McConkey. Thank you.

CHAIRMAN GRAHAM: Any further discussions? If not, all those in favor signify by saying aye? Opposed nay?

REP. DANIELSON: Nay.

CHAIRMAN GRAHAM: The ayes have it and the motion is adopted.

**\*\*\* {MOTION ADOPTED}**

CHAIRMAN GRAHAM: LRCP 18-003, Department of Transportation, request authorization to enter into a listing agreement for a term of one year for State-owned parcel located in the Town of Alton. Is this one correct?

MR. SCHMIDT: Yes, it is.

CHAIRMAN GRAHAM: Go ahead, Department.

**\*\*** SEN. BIRDSELL: I move approve.

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CHAIRMAN GRAHAM: Move to approve.

REP. MCCONKEY: Second.

CHAIRMAN GRAHAM: Second. Any discussion or questions of the Department? Seeing none, all those in favor signify by saying aye? Opposed nay? The ayes have it.

\*\*\* {MOTION ADOPTED}

CHAIRMAN GRAHAM: And moving on to LRCP 18-004, Department of Transportation, request authorization to enter into a listing agreement for a term of one year for a portion of State-owned property in the Town of -- again, in the Town of Alton. Is there questions of the Department? Senator Giuda.

SEN. GIUDA: Thank you, Mr. Chairman. I note that there seems to be one specific agency, real estate agency listed for all of these, Locke Agency. Is there any reason that we should be establishing essentially a monopoly? Shouldn't it be open to bid from any agency to sell these? Just a question on process.

MR. SCHMIDT: Yes. Nope. Good point. We actually have a list of realtors and we sent it to all of them, and there were, I believe, three that responded to this one. And --

MR. MILES: Two.

MR. SCHMIDT: Two, excuse me. And it was -- it was obvious to us that the Locke Lake Associates gave a lot more attention and were attune to the property itself.

SEN. GIUDA: Thank you. Just want to make sure it was out to, you know, other potential bidders.

MR. SCHMIDT: Yes, we did. Yep.

SEN. GIUDA: Thank you.

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CHAIRMAN GRAHAM: Any other questions? Pleasure of the Committee.

\*\* SEN. BIRDSSELL: Move.

SEN. GIUDA: Second.

CHAIRMAN GRAHAM: Been moved and seconded that we approve the item. All those in favor signify by saying aye? Opposed nay? The ayes have it and the motion is -- and item is approved.

\*\*\* {MOTION ADOPTED}

CHAIRMAN GRAHAM: LRCP 18-005 from the Department of Transportation, request authorization to enter into a listing agreement for a term of one year for property in the Town of Troy. Any questions or comments from the Department or questions to the Department?

\*\* SEN. GIUDA: Move.

CHAIRMAN GRAHAM: Moved by Senator Giuda.

REP. CLOUTIER: I'll second it.

CHAIRMAN GRAHAM: And seconded by Representative Cloutier. Any discussion? Seeing none. All those in favor, signify by saying aye? Opposed nay? The ayes have it and item 18-005 is adopted.

\*\*\* {MOTION ADOPTED}

CHAIRMAN GRAHAM: LRCP 18-006, Department of Transportation, request for authorization to enter into a listing agreement for a term of one year for the sale of State-owned property in the Town of Troy. Any questions of the Department or from the Committee? What's the pleasure of the Committee?

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**\*\***     SEN. BIRDSELL: I move.

REP. CLOUTIER: I'll second that.

CHAIRMAN GRAHAM: Moved and seconded that the item be approved. Any discussion? All those in favor, signify by saying aye? Opposed nay? Item 006 is approved.

**\*\*\* {MOTION ADOPTED}**

CHAIRMAN GRAHAM: LRCP 18-007, Department of Transportation, request authorization to sell 3,250 plus or minus square foot parcel of State-owned property to the -- in the Town of Barrington. Any questions or comments from the Department or questions to the Department?

**\*\***     REP. DANIELSON: Move the sale.

CHAIRMAN GRAHAM: Excuse me?

REP. DANIELSON: Move the sale.

SEN. BIRDSELL: Second.

CHAIRMAN GRAHAM: Representative Danielson moved, seconded by Senator Birdsell. Any discussion? All those in favor, signify by saying aye? Opposed nay? And the item is approved.

**\*\*\* {MOTION ADOPTED}**

CHAIRMAN GRAHAM: LRCP 18-008, a request for authorization to sell four tracts of land. Where we selling?

SEN. GANNON: Windham.

SEN. BIRDSELL: Really?

CHAIRMAN GRAHAM: Really.

SEN. BIRDSELL: My town.

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CHAIRMAN GRAHAM: Any questions to the Department or from the Department? What's the pleasure of the Committee?

\*\* REP. MCCONKEY: Move.

REP. CLOUTIER: Second that motion.

CHAIRMAN GRAHAM: Moved and seconded. Is there any discussion? Since it's your town, Senator?

SEN. BIRDSELL: No, I know exactly where it is.

CHAIRMAN GRAHAM: Okay. Any other discussion? Seeing none. All those in favor, signify by saying aye? Opposed nay? Item 008 is approved.

\*\*\* {**MOTION ADOPTED**}

CHAIRMAN GRAHAM: LRCP 17-035 from the Department of Admin Services, and the Department of Transportation I believe is finished. This is a request to enter into a three-year lease in Coos County from the Department of Admin Services. Is somebody from the Department here in case there are questions?

SARAH LINEBERRY, Administrator, Bureau of Court Facilities, Department of Administrative Services: I'm Sarah Lineberry, Administrator for the Bureau of Court Facilities.

CHAIRMAN GRAHAM: Okay. Everybody had a chance to read this? Are there any questions to the members? Anything you want to add to what's on here?

MS. LINEBERRY: It's pretty straightforward.

\*\* REP. MCCONKEY: Move the request.

CHAIRMAN GRAHAM: Been moved.

SEN. GIUDA: Second.

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CHAIRMAN GRAHAM: And seconded that we adopt item 035. Any discussions? Seeing none. All those in favor signify by saying aye? Opposed nay? The ayes have it and item 35 is adopted.

\*\*\* {MOTION ADOPTED}

MS. LINEBERRY: Thank you.

CHAIRMAN GRAHAM: Thank you very much. LRCP 18-009, Department of Administrative Services, to reduce the previously approved sale price for the old liquor store in Ashland. Why?

JARED NYLUND, Real Property Asset Manager, Bureau of Plant and Property Management, Department of Administrative Services: Jared Nylund, Real Property Asset Manager for the Department of Administrative Services. Well, after we last lowered the price to three ninety -- 395,000, we finally got a couple of offers last November. One of them has since been withdrawn, but the other one we were able to bump up to our current request of 305,000. So that's why.

REP. DANIELSON: Where did we start this?

CHAIRMAN GRAHAM: I wasn't here.

MR. NYLUND: Year and a half ago the original request was for 1.1 million.

SEN. BIRDSELL: Yeah. Go ahead.

SEN. GIUDA: Begs the question, Mr. Chairman. Was the initial assessment or appraisal way too high or --

MR. NYLUND: It was a little high but that price was not from an appraisal. That price was from the Liquor Commission.

SEN. GIUDA: Sorry.

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CHAIRMAN GRAHAM: Been there, done that with them before trying to sell property.

REP. DANIELSON: We have gone through a number -- we have gone through a number of renditions on this price.

**\*\*** SEN. BIRDSSELL: Yeah, we finally got a buyer so I move.

SEN. GIUDA: Second.

CHAIRMAN GRAHAM: Moved and seconded. The Chair would agree with Senator Birdsell that it's better than trying to keep upkeep on a building not being used. Any further discussion on that item? If not, all those in favor signify by saying aye?

**\*\*\* {MOTION ADOPTED}**

REP. CLOUTIER: Excuse me again. Who made the motion and seconded? Senator Birdsell.

CHAIRMAN GRAHAM: And Senator Giuda.

REP. CLOUTIER: Giuda. Okay. Thank you.

REP. DANIELSON: Going to kind of miss this item.

CHAIRMAN GRAHAM: Did I call the vote on this?

SEN. BIRDSSELL: I'm sure there'll be something else that comes along.

CHAIRMAN GRAHAM: Thank you. Item LRCP 17-036, Department of Transportation. I was wrong. To lease approximately 300 square feet along the railroad corridor in the City of Laconia.

LOUIS BARKER, Railroad Planner, Bureau of Aeronautics, Rail and Transit, Department of Transportation: I'm Louis Barker, Bureau of Rail and Transit, Property Manager. The Department of Transportation requests of this Committee to approve a lease for

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330 square feet adjacent to Lakeside Avenue in the City of Laconia. The City has undertaken an electrical improvement program there, which has buried all the overhead wires. And they needed a location for a transformer. People are familiar with the Weirs where this is located, there is no available property. So the City approached the Bureau of Rail and Transit about putting a transformer on the slope between Lakeside Avenue and the railroad tracks. We investigated this location, found we could get the train safely by the location, and agreed to pursue this lease.

We had the location appraised and have value. Approached the City, and the City is -- also has a representative here who'd like to discuss it per the letter that was attached to this request.

CHAIRMAN GRAHAM: Is the City in agreement with this or not? We'll listen to them.

WESLEY ANDERSON, Director of Public Works, City of Laconia: I'm Wes Anderson, the Director of Public Works for the City of Laconia, and the City's requesting that we basically pay the \$500 fee that we've already paid for the easement for the transformer and the transformer pad. And that the group or the Committee waive the rest of the annual payments and the additional 600 for the administrative fee. Budgets are tight. There was really no other place to put it. And we're requesting that to help us with our future planning in the Weirs Beach area.

REP. DANIELSON: Let me understand, if I could, a little bit more clearly then. So there's a one-time administrative fee of \$1,100 of which the Department is in receipt of \$500.

MR. BARKER: That is correct.

REP. DANIELSON: Balance of \$600 which sounds like you're asking us to forgive.

MR. ANDERSON: Correct.

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REP. DANIELSON: Oh.

REP. MCCONKEY: If I could, Mr. Chairman?

CHAIRMAN GRAHAM: Representative McConkey.

REP. MCCONKEY: It's not a question. I can hold my question till afterwards.

CHAIRMAN GRAHAM: Are there any questions for the City? Okay. Go.

REP. MCCONKEY: I am -- I hear the request of the City, but in my short tenure that I've been here I believe we have not taken such a request, and I would probably not be in favor of that.

CHAIRMAN GRAHAM: Okay.

MICHAEL HOFFMAN, Senior Budget Officer, Office of Legislative Budget Assistant: There have been some requests to waive the \$1,100 and some of them have been granted in the past. It's not a common thing.

CHAIRMAN GRAHAM: I remember some years back. But we have waived all or part of the 1100, but it's up to the Committee to decide what it wants to do with the request.

REP. MCCONKEY: If I could follow though. I know I had been present for one of those. I believe the Department was in agreement when the proposal was brought forward, and it wasn't another party, the buyer that came in and asked it to be changed at this setting. Am I incorrect in that?

MR. HOFFMAN: That's probably correct, because it's not being requested in the Department's letter here.

SEN. BIRDSELL: How does the Department feel about that?

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MR. BARKER: Well, we're working very closely with the City of Laconia on a number of issues, and I didn't really want to bring it up, but the Committee -- a Committee Member had a \$1,100 fee waived in the City of Manchester when we had a lease agreement there. Nutts Pond. So there is a precedent. I didn't tell Mr. Anderson about that, but I did tell him you'd listen to his request.

**\*\*** SEN. BIRDSELL: I'm inclined to waive. I move accept the request.

CHAIRMAN GRAHAM: The reduction in there. There a second for that?

SEN. GIUDA: Sure.

CHAIRMAN GRAHAM: Been moved and seconded that we reduce the 1100 administrative fee by \$600. All those in favor say aye? Opposed?

REP. DANIELSON: Nay.

CHAIRMAN GRAHAM: Two? Mark?

REP. MCCONKEY: No, I'm in favor after the explanation.

CHAIRMAN GRAHAM: The ayes have it and it is reduced and we can go on with the rest of approval of -

**\*\*** SEN. GIUDA: Move.

CHAIRMAN GRAHAM: -- move to approve the item 010. That seconded?

SEN. GANNON: (Gesturing).

CHAIRMAN GRAHAM: Seconded. All those in favor signify by saying aye? Opposed nay? The ayes do have it.

**\*\*\* {MOTION ADOPTED}**

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(5) Miscellaneous:

(6) Informational:

CHAIRMAN GRAHAM: There is one informational item that you can peruse at your own leisure. Were there any late items?

MS. ELLIS: No.

CHAIRMAN GRAHAM: If not, let me tell you what items -- thank you.

REP. MCCONKEY: I'll be back.

CHAIRMAN GRAHAM: You'll be back?

REP. MCCONKEY: I understand you'll be done.

(7) Date of Next Meeting and Adjournment

CHAIRMAN GRAHAM: Okay. I tend to want to plan things out a little more than the previous Chair did. So I am going to propose that we meet on the 6<sup>th</sup> of June, the 5<sup>th</sup> of September; 6<sup>th</sup> of June because we'll be finished with all of our work, the 5<sup>th</sup> of September which is before the primary, and then probably the last week in November before the new Legislature sets because this is why. The agencies want to know when we're going to meet so that they can have their paperwork ready as well as LBA. If we have problems with those dates, let me know, and we can work around them.

SEN. GIUDA: The 5<sup>th</sup>, does that interfere with Labor Day?

CHAIRMAN GRAHAM: No, it's after Labor Day. It's like the Wednesday after Labor Day.

SEN. BIRDSELL: The last week in November.

CHAIRMAN GRAHAM: It's the week after Thanksgiving.

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SEN. BIRDSELL: Okay.

CHAIRMAN GRAHAM: I did look, Senator. But the reason I want to do it late November because it will be February or March before the new Legislature gets its act together and has a meeting. But I don't want to meet over the summer, and I don't want to meet in May while we are trying to do committees of conference and everything else.

REP. DANIELSON: That's fine.

REP. CLOUTIER: So, again, Mr. Chairman what's the date?

CHAIRMAN GRAHAM: 6<sup>th</sup> of June, 5<sup>th</sup> of September and the 29<sup>th</sup> of November, or at the call of the chair because something may come up in-between that may go. But I like to know whether I have to be somewhere more than two weeks out.

REP. DANIELSON: What time?

CHAIRMAN GRAHAM: 10 o'clock for all of them since we won't be in session for, hopefully, not even for veto overrides or anything like that. But so if we could plan on those and LBA will keep track and I would entertain any discussion of what I just said. If not, I would entertain a motion to adjourn.

**\*\*** SEN. BIRDSELL: So move.

SEN. GIUDA: Move.

CHAIRMAN GRAHAM: Thank you all. All those in favor say aye? Thank you very much.

(The meeting adjourned at 3:54 p.m.)

## CERTIFICATION

I, Cecelia A. Trask, a Licensed Court Reporter-Shorthand, do hereby certify that the foregoing transcript is a true and accurate transcript from my shorthand notes taken on said date to the best of my ability, skill, knowledge and judgment.

Cecelia A. Trask  
Cecelia A. Trask, LSR, RMR, CRR  
State of New Hampshire  
License No. 47

