

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE

Zoom Webinar

Wednesday, October 7, 2020

MEMBERS PRESENT:

Rep. John Cloutier, Chair

Rep. Michael Edgar

Rep. Katherine Rogers

Rep. John Graham

Rep. Martin Jack (Alt.)

Sen. Regina Birdsell

Sen. Lou D'Allesandro

(The meeting convened at 10:35 a.m.)

(1) Call In Instructions:

JOHN CLOUTIER, State Representative, Sullivan County,
District #10: Okay. First of all, I'm going to open this meeting of the Long Range Capital Planning and Utilization Committee. First of all, I've got to read a statement for the Right-To-Know Law so just bear with me, please. And, hopefully, everybody in the meantime can get their revised agendas if they haven't got them already. I think Pam Ellis sent them out.

As Chair of the Long Range Capital Planning and Utilization Committee, I find that due to the state of emergency declared by the Governor as a result of the COVID-19 Pandemic, and in accordance with the Governor's Emergency Order number 12, pursuant to Executive Order 2020-04 as extended pursuant to Executive Order 2020-18, this public body is authorized to meet electronically.

Please note, there is no physical location to observe and listen contemporaneously to this meeting which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means.

We are utilizing Zoom for this electronic meeting. All Members of the Committee and select legislative staff have the ability to communicate contemporaneously during this meeting through this platform and the public has access to contemporaneously listen and, if necessary, participate in this meeting by clicking on the following website address: <https://zoom.us/j/93143177210>, or dialing one of the following phone numbers. 1-929-205-6099 or 1-301-715-8592.

Part B. Providing public notice of the necessary information for accessing the meeting. We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have been provided in the House and Senate Calendars, the Long Range Capital Planning and Utilization Committee Agenda, and the website of the Office of the Legislative Budget Assistant.

Part C. Providing a mechanism for the public to alert the public body during the meeting if there are problems with access. If anyone has a problem, please e-mail LBA_LRCPUC@leg.state.nh.us.

Part D: Adjourning the meeting if the public is unable to access the meeting. If in the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled. Copies of the agenda and items have been posted on the website of the Office of the Legislative Budget Assistant. Please note that all votes that are taken during this meeting shall be done by roll call vote.

Let's start the meeting by taking a roll call attendance. When each member states their presence, please also indicate whether there's anyone in the room with you during this meeting which is required under the Right-To-Know Law. So Representative Edgar, as the Clerk of the Long Range Capital Planning and Utilization Committee, could you please call the roll for attendance.

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MICHAEL EDGAR, State Representative, Rockingham County, District #21: Okay. Is there supposed to be a motion first?

CHAIRMAN CLOUTIER: I think you just call the roll in case of attendance; but thank you anyway.

REP. EDGAR: I see something -- there's something (Inaudible) which is different. I am here. There is nobody else in the house at this time. Representative Rogers.

(No response.)

REP. EDGAR: Hearing no reply, I'll continue. Representative Graham.

JOHN GRAHAM, State Representative, Hillsborough County, District #07: Here at my home in Bedford. I am alone.

REP. EDGAR: Okay. Thank you. Representative Jack.

MARTIN JACK, State Representative, Hillsborough County, District #36: I'm present and alone.

REP. EDGAR: Representative Hennessey.

(No response.)

CHAIRMAN CLOUTIER: I think she's absent. She indicated to us she wasn't attending.

REP. EDGAR: Okay. Senator --

CHAIRMAN CLOUTIER: Oh, she is here. I'm sorry I just noticed her. Stand corrected.

REP. EDGAR: Okay. I guess we'll see if we need her.

CHAIRMAN CLOUTIER: Representative Rogers, yeah.

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REP. EDGAR: There's a couple of -- oh, who is here?

CHAIRMAN CLOUTIER: Representative Rogers, I think, did join us.

REP. EDGAR: Oh, okay. Representative Rogers, would you reply, please?

KATHERINE ROGERS, State Representative, Merrimack County, District #28: Here.

REP. EDGAR: You have anybody in the house with you?

REP. ROGERS: Just my dog.

REP. EDGAR: Okay. I'll go back. Senator Birdsell.

REGINA BIRDSELL, State Senator, Senate District #19: I'm here and my husband is in the house working.

REP. EDGAR: Senator Cavanaugh I believe is a no.

CHAIRMAN CLOUTIER: Yeah, he didn't, you know, I don't think -- he's absent today.

REP. EDGAR: Senator D'Allesandro.

LOU D'ALLESANDRO, State Senator, Senate District #20: I'm at my home in Manchester and my wife is in the home.

REP. EDGAR: I believe Senator Guinta (sic) indicated he wouldn't be here.

CHAIRMAN CLOUTIER: Yes, Senator Giuda is absent today.

REP. EDGAR: I see that from the Governor's Office John Formella is crossed out so he's a no.

CHAIRMAN CLOUTIER: Yeah.

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REP. EDGAR: Representative Cloutier.

CHAIRMAN CLOUTIER: Yes, I am here. I am alone in my home today.

REP. EDGAR: Okay. How do we work with the -- we have two alternates, one here and one not here. Do we count either of them because all the representatives are here?

CHAIRMAN CLOUTIER: I think at the present time all the representatives are here; but Representative Jack, unless one of us leaves, Representative Jack can sit in. He's always welcome to observe because he needs to keep up to speed to what we're doing.

REP. EDGAR: I'll just give you the vote counting him in and then people can adjust if they want. But the motion passes, including Senator -- excuse me -- Representative Jack, 7-4.

(2) Acceptance of Minutes of the June 22, 2020 meeting.

CHAIRMAN CLOUTIER: Okay. All right. So all us reps are here at the moment. Okay. So I'm going to begin -- thank you, Representative Edgar. I'm going to begin the meeting by acceptance of the minutes of the June 22nd, 2020, meeting. Any questions or comments from the Committee?

****** REP. GRAHAM: I move acceptance. Graham.

CHAIRMAN CLOUTIER: Okay, a motion by Representative Graham to accept the minutes. A second, please.

SEN. D'ALLESANDRO: Second.

CHAIRMAN CLOUTIER: A second by Senator D'Allesandro. So a motion by Representative Graham, a second by Senator D'Allesandro, to accept the minutes of the June 22nd, 2020, meeting. Further questions or comments before we vote? Okay.

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When you're ready, Representative Edgar, could you please call the roll?

REP. EDGAR: I vote aye. Representative Rogers.

(No response.)

REP. EDGAR: Representative Rogers. I'll circle back.

REP. ROGERS: Aye.

REP. EDGAR: Representative Rogers, was that a aye?

REP. ROGERS: Yes.

REP. EDGAR: Okay. Representative Graham.

REP. GRAHAM: Yes.

REP. EDGAR: Representative Jack.

REP. JACK: Yes, but I'm actually not voting; correct?

REP. EDGAR: Hum -- I haven't got a ruling on that so --

CHAIRMAN CLOUTIER: Okay. I mean, I don't know. I guess technically his vote wouldn't be counted. But he's more or less here just in case someone leaves. But thank you anyway. I'm sorry, I wasn't clear about it.

REP. EDGAR: Senator Birdsell.

SEN. BIRDSELL: Yes.

REP. EDGAR: Senator Cavanaugh.

(No response.)

REP. EDGAR: Okay. Senator D'Allesandro.

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SEN. D'ALLESANDRO: Yes.

REP. EDGAR: Representative Cloutier.

CHAIRMAN CLOUTIER: Yes.

REP. EDGAR: Right now so the motion passes six --

CHAIRMAN CLOUTIER: Okay. Motion is approved. Okay. Thank you very much, Representative Edgar.

***** {MOTION ADOPTED}**

(3) Old Business

CHAIRMAN CLOUTIER: Okay. So there's no -- under Old Business there is nothing.

(4) New Business:

CHAIRMAN CLOUTIER: New Business under RSA 4:39-b, Approval of State Agency Leases Exceeding Five Years. We have three items and before we continue, if you wanted to expedite things for roll calls, we could have block votes. So if you want me to review each item and then we can take a roll call vote under -- I guess we have three items, unless some Member of the Committee objects. Is that okay tentatively? All right. So let us begin.

There is Item 20-048 under the New Hampshire Commission for Humans Rights, request authorization to enter into a three-year renewal lease agreement with Gerald P. McCarthy Properties, West Wareham, Massachusetts, for approximately 3,500 square feet of space to be provided in existing building located at 2 Industrial Drive, Building 1, for the period of November 1st, 2020, through October 31st, 2023, with a total lease amendment cost of \$147,600, subject to the schedule of annual rent and conditions as specified in the request dated August 14th, 2020.

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Is there anyone here from the New Hampshire Commission for Human Rights available to answer questions from the Committee?

MR. SHEA: There is, Representative Cloutier. I'm bringing them into the meeting now.

CHAIRMAN CLOUTIER: Okay. Thank you, Mr. Shea.

MR. SHEA: And is able to speak now from the Human Rights.

CHAIRMAN CLOUTIER: Okay, they're able to speak. Welcome. Appreciate you attending this meeting. Does anybody have -- and maybe for the record if you could please identify yourself.

AHNI MALACHI, Executive Director, New Hampshire Commission for Human Rights: Yes. Good morning. My name is Ahni Malachi. I'm the Executive Director for the Commission for Human Rights.

CHAIRMAN CLOUTIER: Okay. Thank you again for coming. Any questions of Miss Malachi from the Committee on this item? Any questions? All right. Seeing none, thank you very much. We will move on to the next item.

Item 20-051, Department of Natural and Cultural Resources, request retroactive approval from October 1st, 2020, to enter into a two-year lease amendment with Gerald P. McCarthy Properties of West Wareham, Massachusetts, for continued occupation of 21,000 square feet of building space at a rate of \$10.95 per square foot located at 172 Pembroke Road, Concord, New Hampshire, with an end date of September 30th, 2022, with an increase in total lease payments by \$459,900 from \$2,932,841.67 to \$3,392,741.67, for the cumulative 12 lease periods, subject to the conditions as specified in the request dated August 27th, 2020. And this was originally approved as Item 10-051 on September 22nd, 2010, and subsequently amended as Item 10-68 on November 15th, 2010. Is there somebody here from the Department of Natural and Cultural Resources available to answer questions from the Committee?

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CHRISTOPHER MARINO, Chief of Administration, Department of Natural and Cultural Resources: Yes, Mr. Chairman.

CHAIRMAN CLOUTIER: What's that, there is?

MR. MARINO: Yes.

CHAIRMAN CLOUTIER: All right. Could you please identify yourself for the record?

MR. MARINO: Sure. My name is Chris Marino. I'm the Chief of Administration for the Department of Natural and Cultural Resources.

CHAIRMAN CLOUTIER: Okay. Thank you for attending, Mr. Marino. Any questions for Mr. Marino from Members of the Committee? Are there any questions? All right. Seeing none, I will move on to the next item.

Item 20-053, Office of Professional Licensure and Certification, requests approval of a retroactive ten-year lease with 7 Eagle Square, LLC, Concord, New Hampshire, for approximately 16,247 square feet of office space located at 7 Eagle Square, Concord, New Hampshire, Floors one to three, Suite 100, 200, and 300, for the period of August 1st, 2020, through January 31st, 2030, for an amount not to exceed \$3,715,709, subject to the schedule of annual rent and certain limited improvements as specified in the request dated September 22nd, 2020.

Okay. Is there anyone here from the Office of Professional Licensure and Certification available to answer questions from the Committee?

MR. SHEA: Representative Cloutier, if there is in the attendees, they need to raise their hand. I'm not sure who's representing OPLC. Hold on one moment.

CHAIRMAN CLOUTIER: All right. Thank you, Mr. Shea.

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MR. SHEA: Mr. Shoemaker, you're able to speak now.

JOSEPH SHOEMAKER, Director, Division of Technical Professions, Office of Professional Licensure and Certification: Thank you, Representative Cloutier, Members of the Committee. Joe Shoemaker, Director at the OPLC here representing our Executive Director, Lindsey Courtney, who's at G&C this morning. Happy to answer any questions.

CHAIRMAN CLOUTIER: Okay. All right. Thank you for attending. Any questions from the Committee of Mr. Shoemaker?

SEN. D'ALLESANDRO: Just a quick one, if I might?

CHAIRMAN CLOUTIER: Yes, go ahead, please, Senator D'Allesandro.

SEN. D'ALLESANDRO: Okay. This is a -- this is a quickie situation. We closed down the Philbrick Center and found this location. And give me a little bit of the circumstances surrounding the acquisition of this property for rental when you were -- when you were asked to leave the Philbrick Center because they were doing that over as a housing facility for the hospital?

MR. SHOEMAKER: Yes, Senator. Thank you. We were approached by New Hampshire Hospital and the Department of Administrative Services in early June, actually, and were told we had to move out. We -- we didn't have a location yet. They were working on that. But due to some legal issues at New Hampshire Hospital, they needed to convert the Philbrick Building where we were and we're certainly very content to stay there, into a -- into a youth care facility. So we started packing up. And we're told we needed to move out July 1st. We did so and in that time we worked closely with DAS. I see Karen Rantamaki is here to answer any questions from them. But we worked with Karen's team. We located two options Downtown Concord. We license approximately 130,000 people. So a central location was very important. We

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found two locations central to Concord that could accommodate our approximately 6,000 square feet. You know, one of them was in two separate buildings. We didn't feel that was adequate. And the second option was the one we chose here at Eagle Square, Downtown Concord.

We now occupy three floors, approximately 16,000 square feet, and we executed a short-term lease after we submitted for three separate waivers, you know, in that process. We are fully in the building right now. And, again, I believe that New Hampshire Hospital has occupied the Philbrick Building at this time.

SEN. D'ALLESANDRO: Right. Okay. You're asking for a ten-year lease here.

MR. SHOEMAKER: Yes, Senator.

SEN. D'ALLESANDRO: Okay. We don't have a lot of ten-year leases, do we?

MR. SHOEMAKER: Hum -- I don't know if, Karen, you could answer that question any further. I certainly haven't signed many -- this is the first lease that I've been involved with in my State service. Somebody from DAS may have to answer that question.

SEN. D'ALLESANDRO: Maybe Karen.

KAREN RANTAMAKI, Director, Bureau of Plant and Property Management, Department of Administrative Services: This is Karen. Can I answer the question?

CHAIRMAN CLOUTIER: Yes, go ahead, please, Mrs. Rantamaki.

MS. RANTAMAKI: So we -- we've been going or I should say ten-year leases have become more common in the past -- in the recent past, mostly because most office space now is very specialized. So there're security systems that need to be

installed. Certainly, during COVID there's some other health related installation, such as Plexiglass and things like that. So the more work that needs to be done on a lease space, obviously, the bigger that cost is. And then they try to spread that cost over as many years as possible to recoup it. So we're not, you know, with a shorter term lease then you have a big fit-up cost, then you end up with a really high annual rent payment. And so because of all the work that we do put into our leases now, we tend to try to get at least five years, if not ten, if we can. Thank you.

SEN. D'ALLESANDRO: Is most of the work done with Licensure, is that done on-line now?

MR. SHOEMAKER: Well, we're working to do more and more. Certainly, our goal is to do it all on-line or have that ability. But we still have a high amount of foot traffic, folks that come in that drop-off applications that don't have computer access. I don't have a percentage for you, Senator; but our goal is certainly to do as much as possible on-line.

SEN. D'ALLESANDRO: Thank you very much. Thank you, Mr. Chairman.

CHAIRMAN CLOUTIER: Okay. Thank you, Senator. Okay. Moving -- okay. Any further questions? Okay. We've come to the end of this block item and --

MR. SHEA: Representative Cloutier, may I interject here for a moment?

CHAIRMAN CLOUTIER: Sure, go ahead.

MR. SHEA: This is Chris from the LBA. If you want to do a block vote, you may want to consider including the Late Item because that's also an RSA 4:39-b related item.

CHAIRMAN CLOUTIER: Okay. So unless there's an objection from the Committee, I will hold off and maybe include the Late

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Item under this block which is Approval of State Agency Leases Exceeding Five Years. So any objection? All right. Then I will move on to the next category of items which is under RSA -- thank you, Mr. Shea.

MR. SHEA: Representative Cloutier, you could skip forward to the Late Item and --

CHAIRMAN CLOUTIER: Okay. That's a good point.

MR. SHEA: -- do a block vote for all four items if you prefer.

CHAIRMAN CLOUTIER: Okay. Late Item, and this is item 20-055, under the Department of Corrections, requests approval of a two-year amendment lease to extend the original lease term beyond the five-year limitation with Strafford County Commissioners, 259 County Farm Road, Dover, New Hampshire, 03280, for approximately 2,250 square feet of probation and parole office space located at Strafford County Justice and Administrative Building, 259 County Farm Road, Suite 104, Dover, New Hampshire, effective for the period of April 1st, 2021, to March 31st, 2023, for an amount not to exceed sixty -- \$68,197.56, subject to the schedule of annual rent and conditions as specified in the request dated September 28th, 2020. Is there anyone from the Department of Corrections available to answer questions from the Committee?

MR. SHEA: Commissioner Hanks is on the line.

CHAIRMAN CLOUTIER: Okay. Commissioner Hanks, welcome.

HELEN HANKS, Commissioner, Department of Corrections: Thank you, sir.

CHAIRMAN CLOUTIER: Okay. Are there any questions of Commissioner Hanks from the Committee? There any questions? Okay. Seeing none, thank you, Commissioner Hanks.

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So what I'm going to do now, unless there's an objection, we are going to take the four items we just discussed under Approval of State Agency Leases Exceeding Five Years. I will entertain a motion, a block, you know, to approve all four of these items in one block.

****** REP. GRAHAM: Mr. Chairman, I would move that we approve Items 48, 51, 53, and 55 with a single vote.

CHAIRMAN CLOUTIER: Okay. All four items, Representative Graham. Thank you. Do I have a second on that motion?

SEN. BIRDSELL: Second.

CHAIRMAN CLOUTIER: What's that?

SEN. BIRDSELL: Second, Senator Birdsell.

CHAIRMAN CLOUTIER: Who made the second again, please?

SEN. BIRDSELL: Senator Birdsell.

CHAIRMAN CLOUTIER: Okay. Thank you. I just wanted -- I couldn't understand you, Senator. Sorry. Okay. A motion by Representative Graham, second by Senator Birdsell to adopt under Approval of State Agency Leases Items 20-048, 051, 053, and the Late Item 055. Any further questions or concerns before we take the vote?

Okay. Representative Edgar, if you could please call the roll of all the voting Members. You know, that doesn't include -- (Chairman Cloutier's internet streaming froze.)

REP. EDGAR: Okay. I think we might have lost the Chairman. I'll start reading the roll call. I vote aye. Representative Rogers.

REP. ROGERS: Aye.

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REP. EDGAR: Representative Graham.

REP. GRAHAM: Yes.

REP. EDGAR: Senator Birdsell.

SEN. BIRDSELL: Yes.

REP. EDGAR: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. EDGAR: And, Representative Cloutier, you back on?

(No response.)

REP. EDGAR: Okay. Even without -- with those that voted yes, the votes are 5-0. Motion passes.

***** {MOTION ADOPTED}**

REP. GRAHAM: And those four items are approved. As Vice-Chair, I will take over until such time as the Chair makes it back.

REP. EDGAR: Very good.

CHAIRMAN GRAHAM: Moving on to RSA 4:39-c, Disposal of Highway or Turnpike Funded Real Estate. Item number 045 from the Department of Transportation, requests authorization to sell .06 plus or minus of an acre parcel of State-owned land located on the northeasterly side of Acorn Lane at the corner of Woodbury Avenue in the Town of Pelham directly to Nathan Boutwell, Grantee, for \$2,600, which includes a \$1,100 administrative fee, subject to the conditions as specified in the request dated August 25th, 2020. Are there any questions? Is somebody from DOT here?

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STEPHEN LABONTE, Administrator, Bureau of Right-of-Way, Department of Transportation: Yes, Representative Graham. Steve LaBonte. I'm the Administrator of the Bureau of Right-of-Way.

REP. GRAHAM: Thank you for being here, Mr. LaBonte. Are there any questions for the DOT on this item? Seeing none, we will move on to Item 046 from the Department of Transportation, requests amendment to conditions outlined in Long Range Capital Planning 20-033, approved June 22nd, 2020, to dispose of 5.6 plus or minus acres of State-owned land with improvements located at 11 Stickney Avenue in the City of Concord by entering into a listing agreement with NIA Norwood Group for a term of 90 days to list the property at \$709,500, with a 6% real estate commission from the sale, assessing a \$1,100 administrative fee, and accepting offers within 10% of the appraised value of \$645,000, subject to the conditions as satisfied in the request dated June 5th, 2020.

By requesting approval to compensate NIA, a 5% real estate commission should they deliver a willing and able buyer within the 90-day term, including the -- if the City of Concord decides to exercise its right to purchase property, subject to the conditions as specified in the request dated August 26th, 2020. Are there any questions of the Department on this item?

MR. LABONTE: Representative Graham, if I just may clarify something really quick?

REP. GRAHAM: Sure.

MR. LABONTE: In the agenda you'll see at one point we're asking for 6% and the other we're again asking for 5%. So because of this works on a scale, the price of the property, the commission would be 5%. Just want to make sure that was clear.

REP. GRAHAM: Any other questions? Seeing none. Moving on to Item 054, Department of Transportation, request authorization to sell 2,375 square feet, plus or minus, of State-owned land located on the westerly side of Range Road, formally New

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Hampshire Route 111A in the Town of Windham to Karen L. Heller, Trustee of the Karen L. Heller 1997 Trust, for \$17,600, which includes a \$1,100 administrative fee, subject to the conditions as specified in the request dated September 21st, 2020. Questions of the Department or comments from the Department?

Seeing none. What is the Committee's pleasure with these three items under RSA 4:39-c, Disposal of Highway or Turnpike Funded Real Estate?

****** SEN. D'ALLESANDRO: Move the item.

REP. GRAHAM: Who was that? Who made the motion?

SEN. BIRDSELL: Senator D'Allesandro, and I'll second it.

REP. GRAHAM: Okay. Motion by Senator D'Allesandro, seconded by Senator Birdsell, to approve Items 045, 046, 054. Any further discussion on these items? Seeing none, if the clerk would call the roll.

REP. EDGAR: I vote aye. Representative Rogers.

REP. ROGERS: Aye.

REP. EDGAR: Representative Graham.

REP. GRAHAM: Aye.

REP. EDGAR: Senator Birdsell.

SEN. BIRDSELL: Aye.

REP. EDGAR: Senator D'Allesandro.

SEN. D'ALLESANDRO: Aye.

REP. EDGAR: Representative Cloutier, you back yet?

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CHAIRMAN CLOUTIER: Yeah, I am back. I'm sorry I got cut out again. Yes, I vote yes.

REP. EDGAR: The vote is -- motion passes. The vote is 6-0.

***** {MOTION ADOPTED}**

REP. GRAHAM: And the motion is accepted. I turn it back over to you, Mr. Chairman.

CHAIRMAN CLOUTIER: Okay. Thank you, Representative. You did a great job. I'm glad you're the Vice-Chair of this Committee. So I will return take over. And now we will go to item Disposal of Real Estate Under RSA 4:40, and we have three items. And we will begin with Item 20-049, under the Department of Administrative Services. And this is request approval to lease to New Cingular Wireless PCS, LLC, a subsidiary holding company affiliate of AT&T for a term of 25 years, and initial rent of \$2,800 per month, with an annual 3% escalator, space on the roof of the State Public Health Laboratory Building at 29 Hazen Drive in Concord, for the installation, operation, and maintenance of two wireless Broadband antenna arrays and space on the ground adjacent to the building for a supporting telecommunications equipment shed and a standby generator, subject to the conditions as specified in the request dated September 3rd, 2020.

Is there anyone here from Administrative Services to answer questions from the Committee about this item, please.

MR. SHEA: Representative Cloutier, Mr. Nylund is available to speak.

CHAIRMAN CLOUTIER: Okay. Mr. Nylund. Thank you, Mr. Nylund. Are there any questions from the Committee on Item 20-049?

REP. GRAHAM: I do have one, Mr. Chairman.

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CHAIRMAN CLOUTIER: Okay. Go ahead, please, Representative Graham.

REP. GRAHAM: Reading this, this is for FirstNet and not for private use the way I read the request.

JARED NYLUND, Administrator III, Bureau of Plant and Property Management, Department of Administrative Services: Mr. Vice-Chairman, sorry.

CHAIRMAN CLOUTIER: Go ahead.

MR. NYLUND: Mr. Vice-Chairman, yes. This was originally brought to the State as a request for a FirstNet antenna installation. We spent some time understanding the situation, the FirstNet partnership between AT&T and the Federal Government. And the upshot is yes, it's true, this new installation would be part of the FirstNet network. However, what that means is that when there is an emergency requiring the use of the FirstNet network, a public safety emergency, or disaster, or something, then the network would be preemptively devoted to use by emergency personnel and public safety personnel.

However, the other remaining 99.9% of the time it would be part of AT&T's commercial broadband wireless network. So it would be a for-profit antenna. Actually, FirstNet is for-profit as well, but. Any other questions?

CHAIRMAN CLOUTIER: Any other questions? Okay. All right. Seeing none. We will move -- thank you, Mr. Nylund.

We move on to 20-050, again, under Department of Administrative Services, requests approval to grant free of charge a perpetual utility easement on State land to Public Service Company of New Hampshire, d/b/a EverSource Energy, for the installation, operation, maintenance, and replacement of a pad mount transformer and associated subsurface transmission and distribution lines and other supporting facilities and apparatus

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as needed to provide upgraded electric utility service to the Portsmouth District Courthouse, and further requests to waive the administrative fee required by RSA 40:40, Roman numeral dash 8-a -- excuse me -- dash a (sic), subject to the conditions as specified in the request dated September 2nd, 2020.

I assume, Mr. Nylund, you will answer any questions about the item from the Committee?

MR. NYLUND: Yes, Mr. Chairman.

CHAIRMAN CLOUTIER: Okay. Thank you. Any questions from the Committee of Mr. Nylund? Any questions? Okay. I guess we'll move on. Thank you, Mr. Nylund.

Next item under Item 20-052, Department of Natural and Cultural Resources, request to transfer at no cost to the State -- excuse me -- transfer at no cost all of the State's remaining interest in approximately 0.61 plus acre area of abandon rail corridor known as the Lakeport Branch of the Boston and Maine Railroad, to the City of Rochester for a transportation enhancement project, and assess an administrative fee of \$1,100, subject to the conditions as specified in the request dated August 21, 2020.

Is there anyone here from the Department of Natural and Cultural Resources available to answer questions from the Committee?

MR. SHEA: Representative Cloutier, there's Tracey Boisvert on the line for any questions.

CHAIRMAN CLOUTIER: Okay. Okay, thank you, Mr. Shea. Miss Boisvert, thank you and welcome for attending today.

TRACEY BOISVERT, Administrator II, Division of Forests and Lands, Department of Natural and Cultural Resources: Thank you.

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CHAIRMAN CLOUTIER: Are there any questions of Miss Boisvert from the Committee on Item 20-052?

REP. GRAHAM: I do have one, Mr. Chairman, as soon as my cuckoo clock finishes.

CHAIRMAN CLOUTIER: Yes, go ahead.

REP. GRAHAM: I'm trying to figure out why we are giving this property free of charge to the City when in actuality they usually have first choice to purchase.

MS. BOISVERT: Thank you for the question. Tracey Boisvert with DNCR, Land Management Bureau Administrator. My understanding is that the -- this rail corridor, DOT was originally assigned management responsibility of this larger rail corridor in 2006. A large portion of the corridor was sold from DOT -- was sold to the City of Rochester from DOT, and in 2009 the remaining portion of the rail was transferred to DNCR to be developed into a multi-use recreational trail.

My understanding the attorneys understood were under the impression that this small piece of land, this point six zero acres, was transferred -- was sold to the City of Rochester back in 2006. And it wasn't until they started doing the engineering and all that sort of stuff in surveying for this project that it was discovered that this point six acres hadn't actually, in fact, been part of that 2006 action. So --

CHAIRMAN CLOUTIER: All right.

MS. BOISVERT: So --

CHAIRMAN CLOUTIER: Thank you. Representative Graham, you have any other questions?

REP. GRAHAM: No.

CHAIRMAN CLOUTIER: Okay. Thank you. Thank you, Miss Boisvert. Any other questions from the Committee of Miss Boisvert? Okay. Seeing none. I will now entertain a motion to approve this -- these -- the three -- last three items, Items 20-049, 20-050, and 20-052 as a block Disposal of Real Estate. Take a motion.

****** SEN. D'ALLESANDRO: Move the item.

CHAIRMAN CLOUTIER: Okay. Move the item, Senator D'Allesandro. Do I have a second on that motion?

SEN. BIRDSELL: Second.

CHAIRMAN CLOUTIER: Second by Senator Birdsell. So, again, a motion by Senator D'Allesandro --

(Chairman Cloutier's internet streaming froze.)

SEN. BIRDSELL: Uh-oh.

REP. EDGAR: I will begin the roll call.

REP. GRAHAM: Thank you.

REP. EDGAR: Awaiting the Chairman to get back on. I vote -- I vote aye. Representative Rogers.

REP. ROGERS: Aye.

REP. EDGAR: Representative Graham.

REP. GRAHAM: Yes.

REP. EDGAR: Senator Birdsell.

SEN. BIRDSELL: Yes.

REP. EDGAR: Senator D'Allesandro.

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SEN. D'ALLESANDRO: Yes.

REP. EDGAR: Representative Cloutier back on?

(No response).

REP. EDGAR: Okay. The motion is 5-0. The motion passes.

***** {MOTION ADOPTED}**

REP. GRAHAM: And it is approved.

(6) Informational

REP. GRAHAM: The final items are -- let me scroll down here -- informational. Does anybody have any question on the two informational items that are listed? Seeing none.

(7) Date of Next Meeting and Adjournment

REP. GRAHAM: The next item is for a follow on meeting before the end of our current term. This morning at Capital Budget the Capital Budget Committee of which several of us are on, as well as this one, agreed to meet on November 30th, at 1:00 p.m. I would propose that we meet as Long Range on November 30th at 2:30 p.m. That is the Monday after Thanksgiving, but it is before we give up our offices and the new General Court is seated in early December. If there are no objections, Mr. Shea, if you would make sure that the Chairman knows that that is what we have decided.

MR. SHEA: Will do.

REP. GRAHAM: Thank you. And it is important that we meet in November because, otherwise, we will not meet probably till February, and there is always something that needs to be done like the quick closure of the Philbrick Building and leases associated with that, so.

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SEN. D'ALLESANDRO: That was an overnighther.

REP. GRAHAM: It really was. Mr. Chairman, the Committee has not objected to us meeting on November 30th, at 2:30 p.m., and I will turn it back over to you to close it out.

(No response.)

MR. SHEA: Representative Cloutier, you're muted.

CHAIRMAN CLOUTIER: Sorry. Sorry. Again, thank you Representative Graham. I am having problems this morning, and thank you for taking over so promptly. And we're all in agreement to meet Monday, November 30th, at 2:30 p.m. Okay. So we should be all set. You covered everything else. So I will now entertain a motion to adjourn.

****** SEN. D'ALLESANDRO: So moved.

CHAIRMAN CLOUTIER: Motion by Senator D'Allesandro. Do I have a second on that motion?

SEN. BIRDSELL: Second.

CHAIRMAN CLOUTIER: Second by Senator Birdsell. Again, we need to call the roll on this. So, Representative Edgar, could you please call the roll?

REP. EDGAR: I vote aye. Representative Rogers.

REP. ROGERS: Aye.

REP. EDGAR: Representative Graham.

REP. GRAHAM: Yes.

REP. EDGAR: Senator Birdsell.

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SEN. BIRDSELL: Yes.

REP. EDGAR: Senator D'Allesandro.

SEN. D'ALLESANDRO: Yes.

REP. EDGAR: And Representative Cloutier.

***** {MOTION ADOPTED}**

CHAIRMAN CLOUTIER: Yes. So the motion passes, meeting adjourned. Again, thank you very much everybody and we'll see you on Monday, November 30th, at 2:30 p.m.

SEN. D'ALLESANDRO: Thank you, everybody.

CHAIRMAN CLOUTIER: I appreciate your patience. Good meeting. And, again, thank you to Representative Graham for taking over and appreciate Representative Jack for coming in and as I said and, you know, but appreciate any input you can give us. Thank you.

SEN. D'ALLESANDRO: Thank you everybody.

CHAIRMAN CLOUTIER: Thank you. Okay. Bye now.

SEN. BIRDSELL: Be safe.

CHAIRMAN CLOUTIER: Yeah, bye now.

(Meeting adjourned at 11:16 a.m.)

C E R T I F I C A T I O N

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

Cecelia A. Trask, LSR, RMR, CRR
State of New Hampshire-LSR #47

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