

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE
MINUTES

September 15, 2009

The Long Range Capital Planning and Utilization Committee met on Tuesday, September 15, 2009 at 10:00 a.m. in Room 201 of the Legislative Office Building.

Members in attendance were as follows:

Representative John Cloutier, Chairman
Representative David Campbell, Clerk
Representative Gene Chandler
Representative John Graham, Alternate
Senator John Gallus
Senator Harold Janeway
Senator Molly Kelly
Katherine Peters, Governors Office

Michael Connor, Department of Administrative Services

Acting Chairman Campbell called the meeting to order at 10:02 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator Gallus, seconded by Katherine Peters, that the minutes of the June 23, 2009 meeting be accepted as written. MOTION ADOPTED.

NEW BUSINESS:

CHAPTER 177:93, LAWS OF 2005, TRANSFER OF REGIONAL COMMUNITY-TECHNICAL COLLEGE CAMPUS FROM STRATHAM TO PEASE:

LRCP 09-044 Community College System of New Hampshire – Dr. Richard Gustafson, Chancellor, Community College System of New Hampshire presented the request and responded to questions of the Committee. Janet Brown, Chairman, Board of Directors, Webster Continuing Care was available to respond to questions of the Committee. Also present were Will Arvelo, President, Great Bay Community College, Stratham and Michael Marr, Director of Finance, Community College System of New Hampshire.

On a motion by Representative Cloutier, seconded by Senator Janeway, that the Committee **amend** and approve the request of the Community College System of New Hampshire to amend the closing date in the sale of 91 +/- acres, with all buildings, structures and other improvements, located at 277 Portsmouth Avenue, Stratham, NH to Webster Continuing Care, Inc. from June 30, 2010 to June 30, 2011, along with related changes in dates for contingency completions and an increase in the level of shared costs from Webster Care to the CCSNH, as specified in the request dated August 31, 2009 and that **the parties involved report back to the Committee at the first meeting in January 2010.**

On a motion by Representative Chandler, seconded by Senator Janeway, that the Committee **further amend** and approve the request of the Community College System of New Hampshire to amend the closing date in the sale of 91 +/- acres, with all buildings, structures and other improvements, located at 277 Portsmouth Avenue, Stratham, NH to Webster Continuing Care, Inc. from June 30, 2010 to June 30, 2011, along with related changes in dates for contingency completions and an increase in the level of shared costs from Webster Care to the CCSNH, as specified in the request dated August 31, 2009 and, **subject to the review and approval of the Chairman of the Long Range Capital Planning and Utilization Committee**, the request is **amended to include; that except for the terms modified herein as outlined, that all other parts of the previous agreement remain in full legal effect and force and that time is of the essence on all deadlines in the agreement** and that **the parties involved report back to the Committee at the first meeting in January 2010**. This item (LRCP 08-022) was originally approved by the Long Range Capital Planning and Utilization Committee on May 27, 2008. MOTION ADOPTED. (6-Yes, 2-No)

RSA 4:39-c DISPOSAL OF HIGHWAY OR TURNPIKE FUNDED REAL ESTATE:

LRCP 09-040 Department of Transportation – William Oldenburg, Administrator for the Bureau of Right-of-Way and Phillip Miles, Chief of Property Management, presented the request and responded to questions of the Committee.

On a motion by Representative Campbell, seconded by Senator Janeway, that as policy the Long Range Capital Planning and Utilization Committee authorize the Department of Transportation with discretion on all properties the ability to negotiate below 10 percent of the listing price unless an exception is made by the Committee. MOTION ADOPTED.

On a motion by Representative Graham, seconded by Senator Janeway, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to enter into a listing agreement with Gold Eagle Realty, LLC, for a term of one (1) year at a 6% commission, to sell a 3.6 acre parcel of State owned land located on the southerly side of US Route 4 in the Town of Chichester for \$120,000, plus assess an Administrative Fee of \$1,100, and subject to the conditions as specified in the Department's request dated August 19, 2009. MOTION ADOPTED.

LRCP 09-041 Department of Transportation – William Oldenburg, Administrator for the Bureau of Right-of-Way and Phillip Miles, Chief of Property Management, presented the request and responded to questions of the Committee.

On a motion by Representative Campbell, seconded by Senator Kelly, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to enter into a listing agreement with Gold Eagle Realty, LLC, for a term of one (1) year at a 6% commission, to sell a 1.38 acre parcel of State owned land, improved with a 40' by 100' commercial building, located on the northerly side of US Route 3/NH Route 11 in the Town of Belmont for \$375,000, plus assess an Administrative Fee of \$1,100, and subject to the conditions as specified in the Department's request dated August 18, 2009. MOTION ADOPTED.

LRCP 09-042 Department of Transportation – William Oldenburg, Administrator for the Bureau of Right-of-Way and Phillip Miles, Chief of Property Management, presented the request and responded to questions of the Committee.

On a motion by Representative Chandler, seconded by Senator Janeway, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to enter into a listing agreement with H.G. Johnson Real Estate, for a term of one (1) year at a 6% commission, to sell a 1.4 acre parcel of State owned land located on the easterly side of Bible Hill Road in the Town of Hillsborough for \$70,000, plus assess an Administrative Fee of \$1,100, and subject to the conditions as specified in the Department's request dated August 25, 2009. MOTION ADOPTED.

LRCP 09-043 Department of Transportation – William Oldenburg, Administrator for the Bureau of Right-of-Way and Phillip Miles, Chief of Property Management, presented the request and responded to questions of the Committee.

On a motion by Representative Chandler, seconded by Representative Campbell, that the Committee **amend** and approve the request from the Department of Transportation, Bureau of Right-of-Way, to enter into a listing agreement with H.G. Johnson Real Estate, for a term of one (1) year at a 6% commission, to sell a 0.7 acre parcel of State owned land located on the northeasterly corner of Bible Hill Road and Harvey Way in the Town of Hillsborough for the **amended price of \$42,250 not \$42,000**, plus assess an Administrative Fee of \$1,100, and subject to the conditions as specified in the Department's request dated August 26, 2009. MOTION ADOPTED.

RSA 4:40 DISPOSAL OF REAL ESTATE AND RSA 228:67 DISPOSITION OF ACQUIRED OR ABANDONED RAIL PROPERTIES:

LRCP 09-039 Department of Transportation – Christopher Morgan, Administrator for the Bureau of Rail and Transit presented the request and responded to questions of the Committee.

On a motion by Representative Campbell, seconded by Representative Chandler, that the Committee approve the request of the Department of Transportation, Bureau of Rail and Transit, to lease 9,200 square feet of the State-owned Concord to Lincoln Railroad corridor in Laconia for a proposed lease fee of \$850 per year for five years, with a five-year renewal provision, plus an Administrative Fee of \$1,100, to Thurston Enterprises, Inc. as specified in the Department's request dated August 12, 2009. MOTION ADOPTED.

INFORMATIONAL:

LRCP 09-045 Department of Transportation – William Oldenburg, Administrator for the Bureau of Right-of-Way responded to questions of the Committee regarding the Department's status report of Approved Long Range Capital Planning and Utilization Committee Items from January 1, 2009 to December 31, 2010 (as requested June 23, 2009).

The informational materials were accepted and placed on file.

MISCELLANEOUS:

William Oldenburg, Administrator for the Department of Transportation, Bureau of Right-of-Way, addressed the Committee regarding the Department's request for one (1) Long Range Capital Planning and Utilization Committee member to serve on the Department of Transportation; Welcome Centers Review Committee. Representative Campbell, Representative Chandler and Senator Gallus volunteered and Representative Cloutier will decide on one (1) member to serve and two (2) volunteers and notify the Department.

DATE OF NEXT MEETING AND ADJOURNMENT

The next meeting of the Long Range Capital Planning and Utilization Committee will be Tuesday, October 20, 2009 at 2:00 p.m. in Room 201 of the Legislative Office Building.

On a motion by Representative Graham, seconded by Senator Kelly, that the meeting adjourn. MOTION ADOPTED.

Representative David Campbell, Clerk