

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE

MINUTES

April 2, 2021

The Long Range Capital Planning and Utilization Committee met on Friday, April 2, 2021 at 9:00 a.m. remotely via Zoom Webinar.

Members in attendance were as follows:

Representative John Graham
Representative Mark McConkey
Representative David Milz
Representative Jess Edwards (Alternate)
Representative Michael Edgar (Alternate)
Senator Regina Birdsell
Senator Kevin Cavanaugh
Senator Lou D'Allesandro
Senator Bob Giuda
Matthew Mailloux, Governor's Office

Karen Rantamaki, Department of Administrative Services
Stephen LaBonte, Department of Transportation

The Zoom meeting convened at 9:10 a.m., with the assistance of Christopher Shea, Deputy Legislative Budget Assistant.

OFFICIAL AUDIO CONFERENCE MEETING PROCEDURES:

The Chair opened the meeting with the following Right-to-Know checklist;

"As Acting 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 House Rule 67 and the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically."

"Please note that 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:"

"All members of the committee and select legislative staff have the ability to communicate contemporaneously during this meeting through the Zoom electronic meeting platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting by the Zoom platform or by telephone."

"All necessary access information has been made available in the House and Senate Calendars, the Long Range Capital Planning and Utilization Committee agenda, the website of the Office of the Legislative Budget Assistant and through the electronic calendar on the General Court website. The notice for this meeting notice complies with House Rules and RSA 91-A."

"Anyone who has a problem accessing the meeting should email: LBA_LRCPUC@leg.state.nh.us"

"In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled."

"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 state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law."

ATTENDANCE ROLL CALL:

Representative Graham announced the meeting would start by taking the roll of attendance and Representative Milz, as Acting Clerk, called the Roll of voting members.

Representative Graham – Present/ at home in Bedford, alone

Representative McConkey – Present/at home in Freedom, and his son is in the house

Representative Milz – Present/at home, and his wife is in the house

Representative Cloutier – Absent

Representative Edwards (Alternate) – Present/in his home office in Auburn, and his wife is in the home

Representative Edgar (Alternate) – Present/at home in Hampton, and his wife is in the home

Senator Birdsell – Present/at home in Hampstead, and her husband will be in and out

Senator Cavanaugh – No response

Senator D'Allesandro – Present/at home in Manchester, and his wife is in the home

Senator Giuda – Present/at home in Warren, alone in room and family are upstairs

Matthew Mailloux, Governor's Office – Present/in his State House office in Concord

ORGANIZATION OF COMMITTEE:

On a motion by Senator Giuda, seconded by Representative McConkey, that Representative John Graham be nominated and confirmed as Chairman of the Long Range Capital Planning and Utilization Committee for this biennium.

A roll call was taken, and the results were as follows:

Representative McConkey – Yes

Representative Milz – Yes

Representative Edgar (Alternate) – Yes

Senator Birdsell – Yes

Senator Cavanaugh – Not present for vote

Senator D'Allesandro – Yes

Senator Giuda – Yes

Matthew Mailloux – Yes
Representative Graham – Abstained (7-Yes; 0-No; 1-Abstained)
MOTION ADOPTED.

On a motion by Senator D’Allesandro, seconded by Senator Giuda, that Senator Regina Birdsell be nominated and confirmed as Vice Chairman of the Long Range Capital Planning and Utilization Committee.

A roll call was taken, and the results were as follows:

Representative McConkey – Yes
Representative Milz – Yes
Representative Edgar (Alternate) – Yes
Senator Birdsell – Abstained
Senator Cavanaugh – Not present for vote
Senator D’Allesandro – Yes
Senator Giuda – Yes
Matthew Mailloux – Yes
Representative Graham – Yes (7-Yes; 0-No; 1-Abstained)
MOTION ADOPTED.

Senator Cavanaugh joined the meeting from his car.

On a motion by Senator Birdsell, seconded by Senator Giuda, that Representative David Milz be nominated and confirmed as Clerk of the Long Range Capital Planning and Utilization Committee.

A roll call was taken, and the results were as follows:

Representative McConkey – Yes
Representative Milz – Abstained
Representative Edgar (Alternate) – Yes
Senator Birdsell – Yes
Senator Cavanaugh – Yes
Senator D’Allesandro – Yes
Senator Giuda – Yes
Matthew Mailloux – Yes
Representative Graham - Yes (8-Yes; 0-No; 1-Abstained)
MOTION ADOPTED.

COMMITTEE ORIENTATION:

The Chair recommended the members refer to LRCP 21-005 – Revised Statutes Annotated for the Long Range Capital Planning and Utilization Committee, January 2021 for informational purposes.

OLD BUSINESS:

None

ACCEPTANCE OF MINUTES:

On a motion by Senator Birdsell, seconded by Senator Giuda, that the minutes of the November 30, 2020 meeting be accepted as written.

A roll call was taken, and the results were as follows:

Representative McConkey – Abstained
Representative Milz – Abstained
Representative Edgar (Alternate) – Yes
Senator Birdsell – Yes
Senator Cavanaugh – Yes
Senator D’Allesandro – Yes
Senator Giuda – Yes
Matthew Mailloux – Abstained
Representative Graham – Yes (6-Yes; 0-No; 3-Abstained)
MOTION ADOPTED.

NEW BUSINESS:

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

The Chair announced that all items under this section would be by block vote.

LRCP 21-009 Department of Transportation – On a motion by Senator Giuda, that the Committee waive the \$1,100 Administrative Fee as requested by the Town of Rumney. Stephen LaBonte, Administrator, Bureau of Right-of-Way, Department of Transportation, notified the Committee that the Town of Rumney offered to pay the \$141,000, which includes the Administrative Fee. As there was no second to Senator Giuda’s motion, no further action was taken.

On a motion by Senator Giuda, seconded by Senator Birdsell, that the Committee by block vote approve the requests under this section as submitted. [LRCP 21-004 Department of Transportation – request approval to dispose of a 0.89 +/- of an acre parcel of State owned land, with improvements, located at 21 Spinnaker Drive in the Town of Derry, by entering into a listing agreement for a term of one year (1) with Coldwell Banker, Amherst, for the sale price of \$346,500, allowing negotiations withing the Committee’s current policy guidelines; and Pursuant to RSA 4:40, III-a, assessing the buyer an Administrative Fee of \$1,100, subject to the conditions as specified in the request dated February 3, 2021, LRCP 21-009 Department of Transportation – request approval to dispose of approximately 8 +/- acre parcel of State owned land, with improvements, located on NH Route 25 in the Town of Rumney, for sale directly to the Town of Rumney for \$141,000, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated March 1, 2021, LRCP 21-

010 Department of Transportation – request approval to dispose of a 18 +/- acre parcel of State owned land, with improvements, located on the northerly side of NH Route 9 in the Town of Antrim, by entering into a listing agreement for a term of one (1) year with H.G. Johnson Real Estate for the sale price of \$139,500, allowing negotiations within the Committee’s current policy guidelines; and Pursuant to RSA 4:40, III-a, assessing the buyer an Administrative Fee of \$1,100, subject to the conditions as specified in the request dated March 19, 2021, LRCP 21-013 Department of Transportation – request authorization to sell 7.9 +/- acres of State owned land located on NH Routes 202/4 in the Town of Epsom, by entering into a listing agreement with Locke Associates Inc., for a term of one (1) year, with a listing price of \$181,100, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated March 22, 2021, and LRCP 21-014 Department of Transportation – request authorization to sell 3.8 +/- acres of State owned land located at 45 Westville Road in the Town of Plaistow, by entering into a listing agreement with NAI Norwood Group (NAI) for a term of one (1) year to list the property at \$461,100, which includes a \$1,100 Administrative Fee, subject to the conditions as specified in the request dated February 1, 2021]

A roll call was taken, and the results were as follows:

Representative McConkey – Yes
Representative Milz – Yes
Representative Edgar (Alternate) – Yes
Senator Birdsell – Yes
Senator Cavanaugh – Yes
Senator D’Allesandro – Not present
Senator Giuda – Yes
Matthew Mailloux – Yes
Representative Graham – Yes (8-Yes; 0-No)
MOTION ADOPTED.

RSA 4:40 DISPOSAL OF REAL ESTATE:

The Chair announced that all items under this section would be by block vote.

On a motion by Senator Birdsell, seconded by Representative Edgar, that the Committee by block vote approve the requests under this section as submitted. [LRCP 21-003 Department of Administrative Services – acting on behalf of the Department of Environmental Services, requests approval to grant free of charge a perpetual utility easement on State land to Util Energy Systems, Inc. and Consolidated Communications of Northern New England Company, LLC (d/b/a Consolidated Communications – NNE), as tenants in common, for the construction, installation, operation, maintenance, and replacement of subsurface transmission and distribution lines and other supporting facilities and apparatus, including, without limitation, a new pad mount transformer, as needed to provide electrical and telecommunications utility service to the DES parcel located adjacent to the south side of the Interstate 89 right-of-way corridor on Silk Farm Road in Concord, and further request a waiver of the Administrative Fee required by RSA 4:40, III-a, subject to the conditions as specified in the request dated January 29, 2021, LRCP 21-011 Department of Administrative Services – authorization to enter into a Use of Premises Agreement with the Town of Jeffrey, located at 10 Goodnow Street, Jaffrey, NH, (Town) for leasing of state owned property comprised of 268 square feet of office space located on the second floor of the Jaffrey Circuit Courthouse, 84 Peterborough Street, Jaffrey, NH, retroactively from November 1, 2020 to October 31, 2023, for an amount not to exceed \$12,240, subject to the schedule of

annual rent and conditions as specified in the request dated March 11, 2021, and LRCP 21-012 Department of Administrative Services – authorization to enter into a Use of Premises Agreement with the County of Coos, PO Box 10, West Stewartstown, NH, 03597 (County) for leasing of state owned property comprised of 6,023 square feet of office space located on the lower level of the Coos County Superior Courthouse located at 55 School Street, Lancaster, NH, from June 1, 2021 to May 31, 2024, for an amount not to exceed \$197,400, subject to the schedule of annual rent and conditions as specified in the request dated March 18, 2021]

A roll call was taken, and the results were as follows:

Representative McConkey – Yes
Representative Milz – Yes
Representative Edgar (Alternate) – Yes
Senator Birdsell – Yes
Senator Cavanaugh – Yes
Senator D’Allesandro – Not present
Senator Giuda – Yes
Matthew Mailloux – Yes
Representative Graham – Yes (8-Yes; 0-No)
MOTION ADOPTED.

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

LRCP 21-002 Department of Transportation – Shelley Winters, Administrator, Bureau of Rail and Transit, Department of Transportation, responded to questions of the Committee.

Representative McConkey recused himself from the vote.

On a motion by Representative Edgar, seconded by Senator Birdsell, that the Committee approve the request of the Department of Transportation to sell an approximately 0.93 acre parcel on the state-owned Conway Branch Railroad Corridor in the Town of Ossipee to Mark McConkey for a total of \$8,000, and a one-time Administrative Fee of \$1,100, of which the Department is already in receipt of \$500, subject to the conditions as specified in the request dated December 15, 2020.

A roll call was taken, and the results were as follows:

Representative McConkey – Abstained
Representative Milz – Yes
Representative Edgar (Alternate) – Yes
Senator Birdsell – Yes
Senator Cavanaugh – Yes
Senator D’Allesandro – Not present
Senator Giuda – Yes
Matthew Mailloux – Yes

Representative Graham – Yes
MOTION ADOPTED.

(7-Yes; 0-No; 1-Abstained)

INFORMATIONAL ITEMS:

The informational materials were accepted and placed on file.

DATE OF NEXT MEETING:

The Chair set the next regular meeting of the Long Range Capital Planning and Utilization Committee for Friday, June 4, 2021 at 9:30 a.m.


MISCELLANEOUS:

Adam Smith, Bureau of Right of Way, Department of Transportation, requested the ability to consolidate leases for docks into one request, which the Committee granted.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next regular meeting of the Long Range Capital Planning and Utilization Committee was scheduled for Friday, June 4, 2021 to be held remotely at 9:30 a.m.

By Committee consensus the meeting adjourned at 9:51 a.m.


Representative David Milz, Clerk