

CAPITAL BUDGET OVERVIEW COMMITTEE

MINUTES

January 9, 2013

The Capital Budget Overview Committee met on Wednesday, January 9, 2013 at 10:00 a.m. in Room 201 of the Legislative Office Building.

The following members were in attendance:

Representative David Campbell  
Representative John Graham  
Representative John Cloutier  
Representative Daniel Eaton  
Representative Ken Weyler  
Representative Bernard Benn  
Senator David Boutin  
Senator Sylvia Larsen  
Senator James Rausch  
Senator Nancy Stiles

Representative Campbell called the meeting to order at 10:04 a.m.

ORGANIZATION OF COMMITTEE:

On a motion by Senator Boutin, seconded by Representative Cloutier, that Representative Campbell be nominated as Chairman of the Capital Budget Overview Committee.

The nominations were closed and a unanimous vote was cast for Representative Campbell for Chairman.

On a motion by Representative Eaton, seconded by Senator Larsen, that Senator Boutin be nominated as Vice Chairman of the Capital Budget Overview Committee.

The nominations were closed and a unanimous vote was cast for Senator Boutin for Vice Chairman.

On a motion by Representative Graham, seconded by Senator Boutin, that Representative Cloutier be nominated as Clerk of the Capital Budget Overview Committee.

The nominations were closed and a unanimous vote was cast for Representative Cloutier for Clerk.

COMMITTEE ORIENTATION:

CAP 13-010 – Michael Kane, Deputy Legislative Budget Assistant, Office of Legislative Budget Assistant, presented the Committee with a brief overview of the Revised Statutes Annotated for the Capital Budget Overview Committee and explained that the Committee

utilizes block voting, with the House and Senate each having one vote and that, in the event of a tie the motion fails. He also updated the Committee on the Office of Legislative Budget Assistant website where all Capital Budget Overview Committee meeting dates, agendas, minutes, meeting items, quick meeting results, and transcripts will be posted as available.

ACCEPTANCE OF MINUTES:

On a motion by Representative Graham, seconded by Representative Weyler, that the minutes of the October 17, 2012 meeting be accepted as written. MOTION ADOPTED.

LATE INFORMATIONAL ITEM:

CAP 13-011 Department of Transportation – William Cass, Director of Project Development, Department of Transportation, updated the Committee on the status of Toll Credits, and a letter, dated March 28, 2012, was distributed including a schedule of Turnpike Toll Credit Balances as of October 15, 2012.

NEW BUSINESS:

RSA 228:12-a USE OF TOLL CREDITS:

CAP 13-001 Department of Transportation – William Cass, Director of Project Development, Department of Transportation, presented the request and responded to questions of the Committee.

On a motion by Senator Rausch, seconded by Representative Weyler, that the Committee approve the request of the Department of Transportation, Bureau of Traffic, to use up to \$50,000 of Turnpike Toll Credit, based on estimated costs of \$250,000, to meet funding match requirements for; Statewide project for Transportation Systems Management and Operations (TSMO), as specified in the request dated December 18, 2012. MOTION ADOPTED.

CAP 13-002 Department of Transportation – William Cass, Director of Project Development, Department of Transportation, presented the request and responded to questions of the Committee.

On a motion by Senator Boutin, seconded by Representative Eaton, that the Committee approve the request of the Department of Transportation, Bureau of Planning and Community Assistance, to use up to \$50,000 of Turnpike Toll Credit, based on estimated costs of \$250,000, to meet funding match requirements for; a proposed contract to develop a traffic management database to collect, manage and analyze traffic information for state project development and federal reporting requirements, as specified in the request dated December 18, 2012. MOTION ADOPTED.

CAP 13-003 Department of Transportation – William Cass, Director of Project Development, Department of Transportation, presented the request and responded to questions of the Committee.

On a motion by Representative Weyler, seconded by Senator Boutin, that the Committee approve the request of the Department of Transportation, Bureau of Planning and Community Assistance, to use up to \$780,000 of Turnpike Toll Credit, based on estimated costs of \$3,900,000, to meet funding match requirements for; proposed contracts from July 1, 2013 to June 30, 2015, with the nine Regional Planning Commissions in NH to perform transportation planning duties in accordance with federal regulations and state priorities, as specified in the request dated December 18, 2012. MOTION ADOTPED.

CAP 13-004 Department of Transportation – William Cass, Director of Project Development, Department of Transportation, presented the request and responded to questions of the Committee.

On a motion by Senator Rausch, seconded by Senator Boutin, that the Committee approve the request of the Department of Transportation, Bureau of Traffic, to use up to \$300,000 of Turnpike Toll Credit, based on estimated costs of \$1,500,000, to meet funding match requirements for; Statewide project 20248, development of the Phase 2 Automated Traffic Management System (ATMS), as specified in the request dated December 18, 2012. MOTION ADOPTED.

CAP 13-005 Department of Transportation – William Cass, Director of Project Development, Department of Transportation, presented the request and responded to questions of the Committee.

On a motion by Senator Boutin, seconded by Representative Graham, that the Committee approve the request of the Department of Transportation, Bureau of Traffic, to use up to \$15,000 of Turnpike Toll Credit, based on estimated costs of \$75,000, to meet funding match requirements for; Statewide project 16477 for Intelligent Transportation Systems (ITS) device maintenance, as specified in the request dated December 18, 2012. MOTION ADOPTED.

CAP 13-006 and CAP 13-007 Department of Transportation – William Cass, Director of Project Development, Department of Transportation, presented the request and responded to questions of the Committee.

On a motion by Representative Graham, seconded by Senator Rausch, that the Committee approve jointly the requests of the Department of Transportation, Bureau of Materials and Research, to use up to \$31,680 of Turnpike Toll Credit, based on estimated costs of \$158,400, to meet funding match requirements for; the Deighton Pavement Management System Contract Amendment 2008-012B with Deighton Associates, Ltd, as specified in the request dated December 18, 2012 (CAP 13-006), and to use up to \$37,700 of Turnpike Toll Credit, based on estimated costs of \$188,500, to meet funding match requirements for; the NHDOT Data Collection Vehicle Contract Amendment 2009-017B with Pathway Services Inc., as specified in the request dated December 18, 2012 (CAP 13-007). MOTION ADOPTED.

CAP 13-008 Replacement Department of Transportation – William Cass, Director of Project Development, Department of Transportation, presented the request and responded to questions of the Committee. Thomas Gallagani, Economic Development Director, Office of the Mayor of Nashua, was also present representing Nashua Mayor Donnalee Lozeau and responding to questions of the Committee.

On a motion by Senator Boutin, seconded by Representative Cloutier, that the Committee approve the replacement request of the Department of Transportation, to use up to \$320,000 of Turnpike Toll Credit, based on estimated costs of \$1,600,000 to meet funding match requirements for; the acquisition of the property, and associated environmental studies, NEPA documentation and incidentals, for a Park and Ride facility near downtown Nashua with the understanding that the request relates only to a portion of a larger established Congestion Mitigation and Air Quality (CMAQ) Project in Nashua which has a total project cost of \$6,500,000, and in the future the Department may request the use of additional toll credits as a match for the remaining portions of said CMAQ project, as specified in the replacement request dated January 4, 2013 and **the Committee further requested that the Department send a letter to the Committee clarifying that the approved request relates only to a portion of a larger established Congestion Mitigation and Air Quality (CMAQ) Project in Nashua which has a total project cost of \$6,500,000, and in the future may request the use of additional toll credits as a match for the remaining portions of said CMAQ project.** MOTION ADOPTED.

CAP 13-009 Department of Transportation – Patrick Herlihy, Director of Aeronautics, Rail and Transit, Department of Transportation, presented the request and responded to questions of the Committee.

The House requested a brief recess caucus at 11:11 a.m. and reconvened at 11:15 a.m.

On a motion by Senator Larsen, seconded by Representative Eaton, that the Committee approve the request of the Department of Transportation, to use up to \$380,000 of Turnpike Toll Credit, based on estimated costs of \$1,900,000 to meet funding match requirements for; the Boston-Lowell-Nashua-Manchester-Concord (NH Capitol Corridor) Transit Alternatives Analysis, as specified in the request dated December 18, 2012. MOTION ADOPTED. (House – Yes, Senate – Yes, with Senator Rausch going on record as voting No)

INFORMATIONAL:

CAP 12-043 Community College System of New Hampshire – Chapter 253:13, Laws of 2011 and extended by Chapter 253:28, 34, Laws of 2011 – report on critical maintenance funds appropriated for the 2010-11 biennium with unencumbered balances as of September 30, 2012. Michael Kane, Deputy Legislative Budget Assistant, in response to an earlier inquiry by Representative Graham, reported that he had verified information contained in the informational item.

Jeff Brillhart, Assistant Commissioner, Department of Transportation, responded to the Committee's question regarding whether or not the Department would benefit from the settlement that the Attorney General's Office had won due to a lawsuit on the oil companies regarding MTBE which is part of the gas tax, responding that he was unaware of the settlement but would look into it.

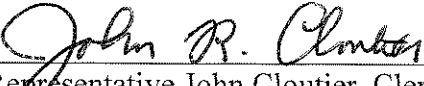
Senator's Boutin and Larsen reminded Patrick Herlihy, Director of Aeronautics, Rail and Transit, and Jeff Brillhart, Assistant Commissioner, Department of Transportation, that the Committee had requested the Department of Transportation, Bureau of Rail and Transit, perform a feasibility study for Concord to Manchester Airport bus service and were hopeful that a meeting could be arranged with the Department within the next two weeks to discuss what the parameters of the study would be (CAP 12-040, October 17, 2012).

The informational items were accepted and placed on file.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next meeting of the Capital Budget Overview Committee will be at the Call of the Chair.

On a motion by Senator Boutin, seconded by Representative Cloutier, that the meeting adjourn. (Where upon the meeting adjourned at 11:22 a.m.)

  
Representative John Cloutier, Clerk