

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE

Legislative Office Building, Room 201

Concord, NH

Tuesday, November 14, 2017

MEMBERS PRESENT:

Rep. Gene Chandler, Chair

Rep. John Cloutier

Rep Mark McConkey

Rep. Frank Byron (Alt.)

Rep. David Danielson (Alt.)

Sen. Bill Gannon

(The meeting convened at 10:30 a.m.)

(1) Acceptance of Minutes of the September 19, 2017 Meeting

GENE CHANDLER, State Representative, Carroll County, District #01 and Chairman: For the record, Representative Danielson and Byron will be sitting in for whoever isn't here. Whatever.

JOHN CLOUTIER, State Representative, Sullivan County, District #10: John Graham, I think. You're a regular member, aren't you?

DAVID DANIELSON, State Representative, Hillsborough County, District #07: No, I'm an alternate.

CHAIRMAN CHANDLER: Senator Gannon, who are you in for?

WILLIAM M. GANNON, State Senator, Senate District #23:
Just me. Capital Long Range.

CHAIRMAN CHANDLER: You didn't make the last meeting, that's right. All right.

SEN. GANNON: Making money.

CHAIRMAN CHANDLER: Thank you. Okay. We will open the meeting of the Long Range Capital Planning and Utilization Committee. The first item we have is acceptance of the minutes of the June 21st, 2000 -- September 19, 2017, meeting. Any questions? Motion?

****** MARK MCCONKEY, State Representative, Carroll County, District #03: So move.

CHAIRMAN CHANDLER: Representative McConkey moves. Seconded by?

FRANK BYRON, State Representative, Hillsborough County, District #20: I'll second, Mr. Chairman.

CHAIRMAN CHANDLER: Representative Byron. Are there any questions or discussions? All those in favor of approving the minutes say aye? Any opposed? The motion carries.

***** {MOTION ADOPTED}**

REP. BYRON: And I was absent or whatever you want to call it.

CHAIRMAN CHANDLER: Yeah, that's okay.

(2) Old Business:

(3) New Business:

CHAIRMAN CHANDLER: Okay. First item 17-028, Department of Corrections, approval of a ten-year renewal lease, et cetera, et cetera. Any questions? Do you need a presentation?

REP. DANIELSON: Question, Chairman. Is this -- is this room part of the courthouse that they're looking to do?

REP. CHANDLER: Corrections.

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JASON SMITH, Assistant Director of Probation-Parole, Department of Corrections: No, no. I'm sorry. I'm Jason Smith the Assistant Director for Probation-Parole. It's a probation-parole office that's services Hillsborough County South.

REP. DANIELSON: Is it located in the courthouse?

MR. SMITH: No, it's in the mill building area down by the mill section of Nashua. That's where it sits. It's not connected to the courthouse.

REP. DANIELSON: Okay.

REP. CHANDLER: Any other questions?

****** REP. MCCONKEY: Move the item.

CHAIRMAN CHANDLER: Representative McConkey moves approval.

REP. CLOUTIER: I'll second that item.

REP. CHANDLER: Seconded by Representative Cloutier. Any questions or discussions? All those in favor say aye? Any opposed? The motion carries.

***** {MOTION ADOPTED}**

REP. CHANDLER: Next item 17-033, Department of Transportation, authorization to sell three acres of land in the Town of Raymond. Need a --

****** REP. DANIELSON: So move.

REP. CHANDLER: Representative Danielson moves we approve the item.

REP. BYRON: Second.

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CHAIRMAN CHANDLER: Seconded by Representative Byron. Any discussion? Do you have any questions? Seeing none. We'll take the vote. All those in favor say aye? Any opposed? Motion carries.

***** {MOTION ADOPTED}**

CHAIRMAN CHANDLER: Department of Transportation item number 17-026, lease land on the railroad corridor in the City of Laconia for \$1,500, five years. I'm assuming this follows our somewhat standard assets for railroad lease?

LOU BARKER, Railroad Planner, Division of Aeronautics, Rail and Transit, Department of Transportation: Yeah, I'm Lou Barker from New Hampshire DOT's Bureau of Rail and Transit. Yes, it does, sir.

CHAIRMAN CHANDLER: So it's the same as what we've done on these in the past?

MR. BARKER: Yes.

CHAIRMAN CHANDLER: Any questions or discussions? Representative Danielson.

REP. DANIELSON: Thank you. Is this part of that dinner line? What is this line?

MR. BARKER: This is the Winnepesaukee Scenic line. They may have turkey -- Hart's Turkey Farm train. The dinner train is actually out of Lincoln-Woodstock.

REP. DANIELSON: So this is a sightseeing train.

MR. BARKER: Yes.

REP. DANIELSON: Thank you, Chair.

REP. CHANDLER: Any other questions? We have a motion to approve or deny, whatever way you want to go.

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****** REP. MCCONKEY: So move.

REP. CHANDLER: Representative McConkey moves we approve the item. Is there a second?

SEN. GANNON: Second.

REP. CHANDLER: Second by Senator Gannon. Any further questions or discussions? Seeing none. All those in favor say aye? Any opposed? The motion carries.

MR. BARKER: Thank you, sir.

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

CHAIRMAN CHANDLER: Next item Adjutant General requests authorization to dispose of State Armory, Hastings Avenue, and waive the administrative fee. Any questions? Yes.

REP. DANIELSON: Why would we waive the administrative fee?

REP. CHANDLER: Someone wish to answer that? Why we waiving the fee?

STEPHANIE MILENDER, Administrator, Department of Adjutant General: I'm Stephanie Milender, the Administrator for the Adjutant General. When we surplus our armories we've always asked to waive the administrative fee.

REP. DANIELSON: But why?

MS. MILENDER: We don't have a lot of funds to pay that fee.

REP. DANIELSON: Chairman, if I can follow-up? If you sold the building, wouldn't you have funds?

MS. MILDENDER: It reverts back to the City so we're not selling it. We're not making any money off of this.

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REP. DANIELSON: So it's just a transfer -- transfer the deed --

MS. MILENDER: The deed reverts back to the City.

REP. DANIELSON: So what you are going to do is just this motion is really to move it from the State to the City?

MS. MILENDER: Yes.

WARREN PERRY, Deputy Adjutant General, Adjutant General Department: Yes.

REP. DANIELSON: Thank you. Thank you, Chair.

CHAIRMAN CHANDLER: So we decided the City shouldn't pay the fee?

MS. MILENDER: When we dispose of our armories historically, they either revert back to the State or the City or heir. We've always been guided, I believe, from Admin Services you don't have to pay that fee considering you're not selling the property. It's just a transfer back to -- the deed reads in their reversionary clause at the end it reverts back to the City and it ceases to be used as an Armory. So we're just giving it back to the City.

REP. CHANDLER: Okay. Any questions? Administrative Services have any insight to that?

STEPHEN LORENTZEN, Administrator, Bureau of Plant and Property Management, Department of Administrative Services: Jared, do you have anything in terms of anything with that fee? I never heard that, but it doesn't mean anything. I wouldn't necessarily have heard it. No. I can check if you want.

CHANDLER CHANDLER: No.

MR. LORENTZEN: I don't have any insight, no.

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REP. DAVIDSON: There's got to be some cost.

REP. CLOUTIER: Excuse me, Mr. Chairman. I remember when I was Chair in 2008 we had a similar situation in Claremont and this Committee voted to transfer the Armory back to the City of Claremont. I believe there was no administrative fee charged. So there's sort of a precedent now, you know.

CHAIRMAN CHANDLER: That's 'cause you were the Chairman.

REP. CLOUTIER: Well, that could be; but I'm just saying.

REP. CHANDLER: I'm from Bartlett, not Keene.

REP. CLOUTIER: Well, I mean, I guess it's up to the Committee. I'm just telling you what happened.

CHAIRMAN CHANDLER: Representative McConkey moves the acceptance of the item. Is there a second?

REP. CLOUTIER: I'll second that motion.

CHAIRMAN CHANDLER: Second by Representative Cloutier. Any further discussion or questions? If not, all those in favor say aye? Any opposed?

***** {MOTION ADOPTED}**

REP. CHANDLER: Let's see. Item number 17-030, Department of Natural and Cultural Resources to sell quarter mile of the Fremont Branch Recreation Trail. Okay. Any questions on this item? Yes, Representative Danielson.

REP. DANIELSON: Thank you, Chairman.

REP. CHANDLER: Excuse me. Someone here? Yes.

REP. DANIELSON: The way it's worded --

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CHAIRMAN CHANDLER: Cultural and Natural Resources. Okay. I got to get used to that.

CHRIS GAMACHE, Chief Supervisor, Bureau of Trails, Department of Natural and Cultural Resources: I know.

REP. DANIELSON: I'm just confused about does the trail now currently belong to Fremont and is it going to private and then the private people are giving Fremont a permanent easement? I don't understand that transaction.

CHAIRMAN CHANDLER: Just for the record introduce yourself.

MR. GAMACHE: Mr. Chairman, Members of the Committee, Chris Gamache, Chief of the Trails Bureau in now the Department of Natural and Cultural Resources. It is the Fremont Branch Railroad Rail Trail that is currently owned by Department of Natural and Cultural Resources. We are looking to sell the underlying fee for that quarter of a mile but retain a 30-foot recreational trail easement within the corridor for connectivity. So it is not owned by Fremont. It's owned by the State and the State will retain an easement after selling it to a private interest.

REP. DANIELSON: Further.

CHAIRMAN CHANDLER: Further question.

REP. DANIELSON: And will continue to be used for recreation?

MR. GAMACHE: It will, yes.

REP. DANIELSON: Thank you, Chair.

CHAIRMAN CHANDLER: Any other questions or discussions?

SEN. GANNON: Quick question.

CHAIRMAN CHANDLER: Yes, Senator Gannon.

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SEN. GANNON: Why we selling this to them, to a developer?

MR. GAMACHE: The developer owns the abutting lands. Epping has become kind of a hot bed for development along Route 125, and the parcel that he has next-door really can't do much with our rail trail, kind of blocks this, and some lands he owns on the other side. Retaining a recreational easement for a trail is really, you know, still an ideal situation for us and the State, and the proceeds from the sale would solve a significant safety issue we have on the abutting railroad bed in Raymond.

SEN. GANNON: Okay. Thank you.

CHAIRMAN CHANDLER: Any other questions, discussion?
Motion.

****** REP. MCCONKEY: Move to accept.

SEN. GANNON: Follow-up question.

REP. CHANDLER: Go ahead.

SEN. GANNON: Is this the same trail going to Sandown?

MR. GAMACHE: Yes, sir.

SEN. GANNON: That whole long trail. Okay, that's all.
Thank you.

CHAIRMAN CHANDLER: So Representative McConkey moves we approve the item. Is there a second?

REP. CLOUTIER: I'll second that motion.

CHAIRMAN CHANDLER: Second by Representative Cloutier. Any further questions or discussion? If not, all those in favor say aye? Any opposed? Motion carries.

***** {MOTION ADOPTED}**

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MR. GAMACHE: Thank you.

CHAIRMAN CHANDLER: Thank you. Item 17-031, four-year lease, Department of Administrative Services. Brief explanation.

MR. LORENTZEN: I can answer any questions.

CHAIRMAN CHANDLER: Anyone have any questions on this item?

REP. DANIELSON: Where is it, what's it being used for, and what do we hope it's going to be used for?

MR. LORENTZEN: It's a renewal lease and this is in Hills North in Manchester. So the County leases for the AG's Office and for the Sheriff's Office, and for a Victim/Witness Office space in the building. So they've been in there -- they were in the building prior to the renovation years ago and they've been in there since the building was redeveloped back in 2011, I think it was.

REP. DANIELSON: The State pays for the Counties?

CHAIRMAN CHANDLER: Further question.

REP. DANIELSON: Thank you, Chair. The State pays for the Sheriff Office?

MR. LORENTZEN: No, the County pays us a lot of money. In other words, we charge them I think the rate is like \$13, somewhere around that, a square foot and that's based on our operating expenses plus about 2% of the construction cost.

REP. DANIELSON: Thank you. Thank you, Chair.

CHAIRMAN CHANDLER: Any other questions or discussions?

****** REP. BYRON: Mr. Chairman, I'll move to accept 17-031.

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CHAIRMAN CHANDLER: Representative Byron moves we accept the item. Is there a second?

REP. MCCONKEY: Second.

REP. CHANDLER: Seconded by Representative McConkey. Any further questions or discussions? If not, all those in favor say aye? Any opposed? Motion carries.

***** {MOTION ADOPTED}**

REP. CHANDLER: Item number 17-032, New Hampshire Fish and Game Department, authorization, et cetera, et cetera, Town of Sugar Hill.

****** REP. DANIELSON: Move, Chair.

CHAIRMAN CHANDLER: Questions?

REP. DANIELSON: Make a motion to move approval.

CHAIRMAN CHANDLER: Representative Danielson moves the item be accepted. Is there a second?

MR. MCCONKEY: Second.

SEN. GANNON: Second.

CHAIRMAN CHANDLER: Second by Representative McConkey. Questions or discussions? Anyone wish to add anything? All set? All those in favor say aye? Any opposed? Motion carries.

***** {MOTION ADOPTED}**

CHAIRMAN CHANDLER: Department of Administrative Services requests approval to grant a perpetual water line easement on State Land to Aquarion Water Company, et cetera, et cetera, in the Town of Hampton. I have a question. Why we doing this at no cost?

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MR. LORENTZEN: At no cost? Well, what it is is it's a transfer of land from Department of Transportation to Admin Services for the property that the courthouse is going to sit on. And then there has to be a water line run to the courthouse on the property we now will have to provide domestic and hot water and the septic system at the building. So what we want is we want the City's water company Aquarion to be able to do the repairs on that water line even though it's on our property. So that's what this easement's for.

CHAIRMAN CHANDLER: That's the City's. I was not aware of that.

MR. LORENTZEN: Right.

REP. DANIELSON: Question, Chair.

CHAIRMAN CHANDLER: Question; Representative Danielson.

REP. DANIELSON: Aquarion is no longer the company, though, is it? Isn't it EverSource?

MR. LORENTZEN: Well, I think it is; but Jared might know more about it.

JARED NYLUND, Real Property Asset Manager, Department of Administrative Services: Jared Nylund, Real Property Asset Manager for Administrative Services. And yes, as far as I know, Aquarion is the water utility that I've been working with. They -- they work in Hampton and a couple of surrounding communities. I don't know that they're the sole public water utility, but they're the ones we're dealing with.

REP. DANIELSON: Chair, I thought, I may be wrong, but I thought it was acquired.

MR. LORENTZEN: I don't know.

MR. NYLUND: It may have been and still be operating as a subsidiary, I honestly don't know; but they are doing business under Aquarion.

CHAIRMAN CHANDLER: Okay.

REP. DANIELSON: Chairman, could we table this until we find out for sure and get clarification?

CHAIRMAN CHANDLER: How much of a time crunch you in?

MR. LORENTZEN: Well, it's important to move forward obviously. We have the first pre-construction meeting tomorrow.

CHAIRMAN CHANDLER: Can you call somebody?

MR. NYLUND: If I may? Yes, absolutely. I mean, the deed hasn't been signed. It still needs to be approved, still needs to be recommended by CORD, and it still needs to be approved by G & C. By that time, if Aquarion has changed its name or been acquired by another entity, we'll substitute the correct entity.

REP. DANIELSON: I'm okay with that.

CHAIRMAN CHANDLER: So you approve it contingent upon?

REP. DANIELSON: Contingent upon clarification of the ownership.

CHAIRMAN CHANDLER: All right. So do you want to --

****** REP. DANIELSON: I'll make that motion with that clarification.

CHAIRMAN CHANDLER: Okay.

REP. BYRON: Second.

CHAIRMAN CHANDLER: So we'll amend -- Representative Danielson will offer an amendment that says the owner will be

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clarified at the appropriate time when the deed is transferred.
How's that? Okay?

MR. LORENTZEN: That's fine.

REP. DANIELSON: And I may be wrong.

MR. LORENTZEN: I don't know. We've been dealing with
Aquarion, so.

CHAIRMAN CHANDLER: But this way it's all right, doesn't
make any difference. Okay. So do we have -- did we have a
motion?

REP. DANIELSON: Yes, we have a motion.

REP. CHANDLER: We had a motion and second and now we have
an amendment to his motion. So we'll vote on the amended motion.
So all those in favor of that say aye? Any opposed?

***** {MOTION ADOPTED}**

REP. CLOUTIER: Excuse me, who made -- you made the motion?
Who made the second, please?

REP. BYRON: I did.

REP. CLOUTIER: Okay. Thank you.

REP. DANIELSON: Sorry.

CHAIRMAN CHANDLER: Okay. Thank you.

***** {MOTION ADOPTED}**

CHAIRMAN CHANDLER: Number 17-025, Department of
Transportation to sell land in Andover. I have a question. So I
don't know who's -- without having been there to look at it, it
just looks like this is an acre of land which has -- it has
frontage on the road. I see nothing in here that says this piece

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of land can't be accessed from whatever the -- I'm in the wrong road or whatever. The name of the road is?

MR. BARKER: It's an ancillary piece of parcel. Yes, there is access from the town road.

CHAIRMAN CHANDLER: Right. So is this pretty cheap for an acre, \$8,000?

MR. BARKER: Well, it's a -- it's a former milk station site, if you will, creamery, ice house area. So it wasn't exactly a prime piece of real estate back in the day. And it's heavily wooded and the abutter who's requested the purchase basically wants to be able to remove some of the tall white pines that are causing damage to their property as these trees decay, age and decay.

REP. CHANDLER: They're falling on his property?

MR. BARKER: Yeah.

CHAIRMAN CHANDLER: He'll cut them and sell them?

MR. BARKER: If -- if there's -- if there's value in these old trees. We don't see there being much value. We would probably consider cutting them 'cause the rail fund is driven on our revenues, and if there was revenue we'd be looking at it.

CHAIRMAN CHANDLER: Yeah. I guess I'm sorry that I haven't gone out to look at it. I guess an acre of land for \$8,000, it just doesn't seem -- especially having -- it does have access onto that road, right, town road?

MR. BARKER: Yes.

SEN. GANNON: Where's Andover?

CHAIRMAN CHANDLER: You said it does have access, right?

MR. BARKER: Yes, it's on the road.

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LINDA PERRY, Andover, NH: Not to border it.

(The court reporter asks the woman to identify herself.)

MS. PERRY: Linda Perry. My husband and I were looking to purchase it.

CHAIRMAN CHANDLER: Right.

MS. PERRY: It borders the town, but there's no direct access on there.

CHAIRMAN CHANDLER: No, but someone could install and build a driveway onto it.

MS. PERRY: Well, you really -- it's not really -- it's got a big hill and everything so I'm not sure -- it's not buildable.

CHAIRMAN CHANDLER: The other lot that's -- you have a driveway access onto your other lot there?

MS. PERRY: Right, yes, that borders it. Yeah. There's a lot of debris that's been falling over the years that we would like to clean-up as well that made quite a mess.

REP. CHANDLER: Well, whatever the Committee wants to do. I just think it seems --

SEN. GANNON: Mr. Chair.

CHAIRMAN CHANDLER: Yes, Senator.

SEN. GANNON: Is this a fair market value?

MR. BARKER: Yes. We had an appraisal done.

SEN. GANNON: What's that? What was that?

MR. BARKER: \$8,000.

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SEN. GANNON: Okay. I'm fine with it.

CHAIRMAN CHANDLER: Okay. Anyone?

****** SEN. GANNON: Motion to accept it.

CHAIRMAN CHANDLER: Senator Gannon moves that we accept the item. Is there a second?

REP. CLOUTIER: I'll second that motion, Mr. Chair.

REP. CHANDLER: Representative Cloutier seconds the motion. Any further questions or discussions? Okay. All those in favor say aye? Any opposed no?

REP. BYRON: Aye.

CHAIRMAN CHANDLER: No. Two nos.

REP. CLOUTIER: Who were the nos?

CHAIRMAN CHANDLER: Me and Representative Byron.

REP. CLOUTIER: Okay, thank you.

REP. CHANDLER: Motion carries.

******* {MOTION ADOPTED}

MR. BARKER: Thank you, sir.

(4) Miscellaneous:

(5) Informational:

CHAIRMAN CHANDLER: Thank you. Then you have an informational item and that's it. Anyone else have anything to bring up? If not, okay. We'll recess till the call of the

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Chair. Probably not till after the first of the year because there's nothing. Do you have something? I'm sorry.

MICHAEL HOFFMAN, Senior Budget Officer, Office of
Legislative Budget Assistant: No.

CHAIRMAN CHANDLER: There's nothing in the pipeline right now? So unless there's an emergency, we won't come back. All set? Okay. Thank you. See you. Happy Thanksgiving, Merry Christmas, Happy New Year, all three rolled into one.

(The meeting concluded at 10:48 a.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

