

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE

MINUTES

September 18, 2012

The Long Range Capital Planning and Utilization Committee met on Tuesday, September 18, 2012 at 10:00 a.m. in Room 201 of the Legislative Office Building.

Members in attendance were as follows:

Representative John Graham, Chairman
Representative David Campbell
Representative Gene Chandler
Representative Carl Seidel
Representative John Cloutier (Alternate)
Representative Chris Nevins (Alternate)
Senator John Gallus
Senator Sylvia Larsen
Senator James Rausch
John Beardmore, Governor's Office

Michael Connor, Department of Administrative Services

Chairman Graham called the meeting to order at 10:00 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Chandler, seconded by Senator Gallus, that the minutes of the June 26, 2012 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

INFORMATIONAL:

LRCP 12-030 Department of Administrative Services – On a motion by Representative Chandler, seconded by Senator Gallus, that the Committee table the informational item of the Department of Administrative Services to transfer management responsibility from the Department of Resources and Economic Development to the Department of Administrative Services of 4.03 acres of frontage land along NH Route 106 from the abutting Ahern State Park to the Lake Region Facility property (formerly know as the "Laconia State School" campus) to comply with the minimum road frontage requirements, as specified in the letter dated June 5, 2012. On June 26, 2012 the Committee voted that the item be brought up at the September meeting as an actionable item. MOTION ADOPTED.

The question of whether the Long Range Capital Planning and Utilization Committee has jurisdiction over this request will be examined by Representative Graham, who will meet with the Legislative Budget Office and the Commissioner of the Department of Administrative Services.

NEW BUSINESS:

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

LRCP 12-040 Department of Transportation – Charles Schmidt, PE, Administrator, and Phillip Miles, Chief of Property Management, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Representative Chandler, seconded by Senator Rausch, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to sell a 2,994 square foot parcel of land located on the easterly side of NH Route 11 and NH Route 28 in the Town of Alton, directly to JOBEAN, LLC for \$5,100, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated June 25, 2012. MOTION ADOPTED.

LRCP 12-045 Department of Transportation – Charles Schmidt, PE, Administrator, and Phillip Miles, Chief of Property Management, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Representative Chandler, seconded by Senator Gallus, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to amend the listing price from \$250,000 to \$150,000, allowing negotiations within the Committee's current policy guidelines, and assess an \$1,100 Administrative Fee, utilizing Coldwell Banker to sell a 4.4 acre parcel of land located on the corner of Radburn Street, Smyth Road, and Mammoth Road (with the parcel also being located on the easterly side of Interstate 93) in the City of Manchester, subject to the conditions as specified in the request dated August 17, 2012. This item (LRCP 11-032) was originally approved by the Long Range Capital Planning and Utilization Committee on November 3, 2011. MOTION ADOPTED.

LRCP 12-046 Department of Transportation – Charles Schmidt, PE, Administrator, and Phillip Miles, Chief of Property Management, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Senator Gallus, seconded by Representative Chandler, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to enter into a listing agreement for a term of one (1) year with Better Homes and Garden Real Estate – The Masiello Group, for the sale of an 8.17 acre parcel of State owned land improved with a single family house located at 30 Fitzwilliam Road in the Town of Troy for \$80,000, allowing negotiations within the Committee's current policy guidelines, and assess an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated August 23, 2012. This item (LRCP 10-029) was originally approved by the Long Range Capital Planning and Utilization Committee on April 13, 2010, with subsequent approved action taken on; (LRCP 11-010) March 22, 2011, and (LRCP 11-037) November 3, 2011. MOTION ADOPTED.

LRCP 12-047 Department of Transportation – Charles Schmidt, PE, Administrator, and Phillip Miles, Chief of Property Management, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Senator Gallus, seconded by Representative Seidel, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to amend the listing price from \$132,000 to \$109,000, allowing negotiations within the Committee's current policy guidelines, and assess an \$1,100 Administrative Fee, and further authorization to extend the listing agreement with Shea Commercial Properties, Inc. for a term of six (6) months, to sell a 0.58 acre parcel located at the southeasterly corner of NH Route 28 and Harris Road in the Town of Windham, subject to the conditions as specified in the request dated August 28, 2012. This item (LRCP 10-059) was originally amended and approved by the Long Range Capital Planning and Utilization Committee on November 15, 2010, with subsequent approved action taken on (LRCP 12-001) January 31, 2012. MOTION ADOPTED.

LRCP 12-048 Department of Transportation – Charles Schmidt, PE, Administrator, and Phillip Miles, Chief of Property Management, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee. A handout was presented to the Committee and Steven Messina, the landowner, was present to address and respond to questions of the Committee.

On a motion by Representative Chandler, seconded by Representative Campbell, that the Committee table the request of the Department of Transportation, Bureau of Right-of-Way, to sell an access point through the Controlled Access Right-of-Way (CAROW) of US Route 302 in the Town of Carroll directly to Steven Messina for \$15,100, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated August 29, 2012. MOTION ADOPTED.

LRCP 12-049 Department of Transportation – Charles Schmidt, PE, Administrator, and Phillip Miles, Chief of Property Management, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Representative Chandler, seconded by Representative Seidel, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to amend LRCP 12-013, approved April 3, 2012, by increasing the minimum bid requirement from \$13,100 to \$20,200, which includes an \$1,100 Administrative Fee, and to remove the historical covenants contained in the previous request to sell a 0.7 of an acre parcel of State owned land with improvements located on the southerly side of Short Falls Road in the Town of Epsom by sealed bid process to the general public, subject to the conditions as specified in the request dated August 29, 2012. MOTION ADOPTED.

RSA 4:40 DISPOSAL OF REAL ESTATE AND RSA 228:57 SALE OR LEASE; PURPOSE:

LRCP 12-041 Department of Transportation – Louis Barker, Railroad Planner, Bureau of Rail and Transit, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Representative Campbell, seconded by Senator Gallus, that the Committee approve the request of the Department of Transportation, Bureau of Rail and Transit, to enter into a lease agreement with Colebrook Feeds and Garden Center, LLC for a 2,160 square foot parcel of land on the State-owned North Stratford-Beecher Falls Branch railroad corridor in Colebrook at \$425.00 per year for a total of \$2,125 for five years, with a five year renewal provision, and a one-time Administrative Fee of \$1,100, as specified in the request dated July 11, 2012. MOTION ADOPTED.

RSA 4:40 DISPOSAL OF REAL ESTATE:

LRCP 12-042 Department of Employment Security – Richard Lavers, Esquire, Counsel, John Carpenter, Financial Analyst, and Ernest Liakas, Director of Facilities and Maintenance, Department of Employment Security presented the request and responded to questions of the Committee.

On a motion by Representative Campbell, seconded by Senator Larsen, that the Committee **amend** and approve the request of the Department of Employment Security to sell the NHES properties located at: 32-24 South Main Street and 10 West Street, Concord, and 298 Hanover Street and 300 Hanover Street, Manchester, for the current market value, allowing negotiations within the Committee's current policy guidelines, and assess an \$1,100 Administrative Fee per property, subject to the conditions as specified in the request dated September 18, 2012, and that **the right of first refusal be treated in the customary manner.** MOTION ADOPTED.

INFORMATIONAL:

The informational materials were accepted and placed on file.

Charles Schmidt, PE, Administrator, Bureau of Right-of-Way, Department of Transportation presented a status update to the Committee, due to recent interest shown by the National Guard, on the Windham property located at 55 Range Road. This item (LRCP 12-033) was originally approved by the Long Range Capital Planning and Utilization Committee on June 26, 2012.

NEW BUSINESS:

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

LRCP 12-048 Department of Transportation – On a motion by Senator Gallus, seconded by Representative Chandler, that the item be removed from the table. MOTION ADOPTED.

On a motion by Senator Gallus, seconded by Representative Chandler, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to sell an access point through the Controlled Access Right-of-Way (CAROW) of US Route 302 in the Town of Carroll directly to Steven Messina for \$15,100, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated August 29, 2012. MOTION ADOPTED.

MISCELLANEOUS:

Michael Kane, Deputy Legislative Budget Assistant, presented a handout from the Department of Transportation updating the Committee on the status of all their properties approved by the Long Range Capital Planning and Utilization Committee to date. The Committee requested that a pending column be added for future updates, to reflect when an item is waiting on Governor and Council approval.

DATE OF NEXT MEETING AND ADJOURNMENT

The next meeting of the Long Range Capital Planning and Utilization Committee will be at the Call of The Chair. (Where upon the meeting adjourned at 10:56 a.m.)

Representative David Campbell, Clerk