

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE

MINUTES

October 7, 2020

The Long Range Capital Planning and Utilization Committee met on Wednesday, October 7, 2020 at 10:30 a.m. remotely via Zoom Conference.

Members in attendance were as follows:

Representative John Cloutier, Chairman  
Representative Michael Edgar  
Representative John Graham  
Representative Katherine Rogers  
Representative Martin Jack (Alternate)  
Senator Regina Birdsell  
Senator Lou D'Allesandro

The Zoom conference convened at 10:35 a.m., with the assistance of Christopher Shea, Deputy Legislative Budget Assistant.

A revised agenda was issued prior to the meeting.

OFFICIAL AUDIO CONFERENCE MEETING PROCEDURES:

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

*"As 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 the Governor's Emergency Order #12, pursuant to Executive Order 2020-04, as extended pursuant to Executive Order 2020-18, 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; A) we are providing the public access to the meeting by telephone, with additional access possibilities by video or other electronic means. We are utilizing Zoom for this electronic meeting."*

*"All Members of the Committee and select Legislative staff have the ability to communicate contemporaneously during this meeting through this platform and the public has access to contemporaneously listen and, if necessary, participate in this meeting by clicking on the following website address; <https://zoom.us/j/93143177210> or dialing one of the following phone numbers; 1(929)205-6099 or 1(301)715-8592.*

*"B) Providing public notice of the necessary information for accessing the meeting. We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have been provided in the House and Senate calendars, the Long Range Capital Planning and Utilization Committee agenda, and the website of the Office of the Legislative Budget Assistant."*

*“C) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access. If anyone has a problem, please e-mail LBA\_LRCPUC@leg.state.nh.us.”*

*“D) Adjourning the meeting if the public is unable to access the meeting. If in the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.”*

*“Copies of the agenda and items have been posted on the website of the Office of Legislative Budget Assistant. Please note that all votes that are taken during this meeting shall be done by roll call vote.”*

#### ATTENDANCE ROLL CALL:

The Chair announced the meeting would start by taking the roll of attendance and that Members state their presence, and state whether there was anyone in the room with them during the meeting as required under the Right-To-Know Law.

Michael Edgar, as Clerk, called the Roll of voting members.

Representative Edgar – Present/alone at home  
Representative Rogers – No response  
Representative Graham – Present/in Bedford, alone  
Representative Jack (Alternate) – Present/alone  
Representative Hennessey (Alternate) – Present  
Representative Rogers – Present/at home alone  
Senator Birdsell – Present/at home, and her husband is in the home  
Senator Cavanaugh – Not present  
Senator D’Allesandro – Present/at home in Manchester, his wife is in the home  
Senator Giuda – Not present  
John Formella, Governor’s Office – Not present  
Representative Cloutier – Present/alone at home

#### ACCEPTANCE OF MINUTES:

On a motion by Representative Graham, seconded by Senator D’Allesandro, that the minutes of the June 22, 2020 meeting be accepted as written.

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

Representative Edgar – Yes  
Representative Rogers – Yes  
Representative Graham – Yes  
Senator Birdsell – Yes  
Senator D’Allesandro – Yes

Representative Cloutier – Yes  
MOTION ADOPTED.

(6-Yes; 0-No)

NEW BUSINESS:

RSA 4:39-b APPROVAL OF STATE AGENCY LEASES EXCEEDING 5 YEARS:

Ahni Malachi, Executive Director, New Hampshire Commission for Human Rights (LRCP 20-048), and Christopher Marino, Chief of Administration, Department of Natural and Cultural Resources (LRCP 20-051) were available to speak to their items should the Committee have questions, however they did not.

Joseph Shoemaker, Director, Division of Technical Professions, Office of Professional Licensure and Certification was present and responded to questions of the Committee regarding LRCP 20-053 and Karen Rantamaki, Director, Bureau of Plant and Property Management, Department of Administrative Services, was also present to answer questions.

A late item, LRCP 20-055 Department of Corrections, was distributed prior to the meeting and Helen Hanks, Commissioner, Department of Corrections was present should the Committee have questions.

On a motion by Representative Graham, seconded by Senator Birdsell, that the Committee approve as a block, under Approval of State Agency Leases Exceeding 5 Years, items LRCP 20-048, LRCP 20-051, LRCP 20-053 and Late Item LRCP 20-055 as submitted. [LRCP 20-048 NH Commission for Human Rights – request authorization to enter into a 3-year renewal lease agreement with Gerald P. McCarthy Properties, West Wareham, MA for approximately 3,500 square feet of space to be provided in an existing building located at 2 Industrial Drive, Building #1, for the period of November 1, 2020 through October 31, 2023 with a total lease amendment cost of \$147,600, subject to the schedule of annual rent and conditions as specified in the request dated August 14, 2020, LRCP 20-051 Department of Natural and Cultural Resources – request retroactive approval from October 1, 2020 to enter into a 2-year lease amendment with Gerald P. McCarthy Properties of West Wareham, MA, for continued occupation of 21,000 square feet of building space at a rate of \$10.95 per square foot located at 172 Pembroke Road, Concord, NH, with an end date of September 30, 2022, with an increase in total lease payments by \$459,900 from \$2,932,841.67 to \$3,392,741.67 for the cumulative 12-year lease period, subject to the conditions as specified in the request dated August 27, 2020 (Originally approved (LRCP 10-051) on September 22, 2010, and subsequently amended (LRCP 10-068) November 15, 2010), LRCP 20-053 Office of Professional Licensure and Certification – request approval of a retroactive ten-year lease with 7 Eagle Square LLC, Concord, NH for approximately 16,247 square feet of office space located at 7 Eagle Square, Concord, NH, floors one to three, Suite 100, 200, and 300, for the period of August 1, 2020 through July 31, 2030, for an amount not to exceed \$3,715,709, subject to the schedule of annual rent and certain limited improvements as specified in the request dated September 22, 2020 and Late Item (Tab 5) LRCP 20-055 Department of Corrections – requests approval of a two-year amendment lease to extend the original lease term beyond the five-year limitation with Strafford County Commissioner, 259 County Farm Road, Dover, NH 03280, for approximately 2,250 square feet of probation and parole office space located at Strafford County Justice and Administrative Building, 259 County Farm Road, Suite 104, Dover, NH, effective for the period of April 1, 2021 to March 31, 2023, for an amount not to exceed \$68,197.56, subject to the schedule of annual rent and conditions as specified in the request dated September 28, 2020]

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

Representative Edgar – Yes  
Representative Rogers – Yes  
Representative Graham – Yes  
Senator Birdsell – Yes  
Senator D’Allesandro – Yes  
Representative Cloutier – No Response (5-Yes; 0-No)  
MOTION ADOPTED.

Representative Graham, as Vice-Chair, took over the meeting in Representative Cloutier’s absence.

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

Stephen LaBonte, Administrator, Bureau of Right-of-Way, Department of Transportation, clarified that the commission would be 5% for item LRCP 20-046.

On a motion by Senator D’Allesandro, seconded by Senator Birdsell that the Committee approve as a block, under Disposal of Highway or Turnpike Funded Real Estate, items LRCP 20-045, LRCP 20-046, and LRCP 20-054 as submitted. [LRCP 20-045 Department of Transportation – request authorization to sell 0.06 +/- of an acre parcel of State owned land, located on the northeasterly side of Acorn Lane at the corner of Woodbury Avenue in the Town of Pelham directly to Nathan Boutwell (Grantee) for \$2,600, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated August 25, 2020, LRCP 20-046 Department of Transportation – request an amendment to conditions outlined in LRCP 20-033, approved June 22, 2020, to dispose of 5.6 +/- acres of State owned land, with improvements located at 11 Stickney Avenue in the City of Concord, by entering into a listing agreement with NAI Norwood Group (NAI) for a term of ninety (90) days to list the property at \$709,500 with a 6% real estate commission from the sale, assessing a \$1,100 Administrative Fee, and accepting offers within 10% of the appraised value of \$645,000, subject to the conditions as specified in the request dated June 5, 2020, by requesting approval to compensate NAI a 5% real estate commission should they deliver a willing and able buyer within the (90) day term, including if the City of Concord decides to exercise its right to purchase the property, subject to the conditions as specified in the request dated August 26, 2020, and LRCP 20-054 Department of Transportation – request authorization to sell 2,375 square feet +/- of State owned land located on the westerly side of Range Road, formally NH Route 111A, in the Town of Windham to Karen L. Heller, Trustee of the Karen L. Heller 1997 Trust, for \$17,600, which includes a \$1,100 Administrative Fee, subject to the conditions as specified in the request dated September 21, 2020]

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

Representative Edgar – Yes  
Representative Rogers – Yes  
Representative Graham – Yes  
Senator Birdsell – Yes

Senator D'Allesandro – Yes  
Representative Cloutier – Yes  
MOTION ADOPTED.

(6-Yes; 0-No)

Representative Cloutier resumed his duties as Chair.

RSA 4:40 DISPOSAL OF REAL ESTATE:

Jared Nylund, Real Property Asset Manager, Department of Administrative Services was present to respond to Committee questions on LRCP 20-049 and Tracey Boisvert, Administrator, Division of Forests and Lands, Department of Natural and Cultural Resources responded to Committee questions on item LRCP 20-052.

On a motion by Senator D'Allesandro, seconded by Senator Birdsell that the Committee approve as a block, under Disposal of Real Estate, items LRCP 20-049, LRCP 20-050, and LRCP 20-052 as submitted. [LRCP 20-049 Department of Administrative Services – requests approval to lease to New Cingular Wireless PCS, LLC, a subsidiary/holding company affiliate of AT&T, for a term of 25 years and initial rent of \$2,800 per month with an annual 3% escalator, space on the roof of the State Public Health Laboratory building at 29 Hazen Drive in Concord for the installation, operation, and maintenance of two wireless broadband antenna arrays and space on the ground adjacent to the building for a supporting telecommunications equipment shed and a standby generator, subject to the conditions as specified in the request dated September 3, 2020, LRCP 20-050 Department of Administrative Services – requests approval to grant free of charge a perpetual utility easement on State land to Public Service Company of New Hampshire, d/b/a Eversource Energy, for the installation, operation, maintenance, and replacement of a pad mount transformer and associated subsurface transmission and distribution lines and other supporting facilities and apparatus as needed to provide upgraded electric utility service to the Portsmouth District Courthouse, and further requests to waive the Administrative Fee required by RSA 4:40, III-a, subject to the conditions as specified in the request dated September 2, 2020, and LRCP 20-052 Department of Natural and Cultural Resources – requests to transfer at no cost all of the State's remaining interest in an approximately 0.61 +/- acre area of abandoned rail corridor, known as the Lakeport Branch of the Boston and Maine Railroad, to the City of Rochester for a transportation enhancement project, and assess an Administrative Fee of \$1,100, subject to the conditions as specified in the request dated August 21, 2020]

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

Representative Edgar – Yes  
Representative Rogers – Yes  
Representative Graham – Yes  
Senator Birdsell – Yes  
Senator D'Allesandro – Yes  
Representative Cloutier – No Response  
MOTION ADOPTED.

(5-Yes; 0-No)

Representative Graham, as Vice-Chair, took over the meeting in Representative Cloutier's absence.

INFORMATIONAL ITEMS:

The informational materials were accepted and placed on file.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next regular meeting of the Long Range Capital Planning and Utilization Committee was scheduled for Monday, November 30, 2020 at 2:30 p.m.

Representative Cloutier resumed his duties as Chair.

On a motion by Senator D'Allesandro, seconded by Senator Birdsell, that the meeting adjourn.

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

Representative Edgar – Yes

Representative Rogers – Yes

Representative Graham – Yes

Senator Birdsell – Yes

Senator D'Allesandro – Yes

Representative Cloutier – No Response

(5-Yes; 0-No)

MOTION ADOPTED.

Whereupon the remote Zoom meeting adjourned at 11:16 a.m.

*/s/ Michael Edgar*

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Representative Michael Edgar, Clerk