

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE
AMENDED MINUTES

April 21, 2009

The Long Range Capital Planning and Utilization Committee met on Tuesday, April 21, 2009 at 3:00 p.m. in Room 201 of the Legislative Office Building.

Members in attendance were as follows:

Representative John Cloutier, Chairman
Representative David Campbell, Clerk
Representative John Graham, Alternate
Representative James Rausch
Senator Lou D'Allesandro, Vice Chairman
Senator John Gallus
Senator Harold Janeway

Michael Connor, Department of Administrative Services

Chairman Cloutier called the meeting to order at 3:03 p.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator D'Allesandro, seconded by Representative Rausch, that the minutes of the January 27, 2009 meeting be accepted as written. MOTION ADOPTED.

NEW BUSINESS:

RSA 4:40 DISPOSAL OF REAL ESTATE:

LRCP 09-009 Department of Employment Security – Michael Randall, Counsel, Legal Bureau, Department of Employment Security, presented the request, including a handout, and responded to questions of the Committee.

On a motion by Representative Campbell, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Employment Security for a license for use between the Department of Employment Security and The New Hampshire Community Action Associations (NHCAA), an association of six (6) nonprofit Community Action Program (CAP) agencies, to share space in the offices of New Hampshire Employment Security located in the municipalities of Berlin, Conway, Somersworth, Portsmouth, Salem, Nashua, Manchester, Concord, Laconia, Keene, Claremont, Lebanon and Littleton from July 1, 2009 through June 30, 2014. The annual cost to NHCAA is estimated to be \$21,990 per year per person varying monthly to the actual net pro rata expense of operation of the office in which said persons are placed and the actual number of persons placed, as specified in their request dated February 3, 2009. MOTION ADOPTED.

LRCP 09-021 Department of Resources and Economic Development – William Carpenter, Administrator, Land Management Bureau, and Johanna Lyons, State Park Planning and Development Specialist, Division of Parks and Recreation, Department of Resources and Economic Development presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Rausch, that the Committee approve the request of the Department of Resources and Economic Development to grant a utilities easement to New Hampshire Electric Co-op at no cost for the installation and maintenance of an underground utility corridor at Pawtuckaway State Park and waive the Administrative Fee, as specified in their request dated March 31, 2009. MOTION ADOPTED.

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

LRCP 09-016 Department of Transportation – William Oldenburg, Administrator for the Bureau of Right-of-Way and Phillip Miles, Chief of Property Management, presented the request and responded to questions of the Committee. Carlos Baia, Deputy City Manager for Development, City of Concord, was also present to respond to questions of the Committee. A handout of an e-mail, dated April 15, 2009, from Russell Perkins of Concord was distributed to the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Rausch, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to sell directly to the City of Concord, **corrected to read, a 2.74 acre not a 3.43 acre** parcel of State owned land, as clarified by the Department, located on the northerly side of Loudon Road in the City of Concord for \$955,000, and an additional Administrative Fee of \$1,100, and if the City of Concord decides not to proceed with the purchase of this property, approved the request of the Department to enter into a listing agreement with Coldwell Banker, for a term of 12 months at a commission of 6%, to sell the 3.43 acre parcel for an amount not to be less than \$955,000, and an additional Administrative Fee of \$1,100, as specified in their request dated March 12, 2009. MOTION ADOPTED.

LRCP 09-010 Department of Transportation – William Oldenburg, Administrator for the Bureau of Right-of-Way and Phillip Miles, Chief of Property Management, presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Senator Janeway, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to enter into a listing agreement with Coldwell Banker Residential Banker/Salem, for a term of six (6) months, to sell a 5.63 acre parcel of State owned land, as clarified by the Department, located on the easterly side of NH Route 125 in the Town of Kingston for \$80,000, or within a 10% range of the asking price, and an additional Administrative Fee of \$1,100, as specified in their request dated February 26, 2009. MOTION ADOPTED.

LRCP 09-011 Department of Transportation – William Oldenburg, Administrator for the Bureau of Right-of-Way and Phillip Miles, Chief of Property Management, presented the request and responded to questions of the Committee. Larry Jackson and Susan Alexander, realtors from the Masiello Group, were also present to respond to questions of the Committee.

On a motion by Representative Rausch, seconded by Senator D'Allesandro, that the Committee **amend** the request of the Department of Transportation, Bureau of Right-of-Way, to amend the listing price, from \$275,000, to the **amended price of \$250,000, not \$260,000**, with an Administrative Fee of \$1,100 to be assessed, allow negotiations with perspective buyers within 10% of the new listing price, and extend the listing agreement for an additional **amended period of one (1) year, not six (6) months**, with The Masiello Group who is marketing this property which consists of a 0.44 acre parcel of State owned land improved with a cape style single-family house located at 15 Elizabeth Lane in the Town of Salem, as specified in their request dated February 27, 2009. MOTION TO AMEND ADOPTED.

On a motion by Representative Rausch, seconded by Senator Janeway, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, **as amended**, to amend the listing price, from \$275,000, to the **amended price of \$250,000, not \$260,000**, with an Administrative Fee of \$1,100 to be assessed, allow negotiations with perspective buyers within 10% of the new listing price, and extend the listing agreement for an additional **amended period of one (1) year, not six (6) months**, with The Masiello Group who is marketing this property which consists of a 0.44 acre parcel of State owned land improved with a cape style single-family house located at 15 Elizabeth Lane in the Town of Salem, as specified in their request dated February 27, 2009. This item amends LRCP 07-041 which was originally approved by the Long Range Capital Planning and Utilization Committee on September 25, 2007, amended (LRCP 07-041) November 27, 2007 and subsequently amended (LRCP 08-048) September 16, 2008. MOTION ADOPTED.

LRCP 09-015 Department of Transportation – William Oldenburg, Administrator for the Bureau of Right-of-Way and Phillip Miles, Chief of Property Management, presented the request and responded to questions of the Committee.

On a motion by Representative Campbell, seconded by Senator Gallus, that the Committee **amend** and approve the request from the Department of Transportation, Bureau of Right-of-Way, to sell 2,410 square feet of State owned land located on the westerly side of Shadow Lake Road, just northerly of NH Route 28, in the Town of Salem to the sole abutters, Nam Y. An and Kyung B. An, for the **amended price of \$76,100, not \$51,100**, which includes an Administrative Fee of \$1,100, as specified in their request dated March 12, 2009. MOTION ADOPTED.

LRCP 09-020 Department of Transportation – William Oldenburg, Administrator for the Bureau of Right-of-Way and Phillip Miles, Chief of Property Management, presented the request and responded to questions of the Committee.

On a motion by Senator D'Allesandro, seconded by Representative Campbell, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to sell 3,000 square feet of State owned land located at the southeasterly corner of US Route 3 and Liberty Road in the Town of Lincoln to the abutter, David Dixon, for \$9,100, which includes an Administrative Fee of \$1,100, as specified in their request dated April 6, 2009. MOTION ADOPTED.

RSA 4:40 DISPOSAL OF REAL ESTATE AND RSA 228:57-a LEASING CERTAIN PORTIONS OF RAILROAD PROPERTIES:

LRCP 09-017 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 lease 2,520 square feet of the State-owned Concord to Lincoln Railroad corridor in Laconia to Lakeport Landing Marina for \$600 per year for five years, with a five-year renewal provision, to include a termination clause in the event the area is needed in the future for railroad operations, and assess an Administrative Fee of \$1,100, as specified in their request dated March 16, 2009. MOTION ADOPTED.

LRCP 09-018 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 Senator D'Allesandro, seconded by Senator Janeway, that the Committee approve the request of the Department of Transportation, Bureau of Rail and Transit, to lease 2,800 square feet of the State-owned Concord to Lincoln Railroad corridor in Laconia to John W. Gorman Revocable Trust of 1996 for \$1,900 per year for five years, with a five-year renewal provision, and assess an Administrative Fee of \$1,100, as specified in their request dated March 18, 2009. MOTION ADOPTED.

LRCP 09-019 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 D'Allesandro, that the Committee approve the request of the Department of Transportation, Bureau of Rail and Transit, to lease 3,200 square feet of the State-owned Manchester and Lawrence Railroad corridor in Salem to Kelly Plaza, LLC for \$770 per year for five years, with a five-year renewal provision, and assess an Administrative Fee of \$1,100, as specified in their request dated March 25, 2009. MOTION ADOPTED.

MISCELLANEOUS:

The subcommittee made up of Senator Gallus and Representatives Campbell and Chandler will report back to the Committee at the next meeting regarding recommendations for standardizing real estate commissions. Representative Campbell was named Chairman and will arrange a meeting with the Department of Transportation.

INFORMATIONAL:

The informational materials were accepted and placed on file.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next meeting of the Long Range Capital Planning and Utilization Committee will be Tuesday, May 19, 2009 at 3:00 p.m. in Room 201 of the Legislative Office Building.

On a motion by Senator Janeway, seconded by Representative Rausch, that the meeting adjourn. MOTION ADOPTED.

Representative David Campbell, Clerk