

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
Nashua Community College, Nashua, New Hampshire
August 22, 2012, 10:00 a.m.

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The Governor and Executive Council convened at 10:00 a.m. with all members present.

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Pastor Gary Stern of Nashua offered the prayer and the Pledge of Allegiance was let by Councilor Wheeler.

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The Governor and Executive Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu, accepted the minutes of August 8, 2012.

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The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor St. Hilaire, approved the appointment of several persons nominated for Civil Commissions from the August 8, 2012 meeting.

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The Governor placed into nomination the several persons who applied for Civil Commissions.

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RESIGNATIONS

The Governor and Council accepted the following resignation:

Commissioner of the Department of Resources and Economic Development - RSA: 12-A:2
George M. Bald, Somersworth Effective: November 1, 2012

CONFIRMATIONS

The Governor and Council confirmed the following:

Board of Acupuncture Licensing - RSA: 328-G
(Public Member)
Katrine N. Barclay, Franconia Effective: September 8, 2012
Reappointment Expiration: September 8, 2015

State Committee on Aging - RSA: 161-F
Strafford County
Candace Cole-McCrea, Milton Effective: August 22, 2012
Succeeding: Joanne A. Dodge, Dover (deceased) Expiration: June 24, 2015

State Committee on Aging - RSA: 161-F
(Belknap County)
Patricia Ann Consentino, Tilton Effective: August 22, 2012
Succeeding: Judith B. Pilliod, Belmont (term limited) Expiration: June 24, 2015

State Committee on Aging - RSA: 161-F
(Rockingham County)
Sheila E. King, Hampton Effective: August 22, 2012
Succeeding: Ruth A. Hall, Union (Carroll County) Expiration: June 24, 2015

Alcohol and Drug Abuse Prevention, Intervention and Treatment Committee - RSA: 12-J
(Drug Abuse Treatment)
Amelie Gooding, Keene Effective: September 20, 2012
Reappointment Expiration: September 20, 2015

Board of Architects - RSA: 310-A:29
(Public Member)
Wayne Richardson, Goffstown Effective: September 9, 2012
Succeeding: Ty Gagne, Holderness Expiration: September 9, 2017

Board of Barbering, Cosmetology and Esthetics - RSA: 313-A
(Public Member)

Deborah A. Robinson, Merrimack
Vacancy

Effective: August 22, 2012
Expiration: July 1, 2014

Division for Children, Youth, and Families Advisory Board - RSA: 170-G:6
(Merrimack County)

Nominated by the Commissioner of the Department of Health and Human Services
Tessa Dyer, Loudon
Vacancy

Effective: August 22, 2012
Expiration: June 4, 2014

Associate Justice of the Circuit Court - RSA: 490-F

Julie A. Introcaso, Manchester
Vacancy

Effective: August 22, 2012
Expiration: Until 70 years of age

Associate Justice of the Circuit Court - RSA: 490-F – Councilor Wheeler voted no.

Jennifer A. Lemire
Vacancy

Effective: August 22, 2012
Expiration: Until 70 years of age

Associate Justice of the Circuit Court - RSA: 490-F

Lawrence A. MacLeod, Jr., Lebanon
Vacancy

Effective: August 22, 2012
Expiration: Until 70 years of age

Associate Justice of the Circuit Court - RSA: 490-F

Paul S. Moore, Bedford
Vacancy

Effective: August 22, 2012
Expiration: Until 70 years of age

Associate Justice of the Circuit Court - RSA: 490-F

Mark F. Weaver, Greenland
Vacancy

Effective: August 22, 2012
Expiration: Until 70 years of age

Part-time Justice of the Circuit Court - RSA: 490-F – Councilors Sununu and Wheeler voted no.

Susan B. Carbon, Chichester
Vacancy

Effective: August 22, 2012
Expiration: Until 70 years of age

Connecticut River Valley Resources Commission - RSA: 227-E
(Public Member)

Nominated by the Connecticut River Valley Resource Commission
Richard Walling, Bath
Succeeding: Glenn English, North Haverhill

Effective: August 22, 2012
Expiration: February 10, 2015

Consumer Advocate - RSA: 363:28, I

Nominated by the Residential Ratepayers Advisory Board
Susan W. Chamberlin, Portsmouth
Succeeding: Meredith A. Hatfield, Concord
Salary: Grade FF; step 4: \$79,776

Effective: August 22, 2012
Expiration: November 5, 2015

Enhanced 911 Commission- RSA: 106-H

Nominated by the NH Emergency Dispatchers Association
Jonathan M. Goldman, Sandown
Succeeding: Vacancy (new position per 2012 Chapter Law 0051)

Effective: August 22, 2012
Expiration: 3 years from confirmation

Fire Standards & Training Commission - RSA: 21-P:25
(NH State Firemen's Association)
Nominated by the NH State Firemen's Association
Jeremy B. Thibeault, Etna
Succeeding: Alfred W. Burbank, Jr., Thornton
Effective: August 22, 2012
Expiration: August 1, 2015

State Historical Resources Council - RSA: 227-C
(Architecture)
Duffy Monahan, Peterborough
Reappointment
Effective: August 22, 2012
Expiration: December 10, 2014

Board of Home Inspectors - RSA: 310-A:186
(Public Member)
Kevin M. McEneaney, Dover
Reappointment
Effective: August 22, 2012
Expiration: April 1, 2017

Joint Promotional Program Screening Committee - RSA: 12-A
(Attractions)
Nominated by the NH Travel Council
James S. Morash, Meredith
Succeeding: Susan L. Leidy, Concord (resigned)
Effective: August 22, 2012
Expiration: July 13, 2015

Joint Promotional Program Screening Committee - RSA: 12-A
(Regional Association)
Nominated by the NH Travel Council
Jayne O'Connor, Franconia
Reappointment
Effective: August 22, 2012
Expiration: July 13, 2015

Board of Landscape Architects - RSA: 310-A:3
Roberta N. Woodburn, Durham
Reappointment
Effective: August 23, 2012
Expiration: August 23, 2017

Board of Medicine RSA: 329:17-V-a
(Public Member)
Daniel W. Morrissey, North Hampton
Reappointment
Effective: August 22, 2012
Expiration: December 18, 2016

New Motor Vehicle Arbitration Board - RSA: 357-D
(representing consumers)
Clarence E. Bourassa, Bow
Reappointment
Effective: August 28, 2012
Expiration: August 28, 2015

Board of Registration of Podiatrists - RSA: 315
Matthew L. Burrell, Plymouth
Succeeding: Kenneth R. Limburg, New London (term limited)
Effective: August 25, 2012
Expiration: August 25, 2017

Rivers Management Advisory Committee - RSA: 483
(Rep Fish & Game Commission)
James W. Ryan, Northwood
Reappointment
Effective: September 28, 2012
Expiration: September 28, 2015

Waste Management Council - RSA: 21-O:9
(Public Health Expert)
Frederick J. McGarry, Deerfield
Succeeding: Michael B. Blayney, Grantham (resigned)
Effective: August 22, 2012
Expiration: December 23, 2013

Wetlands Council - RSA: 21-O:5-a
(elected municipal official)
Nominated by the NH Municipal Association
Frank A. Byron, Litchfield
Succeeding: Lawrence B. Ballin, New London

Effective: August 22, 2012
Expiration: January 3, 2015

Wetlands Council - RSA: 21-O:5-a
(Nominated by the NH Association of Natural Resource Scientists)
James S. Kennedy, Etna
Reappointment

Effective: September 3, 2012
Expiration: September 3, 2015

CONFIRMATION REMOVED FROM TABLE

The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Wiecek, voted to remove the following confirmation - which was tabled at the August 8, 2012 Meeting.

CONFIRMATION

The Governor and Council on motion of Councilor Wiecek, seconded by Councilor Wheeler, voted to approve the following confirmation:

Board of Pharmacy - RSA: 318
Robert J. Stout, Candia
Succeeding: George L. Bowersox, Hudson (term limited)

Effective: September 7, 2012
Expiration: September 7, 2017

NOMINATIONS

The Governor placed into nomination the following:

Division for Children, Youth and Families Advisory Board - RSA: 170-G:6
(Carroll County)
Christine MacDonald, Ossipee
Reappointment

Effective: Upon confirmation
Expiration: May 8, 2014

Board of Court Reporters - RSA: 310-A:163
Camille M. Palladino-Duffy, Somersworth
Reappointment

Effective: October 3, 2012
Expiration: October 3, 2017

Dropout Prevention and Dropout Recovery Oversight Council - RSA: 189:59
(Public Member)
George A. Cushing, Milton
Reappointment

Effective: October 8, 2012
Expiration: October 8, 2015

Department of Education - RSA: 21-N
(at-large)
Gary Groleau, Laconia
Succeeding: Fredrick J. Bramante, Durham

Effective: Upon confirmation
Expiration: January 31, 2015

Executive Branch Ethics Committee - RSA: 21-G:29
(Nominated by the Secretary of State)
Dale S. Kuehne, Manchester
Reappointment

Effective: Upon confirmation
Expiration: June 30, 2015

Board of Licensure of Interpreters for the Deaf and Hard of Hearing - RSA: 326-I
Nominated by the NH Registry of Interpreters for the Deaf
Paula Collins, Pembroke
Succeeding: Maureen D. Lundergan, Raymond

Effective: October 10, 2012
Expiration: October 10, 2015

Board of Licensure of Interpreters for the Deaf and Hard of Hearing - RSA: 326-I
(Recommended by the NH RID)

Nominated by the NH Registry of Interpreters for the Deaf

Jodi H. Lefort, Manchester

Reappointment

Effective: October 10, 2012

Expiration: October 10, 2015

Joint Promotional Program Screening Committee - RSA: 12-A
(Skiing)

Kathleen Bennett, Madison

Reappointment

Effective: Upon confirmation

Expiration: July 13, 2015

Railroad Appeals Board - RSA: 21-L:16
(Expert on Railroad Matters)

Wayne M. Gagne, Nashua

Reappointment

Effective: Upon confirmation

Expiration: May 7, 2014

Site Selection Committee - RSA: 482-A

Nominated by the NH Association of Natural Resource Scientists

Nancy B. Rendall, Gilmanton

Reappointment

Effective: October 11, 2012

Expiration: October 11, 2015

#1 **CONSENT CALENDAR - DONATIONS:**

DEPARTMENT OF SAFETY

- A. Authorized to accept the donation of two 2006 Ford F-250 Crew Cab SKW 4x2 Pick Up Trucks with a value of approximately \$20,000 from the Defense Logistics Agency to be used by State Police Communications Maintenance. Effective upon G&C approval.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Glenciff Home

- B. Authorized to accept monetary donations for the time period of April 1, 2012 through June 30, 2012 with a value totaling \$120, to deposit into the Patient's Welfare Fund.

#2 **CONSENT CALENDAR – TRAVEL:**

BANKING DEPARTMENT

- A. Authorized Kathleen Sheehan or designee to travel to Salt Lake City, Utah, for 5 days of out of state travel from Monday, September 10, 2012 to Friday, September 14, 2012, and to receive a cash advance of \$683 to cover anticipated expenses while performing an examination of an out of state entity. The estimated total cost is \$1,280. **100% Other (Agency Income, Examination Fees) Funds.**

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

- #3 The Governor and Council on motion of Councilor Sununu, seconded by Councilor St. Hilaire authorized the request to award a grant to the Town of Farmington, NH, in the amount of \$480,000 for the purpose of assisting Winnisquam Wood Products with relocation and expansion activities. Effective upon G&C approval through December 31, 2013. **100% Federal Funds.**

BUSINESS FINANCE AUTHORITY

- #4 The Governor and Executive Council on motion of Councilor St. Hilaire, seconded by Councilor Burton and further on a roll call vote as follows: Councilor Burton – yes, Councilor St. Hilaire – yes, Councilor Sununu – yes, Councilor Wiczorek – yes, and Councilor Wheeler – **no**, authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13-a with respect to a loan from Centrix Bank & Trust to Janco Electronics, Inc. located in Rollinsford, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON AUGUST 22, 2012
NASHUA, NEW HAMPSHIRE**

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At approximately 11:00 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Working Capital Line of Credit Guarantee Program of the Business Finance Authority in connection with a loan to be made by Centrix Bank & Trust to Janco Electronics, Inc. and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced, Jack Donovan, Executive Director of the Authority who briefly explained the project. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor St. Hilaire introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM CENTRIX BANK & TRUST TO JANCO ELECTRONICS, INC." and moved its adoption, which was seconded by Councilor Burton. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor St. Hilaire, Councilor Sununu, and Councilor Wieczorek; those abstaining were Councilor (s): None; and those voting against were Councilor (s): Councilor Wheeler. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-A:18 AWARDING A STATE
GUARANTEE UNDER RSA 162-A:13-a WITH RESPECT TO A
LOAN FROM CENTRIX BANK & TRUST TO
JANCO ELECTRONICS, INC.**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to seventy-five percent (75%) of the principal amount of a loan up to \$2,000,000 from Centrix Bank & Trust to Janco Electronics, inc. pursuant to RSA 162-A:13-a (the Working Capital Loan Guarantee Program or the "WAG Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed seventy-five percent (75%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is authorized to approve the recommendation of the Authority and to award the recommended guarantee upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

WHEREAS, further action by the Authority with respect to the proposed transaction is subject to the passage of this resolution and cannot be taken until after its passage;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

(i) The award of the guarantee as proposed will contribute significantly to the success of the financing.

(ii) Reasonable and appropriate measures have been taken to minimize the risk of loss to the Authority and to ensure that any private benefit from the award of the guarantee will be only incidental to the public purpose served thereby.

(b) General Findings.

(i) The award of the guarantee as proposed will serve a public use and provide a public benefit.

(ii) The award of the guarantee as proposed is within the policy of, and the authority conferred by RSA Chapter 162-A.

(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(iv) The award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

3. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to August 22, 2012.

#5 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wieczorek and further on a roll call vote as follows: Councilor Burton – yes, Councilor St. Hilaire – yes, Councilor Sununu – yes, Councilor Wieczorek – yes, and Councilor Wheeler – **no**, authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13 with respect to a loan from Bank of New Hampshire to White Mountain Tissue, LLC located in Gorham, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON AUGUST 22, 2012
NASHUA, NEW HAMPSHIRE**

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At approximately 11:10 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Guaranteed Asset Program of the Business Finance Authority in connection with a loan to be made by Bank of New Hampshire to White Mountain Tissue, LLC, and declared that the public hearing on the subject had commenced. She said that he and the members of the Council had received written material from the Authority with respect to the proposed loan and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Jack Donovan, Executive Director of the Authority. Mr. Donovan presented White Mountain Tissue’s management: Dick Arnold, President, Mark Olsen, Chief Financial Officer, and Willis Blevens, General Manager and briefly explained the project . The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Burton introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM BANK OF NEW HAMPSHIRE TO WHITE MOUNTAIN TISSUE, LLC" and moved its adoption, which was seconded by Councilor Wieczorek. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor St. Hilaire, Councilor Sununu, and Councilor Wieczorek; those abstaining were Councilor (s): None; and those voting against were Councilor (s): Councilor Wheeler. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-A:18 AWARDDING A STATE
GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM
BANK OF NEW HAMPSHIRE TO WHITE MOUNTAIN TISSUE, LLC.**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to eighty percent (80%) of the principal amount of a loan up to \$10,000,000 from Bank of New Hampshire to White Mountain Tissue, LLC., pursuant to RSA 162-A:13 (the Guaranteed Asset Program or the "GAP Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed eighty percent (80%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is authorized to approve the recommendation of the Authority and to award the recommended guarantee upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

WHEREAS, further action by the Authority with respect to the proposed transaction is subject to the passage of this resolution and cannot be taken until after its passage;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

(i) The award of the guarantee as proposed will contribute significantly to the success of the financing.

(ii) Reasonable and appropriate measures have been taken to minimize the risk of loss to the Authority and insure that any private benefit from the award of the guarantee will be only incidental to the public purpose served thereby.

(b) General Findings.

(i) The award of the guarantee as proposed will serve a public use and provide a public benefit.

(ii) The award of the guarantee as proposed is within the policy of, and the authority conferred by RSA Chapter 162-A.

(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(iv) The award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

3. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to August 22, 2012.

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#6 Authorized to amend a **sole source** contract with F/K/A Strafford County Community Action Committee Inc., now named Community Action Partnership of Strafford County, Dover, NH (originally approved by G&C on April 1, 2009, Late Item #D), for the Weatherization Assistance Program, by increasing the amount not to exceed \$44,636 from \$2,846,875 to \$2,891,511, and by adding Standard Exhibit J “Certification regarding the Federal Funding Accountability and Transparency Act Compliance”. Effective upon G&C approval through September 30, 2012. **100% Federal ARRA Funds.**

#7 Authorized to amend a **sole source** contract with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH (originally approved by G&C on April 1, 2009, Late Item #H), for the Weatherization Assistance Program, by increasing the amount not to exceed \$67,630 from \$5,213,055 to \$5,280,685, and by adding Standard Exhibit J “Certification regarding the Federal Funding Accountability and Transparency Act Compliance”. Effective upon G&C approval through September 30, 2012. **100% Federal ARRA Funds.**

#8 Authorized to amend a **sole source** contract with Southwestern Community Services Inc., Keene, NH (originally approved by G&C on April 1, 2009, Late Item #E), for the Weatherization Assistance Program, by adding Standard Exhibit J “Certification regarding the Federal Funding Accountability and Transparency Act Compliance”. Effective upon G&C approval through September 30, 2012. No Additional Funding. **100% Federal ARRA Funds.**

#9 Authorized to amend a **sole source** contract with Southern NH Services Inc., Manchester, NH (originally approved by G&C on April 1, 2009, Late Item #F), for the Weatherization Assistance Program, by increasing the amount not to exceed \$157,450 from \$6,155,104.51 to \$6,312,851.51, and by adding Standard Exhibit J “Certification regarding the Federal Funding Accountability and Transparency Act Compliance”. Effective upon G&C approval through September 30, 2012. **100% Federal ARRA Funds.**

#10 Authorized to amend a **sole source** contract with Tri-County Community Action Program Inc., Berlin, NH (originally approved by G&C on April 1, 2009, Late Item #C), for the Weatherization Assistance Program, by adding Standard Exhibit J “Certification regarding the Federal Funding Accountability and Transparency Act Compliance”. Effective upon G&C approval through September 30, 2012. No Additional Funding. **100% Federal ARRA Funds.**

DEPARTMENT OF INFORMATION TECHNOLOGY

#11 The Governor and Council on motion of Councilor Burton, seconded by Councilor Sununu authorized the request to enter into a **sole source** contract with Legal Files Software Inc., Springfield, IL, to provide data conversion, implementation, and training services to DHHS for existing Legal Files case tracking software, in the amount of \$117,564. Effective upon G&C approval through June 30, 2018. **100% Other (Agency Class 027) Funds: the Agency Class 027 used by DHHS to reimburse DoIT for this work will be 58% General, 42% Federal Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#12 Authorized the confirmation of Major Richard J. Hamilton, Methuen, MA, for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

#13 Authorized the confirmation of Major Jonathan R. Eckerman, Chester, NH for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

#14 Authorized the confirmation of Edward J. O’Loughlin, Hudson, NH, for promotion to the rank of Colonel, NH Army National Guard.

#15 Authorized to enter into a contract with CMK Architects, Manchester, NH, for professional architectural services for planning and design of various projects as necessary and required by the Department, in an amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2013.

#16 Authorized to enter into a contract agreement with H.L. Turner Group Inc., Concord, NH, for professional architectural services for planning and design of various projects as necessary and required by the Department, in an amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2013.

#17 Authorized to enter into a contract agreement with Acadia Engineers and Constructors LLC, Newmarket, NH, for professional architectural services for planning and design of various projects as necessary and required by the Department, in an amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2013.

#18 Authorized to enter into a contract with the Tri State Fire Protection LLC, Nashua, NH, for fire alarm testing, inspection and maintenance at various NH Army National Guard facilities throughout NH, for a total of \$39,125. Effective upon G&C approval through December 31, 2013. **100% Federal (Capital) Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#19 Authorized to accept and place on file the Report and Findings of Councilor Daniel St. Hilaire with regard to the refinancing of certain existing indebtedness and the financing of certain capital improvements in connection with The New London Hospital Association Inc., New London, NH.

#20 Authorized a Working Capital Warrant in the amount of \$425,000,000 to cover the payment of expenditures for the month of September.

#21 Authorized with Councilor Wheeler voting **no**, the Division of Personnel's request for waiver of classification decisions. Effective upon G&C approval.

#22 Authorized the Bureau of Public Works Design and Construction to enter into a contract with Nelson Communications, Center Conway, NH, for the NHARNG Site Improvements, Franklin and Portsmouth, NH, for a total price not to exceed \$1,623,000. (2)Further authorized the amount of \$48,800 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$1,671,800. Effective upon G&C approval through May 31, 2013. **100% Federal Funds.**

#23 Authorized the Bureau of Public Works Design and Construction to enter into a contract with Turnstone Corp., Milford, NH, for the Glencliff Home, Brown Building Window Replacement, Glencliff, NH, for a total price not to exceed \$339,000. (2)Further authorized the amount of \$10,600 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for Capital Clerk oversight services provided, bringing the total to \$349,600. Effective upon G&C approval through June 28, 2013. **100% Capital – General Funds.**

#24 Authorized the Bureau of Public Works Design and Construction to enter into a contract with Pine Brook Corp., Kittery, ME, for roof replacement (re-bid) Portsmouth Traffic Circle – Store #38, Portsmouth, NH for a total price negotiated not to exceed \$87,616. (2)Further authorized payment in the amount of \$1,600 to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$89,216. Effective upon G&C approval through October 5, 2012. **100% Liquor Commission Funds.**

#24A Authorized to extend four temporary full-time positions that are critical to the State implementation of the new Human Resource ERP system; one Business Analyst II, two Financial Data Specialists II, and one Financial Data Administrator I. Effective August 31, 2012 to June 30, 2013. **100% Capital Funds.**

STATE TREASURY

The Governor and Council acted as follows:

#25 Authorized the State Treasurer to proceed with the sale and issuance of up to \$125 million of general obligation bonds through a competitive process, negotiated sale or private placement. (2)Further authorized the State Treasurer to proceed with the sale and issuance of up to \$75 million of general obligation refunding bonds to refund outstanding bonds through a competitive process, negotiated sale or private placement. Effective through December 31, 2012.

#26 Authorized to issue a warrant from funds not otherwise appropriated in the amount of \$76,381 and the State Treasurer to issue checks in the amount of \$76,380.37 to the rightful owners of abandoned or unclaimed funds.

#27 **WITHDRAWN** – The Agency withdrew the request to enter into a contract with Xerox State & Local Solutions Inc., Fairfax, VA, for holding, transferring, and liquidating securities. The fees paid shall be funded entirely from Abandoned Property revenues. Effective October 1, 2012 through September 30, 2017, with two optional extensions of two years each. **100% Other Funds.**

ATTORNEY GENERAL – DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

#28 **DENIED** – The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu, voted to **deny** the petition of Michael R. Smith (age 49) requesting a pardon hearing for the offenses of Arson, Burglary, and Forgery. The petitioner is not eligible for an annulment.

#29 Authorized to conduct a daylong pre-conference Child Advocacy Center Summit for the county multidisciplinary child abuse investigative teams, scheduled for October 24, 2012 and a two-day advanced conference scheduled for October 25-26, 2012 entitled the Twentieth Annual Conference on Child Abuse and Neglect, to be held at the Courtyard by Marriott, Nashua, NH, at a cost not to exceed \$32,428. **45% Agency Income, 55% Federal Funds.** (2)Further authorized to accept and expend registration fees for the Conference, in the amount of \$65 each of an estimated 225 attendees, for a total amount not to exceed \$14,625 to help defray the cost of the conference and facility expenses. **100% Agency Income.**

#30 Authorized to amend a sub grant to the NH Department of Safety (originally approved by G&C on 9-28-11, item #41), in the amount of \$74,748.50, by extending the end date from September 30, 2012 to September 30, 2013, from the FFY 2011 Paul Coverdell National Forensic Science Improvement Act Grant Program, which provides funding to support forensic laboratory services in NH. **100% Federal Funds.**

#31 Authorized to amend a sub grant to the NH Department of Safety (originally approved by G&C on 11-30-11, item #30), in the amount of \$78,947.24, by extending the end date from September 30, 2012 to September 30, 2013, from the FFY 2010 Paul Coverdell National Forensic Science Improvement Act Grant Program, which provides funding to support forensic laboratory services in NH. **100% Federal Funds.**

#32 Authorized to enter into a sub grant with the City of Manchester, totaling \$5,792 from the Violence Against Women Formula Grant, for the purpose of providing services for women in NH who are victims of violent crimes. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#32A **TABLED** – The Governor and Council on motion of Councilor Sununu, seconded by Councilor Wieczorek, and with Councilor Burton voting **no**, voted to **table** the request to accept and expend funds in the amount of \$6,504,769 from the National Mortgage Settlement for the purposes of providing direct and indirect assistance to distressed homeowners and for increased law enforcement resources within DOJ related to the investigation and prosecution of financial fraud. (2)Further authorized to create four new Full-Time Temporary positions to consist of an Attorney, an Investigator, a Managing Analyst-Financial, and a Paralegal II; also to create one classified Part-Time Legal Secretary III, for the purpose of increasing law enforcement resources to investigate and prosecute financial fraud, including banking, mortgage and securities fraud. Effective upon G&C approval through June 30, 2013. **100% Other Funds (Mortgage Settlement). Contingent upon Fiscal Committee approval on September 14, 2012.**

#32B **TABLED** – The Governor and Council on motion of Councilor Sununu, seconded by Councilor Wieczorek, and with Councilor Burton voting **no**, voted to **table** the request to enter into a memorandum of agreement with the NH Housing Finance Authority, Manchester, NH, in the amount of \$2,500,000 which will be issued in the form of grants to HUD certified counseling agencies within the state to provide services related to foreclosure prevention, credit and debt counseling, and post-foreclosure issues. (2)Further authorized to enter into contracts for the purpose of providing greater access to legal services for homeowners facing foreclosures with: NH Legal Assistance, Concord, NH, in the amount of \$1,558,084; Legal Advice Referral Center, Concord, NH, in the amount of \$1,172,407; and NH Bar Association Legal Services (Pro Bono Referral Program), Concord, NH, in the amount of \$769,509. Effective September 15, 2012 through September 14, 2015. **100% Agency Income (Mortgage Settlement). Contingent upon the approval of the acceptance and expenditure authority of funding by the Fiscal Committee.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#33 Authorized to enter into an agreement with Business Continuity Consultants LLC, Covington, LA, to conduct an independent verification and validation of NHES unemployment insurance information technology contingency plan to ensure business continuity/servicing needs of NH residents, in the amount not to exceed \$32,030. Effective upon G&C approval through December 31, 2012. **100% Federal Funds.**

#34 Authorized to enter into a contract with T. Justice Caldon d/b/a Four Corners Landscaping, Gilmanon, NH, for asphalt sidewalk removal and replacement services at the NHES Laconia office, in the amount not to exceed \$11,840. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Human Resource Management

#35 Authorized to make a one-time **retroactive** payment from SFY 2013 funds to Frank Novak, part-time Business Systems Analyst II, Office of Program Support in the amount of \$2,451.75 to compensate for wages that should have been paid during SFY 2012. **50% General, 50% Federal Funds.**

Division for Children, Youth and Families

#36 Authorized to **retroactively** amend an award of five grants to the agencies as detailed in letter dated July 3, 2012 (originally approved by G&C on 12-14-11, item #81), for the provision of Title I summer programs through the end of the academic school year (August 31, 2012), by increasing the price by \$43,260.08 from \$267,106 to \$310,366.08. Effective July 1, 2012 through August 31, 2012. **100% Federal Funds.**

Division of Public Health Services

#37 Authorized the Bureau of Public Health Systems, Policy and Performance, Rural Health and Primary Care Section, to enter into an agreement with Amy Stoddard, Registered Dental Hygienist, Fryeburg, ME, to provide reimbursement for payment of educational loans through the State Loan Repayment Program, in an amount not to exceed \$5,000. Effective October 1, 2012 through September 30, 2013. **100% General Funds.**

#38 Authorized the Bureau of Population Health and Community Services to enter into an agreement with Ludmila Anderson, MD MPH, Manchester, NH, to provide epidemiological and health data analysis expertise for chronic disease programs, in an amount not to exceed \$238,257. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

Bureau of Developmental Services

#39 Authorized to enter into a **sole source** memorandum of agreement with the Community College System of NH, Concord, NH, to provide tuition assistance and policy and curriculum development for the Health and Human Services Community Social Services Certificate Program, in the amount of \$74,890. Effective upon G&C approval through June 30, 2013. **100% General Funds.**

DEPARTMENT OF CORRECTIONS

#40 The Governor and Council on motion of Councilor Burton, seconded by Councilor Sununu authorized the request to amend a **retroactive sole source** lease agreement with Hillsborough County, Goffstown, NH, (originally approved by G&C on 6-25-08, item #97B), for the provision of building and grounds to house women inmates of the NH State Prison for Women, by increasing the price by \$695,957.47 from \$1,051,265.71 to \$1,747,223.18, and by extending the term end from July 1, 2012 to June 30, 2015. **100% General Funds.**

BANKING DEPARTMENT

#41 **TABLED** – The Governor and Council on motion of Councilor Sununu, seconded by Councilor Wieczorek, and with Councilor Burton voting **no**, voted to **table** the request to enter into a memorandum of agreement with the NH Housing Finance Authority for the purposes of providing direct and indirect distribution of the funding from the National Mortgage Servicing Settlement, through sub-grants to HUD-certified housing counseling agencies throughout the state to provide pre-foreclosure intervention and counseling, post-foreclosure counseling and statewide public information and outreach to NH borrowers over a three year period. (2)Further authorized to direct the Conference of State Bank Supervisors to transfer \$1,000,000 in settlement funds to NHHFA to hold in trust and to distribute, as the primary program administrator, in the form of grants to HUD certified counseling agencies within the state to provide services related to foreclosure prevention, credit and debt counseling, and post-foreclosure issues. Effective upon G&C approval through June 30, 2013.

NEW HAMPSHIRE LIQUOR COMMISSION

#42 **WITHDRAWN** – The Agency withdrew the request to contract with DJQ Enterprises Inc., (dba Quirk Chevrolet), Manchester, NH, for the provision of financial services for vehicles' acquisition, in an amount not to exceed \$99,247.20. Effective upon G&C approval through a term of 60 months. **100% Liquor Funds.**

PUBLIC UTILITIES COMMISSION

The Governor and Council acted as follows:

#43 Authorized to award funds in the amount of \$100,000 to Colby Solar LLC, to install, own and operate a solar photovoltaic system of 125 kilowatts in capacity on the Colby Sawyer College campus in New London, NH. Effective upon G&C approval through December 31, 2013. **100% Renewable Energy Fund, a non-lapsing special funds continually appropriated to the Commission pursuant to RSA 362-F:10.**

#44 Authorized to award grant funds in the amount of \$300,000 to the County of Sullivan, NH, to install, own and operate an advanced biomass combustion steam boiler with back pressure steam turbine/electric generator as a thermally-led cogeneration district energy system in the Sullivan county Complex. Effective upon G&C approval through December 31, 2013. **100% Renewable Energy Fund, a non-lapsing special funds continually appropriated to the Commission pursuant to RSA 362-F:10.**

#44A Authorized to award grant funds in the amount of \$93,000 to Northeast BioEnergy Systems LLC, to install a wood chip boiler and woodchip handling system at Russell Elementary School in Rumney, NH. Effective upon G&C approval through December 31, 2013. **100% Renewable Energy Fund, a non-lapsing special fund continually appropriated to the commission.**

#44B Authorized to award grant funds in the amount of \$43,000 to Cartographic Associates Inc., to install, own, and operate a wood pellet boiler at their downtown office in Littleton, NH. Effective upon G&C approval through June 30, 2013. **100% Renewable Energy Fund, a non-lapsing special fund continually appropriated to the commission.**

#44C Authorized to award grant funds in the amount of \$100,000 to Walker Wellington LLC, to install an inline direct drive hydrokinetic turbine generator in the effluent outfall of the Dover Wastewater Treatment Facility. Effective upon G&C approval through June 30, 2013. **100% Renewable Energy Fund, a non-lapsing special fund continually appropriated to the commission.**

#44D Authorized to award grant funds in the amount of \$52,000 to the Claremont Fire Department, to install, own and operate a wood pellet boiler at the 1917 Vintage Fire Station in Claremont, NH. Effective upon G&C approval through June 30, 2013. **100% Renewable Energy Fund, a non-lapsing special fund continually appropriated to the commission.**

#44E Authorized to award grant funds in the amount of \$59,750 to the University of NH, to install, own, and operate a solar hot air system with comprehensive energy production data monitoring in Kingsbury Hall. Effective upon G&C approval through December 31, 2012. **100% Renewable Energy Fund, a non-lapsing special fund continually appropriated to the commission.**

#44F Authorized with Councilor Wheeler voting **no, retroactive** continuation of membership and participation in the National Association of Regulatory Utility Commissioners, in the amount of \$9,325. Effective July 1, 2012 through June 30, 2013. **100% Other Funds (Utilities Assessments).**

#44G Authorized with Councilor Wheeler voting **no, retroactive** continuation of membership and participation in the National Regulatory Research Institute, in the amount of \$17,250. Effective July 1, 2012 through June 30, 2013. **100% Other Funds (Utilities Assessments).**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#45 Authorized to accept and place on file the report of transfer of funds for the Division of Parks and Recreation for the period ending June 30, 2012.

#46 Authorized to accept and place on file the report of transfer of funds for Cannon Mountain ski for the quarter ending June 30, 2012.

#47 Authorized the Office of Workforce Opportunity to enter into a **sole source** contract with NH Department of Education, Concord, NH, for the purchase of updated technology for use in adult education classrooms, in the amount of \$412,309. Effective upon G&C approval through March 31, 2014. **100% Federal Funds.**

#48 Authorized the Bureau of Trails to purchase a private camp located within Jericho Mountain State Park for \$37,000. **100% Snowmobile / OHRV Funds.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#49 Authorized to enter into a non-exclusive no-cost contract with Logo Loc LTD, Manchester, NH, for the purchase and sale of Department-branded merchandise. Effective upon G&C approval through June 30, 2014.

#50 Authorized to enter into a contract with Layne Christensen Company Inc., Dracut, MA, for the chemical treatment and redevelopment of Well #3 at the Warren State Fish Hatchery, in the amount of \$12,467.50. Effective upon G&C approval through June 30, 2013. **100% Fish and Game Funds.**

#51 Authorized to enter into a contact with Prock Marine Company, Rockland, ME, for the dock removal and new plies at Newfound Lake, Bristol, NH, in the amount of \$32,892.50. Effective upon G&C approval through October 30, 2012. **100% Statewide Public Boat Access Funds.**

#52 Authorized to enter into a contract with Whisprue INC., Portsmouth, NH, for packing and mailing course materials for Hunter Education Traditional courses, Bowhunter Education courses and online course Field Days, in the amount of \$6,710. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#53 Authorized to **retroactively** pay The NELAC Institute, Weatherford, TX, in the amount of \$6,000 for the 2012 National Environmental Laboratory Accreditation Program Annual Accreditation Body annual membership fee for the period of July 1, 2012 through June 30, 2013. **100% Lab Accreditation Fee Funds.**

#54 Authorized to enter into a contract with Pepperrell Cover Marine Services Inc., Kittery, ME, to perform mooring services to purchase, inspect, maintain, and relocate moorings associated with oil spill response in the Little and Great Bay areas and Piscataqua River, in the amount of \$150,000. Effective upon G&C approval through June 30, 2015. **100% Other Funds.**

#55 Authorized to enter into a **sole source** contract with the Association of US Delegates to the Gulf of Maine Council on the Marine Environment, South Portland, ME, to support Gulf of Maine Council information technology services and habitat restoration coordinator, in the amount of \$9,000. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#56 Authorized to accept and expend additional funds in the amount of \$44,830 from the NH Department of Transportation for the Congestion Mitigation and Air Quality Improvement Program project funding expenses. Effective upon G&C approval through December 31, 2012. **100% pass-through Federal Funds.**

#57 Authorized to enter into grant agreements with the City of Keene, in the amount of \$18,854; the Lakes Region Planning Commission, in the amount of \$15,561; the Town of Henniker, in the amount of \$2,674; the Town of Derry, in the amount of \$5,662; and the Nashua Regional Planning Commission, in the amount of \$54,005, to fund Household Hazardous Waste collection projects, totaling \$96,756. Effective upon G&C approval through June 30, 2013. **100% Hazardous Waste Funds.**

#58 Authorized to enter into an agreement with Field Geology Services, Farmington, ME, to conduct a fluvial erosion hazard assessment in the Piscataquog River Watershed for a not to exceed contract value of \$138,243. Effective upon G&C approval through September 18, 2014. **100% Other (Interagency Pass-Thru Federal) Funds.**

#59 Authorized to enter into **sole source** agreements with the Upper Valley Lake Sunapee Regional Planning Commission, Lebanon, NH, in the amount of \$64,025; the Southwest Region Planning Commission, Keene, NH, in the amount of \$23,940; the Central NH Planning Commission, Concord, NH, in the amount of \$40,625; the Southern NH Planning Commission, Manchester, NH, in the amount of \$41,580; and the Nashua Regional Planning Commission, Merrimack, NH, in the amount of \$80,850, for a total of \$251,020 to engage in outreach activities to communities in support of the Fluvial Erosion Hazard program. Effective upon G&C approval through September 18, 2014. **100% Other (Interagency Federal Pass-Thru) Funds.**

#60 Authorized to enter into a grant agreement with the Mirror Lake Protective Association Inc., Mirror Lake, NH, in the amount of \$68,220 to complete the Mirror Lake: Watershed Management Plan Implementation, Phase 1 Project. Effective upon G&C approval through December 31, 2014. **100% Federal Funds.**

#61 Authorized to enter into a grant agreement with the City of Rochester, totaling \$5,193 to fund a Household Hazardous Waste collection project. (2)Further authorized to make a **retroactive** payment using current year funds for a prior year commitment in the amount of \$8,621 to the city of Rochester, for a Household Hazardous Waste Collection that occurred on May 5, 2012. Effective upon G&C approval through June 30, 2013. **100% Hazardous Waste Funds.**

#62 Authorized to amend a **sole source** agreement with the Town of Milford, NH, (originally approved by G&C on 7-14-10, item #66), for the Souhegan River Restoration Project: Phase I Feasibility Study project by modifying the Scope of Services, and increasing the grant amount by \$7,500 to \$67,500 from \$60,000. Effective upon G&C approval through December 31, 2012. **100% Federal Funds.**

#63 Authorized a Clean Water State Revolving Fund loan agreement with the City of Rochester, in the amount of \$545,000 to finance the New Route 125 Pump Station Upgrade Project. Effective upon G&C approval. **83% Clean Water State Revolving Fund, 17% Capital (General) Funds.**

#64 Authorized a loan agreement with the Town of Monroe, in the amount of \$185,000 to finance water system improvements. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

#64A Authorized to enter into a contract with FIAI Inc., Manchester, NH, to purchase property insurance coverage for the Winnepesaukee River Basin Program for a total cost not to exceed \$34,221. Effective September 1, 2012 through September 1, 2013. (2)Further authorized a waiver of RSA 485-A:53's requirement for the purchase of liability insurance. Effective **retroactive** to July 1, 2012 through June 30, 2013. **100% WRBP Funds.**

#64B Authorized the State of NH Department of Fish and Game's request to perform work on Sunapee Lake in Newbury, NH.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#65 Authorized the Division of Higher Education to enter into a **sole source** contract with NH College and University Council, Concord, NH, to promote student participation in a rigorous high school curriculum; enhance the quality and number of tools available for schools that encourage postsecondary education; expand professional development opportunities for middle and high school guidance personnel regarding academic rigor; and, increase the access to higher education opportunities, build financial literacy, and provide information about the road to college to underrepresented students, in the amount of \$250,000. Effective upon G&C approval through September 1, 2013. **100% Federal Funds.**

#66 Authorized the Division of Higher Education to enter into a **sole source** contract with Granite State Management & Resources, Concord, NH, to improve access to college planning and admissions information for students, parents and education professionals in the States' seven regions, increase participation in standardized testing and related preparation activities for students at the State's public high schools with the lowest college-going and highest poverty rates, and in partnership with NH's degree-granting postsecondary schools and the Department of Education continue a public awareness campaign focusing on the value of pursuing a higher education, in the amount of \$932,835. Effective upon G&C approval through September 1, 2013. **100% Federal Funds.**

#67 Authorized the Division of Higher Education to enter into a **sole source** contract with Campus Compact for NH, Concord, NH, to implement a professional development opportunity for guidance counselors at middle and secondary schools, and financial aid administrators and college admission counselors at institutions of higher education to improve such individuals capacity to assist students and parents to provide information on financing options and to implement a professional development/networking opportunity for these professionals to explore current resources and emerging trends related to higher education access, in the amount of \$117,100. Effective upon G&C approval through September 1, 2013. **100% Federal Funds.**

#68 Authorized to secure the services of Anne Hartshorn, Concord, NH, to provide quality assurances for the i4see data collection system to ensure that the i4see data is complete and accurate in the amount of \$15,000. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#69 Authorized to secure the services of GEM Consulting, Hollis, NH, to analyze data in conjunction with state assessment data in the amount of \$15,000. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

NEW HAMPSHIRE LOTTERY COMMISSION

The Governor and Council acted as follows:

#70 Authorized to increase the petty cash account from \$801,400 to \$1,005,000 in order to have adequate funds accessible to pay prizes. Effective upon G&C approval. **100% Lottery Funds.**

#71 Authorized to enter into a contract with Griffin, York and Krause Inc., Manchester, NH, for the purpose of advertising and promoting the state lottery games in the amount of \$6,017,702. Effective September 1, 2012 through June 30, 2015, with an option to renew for one period of two additional years. **100% Lottery Funds.**

#71A Authorized **retroactive** payment of FY 2013 membership dues in the amount of \$16,000 to the North American Association of State and Provincial Lotteries. **100% Lottery Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#72 Authorized the Division of Motor Vehicles to pay **sole source** for National Motor Vehicle Title Information System annual service and support to the American Association of Motor Vehicle Administrators, Arlington, VA, in an amount not to exceed \$11,899. Effective October 1, 2012 through September 30, 2013. **100% Highway Funds.**

#72A Authorized the Division of State Police to amend a **sole source** contract with NIIT Technologies Inc., Atlanta, GA, (originally approved by G&C on 4-27-11, item #83, in the amount of \$233,600), for the purpose of providing technical applications development services in support of the Division of Motor Vehicles, Division of State Police, Courts, and J-ONE, by increasing the amount from \$467,420 to \$701,020, and by extending the end date from June 30, 2013 to June 30, 2014. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#73 Authorized the Bureau of Rail and Transit to amend a contract with the Nashua Regional Planning Commission, Merrimack, NH, (originally approved by G&C on 5-25-11, item #82), for coordinated transportation services for elderly persons and persons with disabilities, by increasing the amount by \$101,638 from \$101,638 to \$203,276. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#74 Authorized the Bureau of Rail and Transit to amend a contract with the St. Lawrence & Atlantic Railroad Company, Concord, NH, (originally approved by G&C on 6-23-10, item #180), to revise the scope of work and extend the completion date to September 30, 2014. No Additional Funding.

#75 Authorized the Bureau of Aeronautics to award a grant to the City of Manchester for the demolition and removal of the Highlander Inn at the Manchester-Boston Regional Airport. In addition to the demolition project, the federal funding will upgrade the airfield control system, in the amount of \$408,739. Effective upon G&C approval through August 31, 2016. **97.3% Federal, 2.7% General Funds.**

#76 Authorized the Bureau of Aeronautics to award a grant to the Pease Development Authority, AIP-54, for the design of airfield pavement and drainage restoration damaged from the Alkali-Silica Reaction at the Portsmouth International Airport at Pease, in the amount of \$97,171. Effective upon G&C approval through August 31, 2016. **97.30% Federal, 2.70% General Funds.**

#77 Authorized the Bureau of Aeronautics to award a grant to the Town of Haverhill, to conduct an obstruction analysis, property acquisition study, and airport layout plan update for the Dean Memorial Airport, Haverhill, NH, in the amount of \$39,000. Effective upon G&C approval through August 31, 2016. **97.44% Federal, 2.56% General Funds.**

#78 Authorized the Bureau of Bridge Design to enter into an agreement with TUV Rheinland Industrial Solutions Inc., Caledonia, MI, for on-call structural steel quality assurance inspection services on the Portsmouth, NH-Kittery, ME, Memorial Bridge replacement project, for a fee not to exceed \$950,000. Effective upon G&C approval and for three years from that date. **90% Federal, 10% Maine DOT State Funds.**

#79 Authorized the Bureau of Bridge Design to enter into an agreement with Hoyle, Tanner & Associates Inc., Manchester, NH, for the final design for the replacement of an existing dam and the existing bridge carrying I-95 over the Taylor River in Hampton, for a total fee not to exceed \$1,762,134.58. Effective upon G&C approval through August 31, 2014. **100% Turnpike Funds.**

#80 Authorized the Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for pavement rehabilitation along 3.8 miles of US Route 3 from just east of the I-93 Exit 20 interchange (at the Park and Ride) to the intersection of Bay Road in Tilton, on the basis of a low bid of \$1,522,971.50. (2)Further authorized a contingency in the amount of \$76,148.58 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through June 7, 2013. **100% Betterment Funds.**

#81 Authorized the Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for pavement rehabilitation along 2.1 miles of NH Route 12 between the Connector Road and North River Road in Walpole, on the basis of a low bid of \$1,483,695. (2)Further authorized a contingency in the amount of \$103,858.65 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through August 2, 2013. **100% Federal Funds.**

#82 Authorized to accept and place on file the Bureau of Construction's quarterly summary of active projects that may require contingency use, for the period through June 30, 2012.

#83 Authorized the Bureau of Construction to enter into a contract with Alvin J. Coleman & Son Inc., Conway, NH, for widening and reconstruction of a segment of the Spaulding Turnpike (NH Route 16) in the Town of Newington and the City of Dover, on the basis of a low bid of \$43,155,392.45. (2)Further authorized a contingency in the amount of \$1,294,661.77 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through July 17, 2015. **100% Turnpike Funds.**

#84 Authorized the Bureau of Construction to enter into a contract with Jay-Mor Enterprises Inc., Pelham, NH, for demolition of buildings on twenty State owned parcels in the City of Berlin, on the basis of a low bid of \$341,100. (2)Further authorized a contingency in the amount of \$17,055 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through May 17, 2013. **100% Federal Funds.**

#85 Authorized the Bureau of Construction to enter into a contract with J.P. Sicard Inc., Barton, VT, for culvert installation on NH 135 over Carpenter Brook in Littleton, on the basis of a low bid of \$237,595. (2)Further authorized a contingency in the amount of \$23,759.50 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 26, 2012. **100% Betterment Funds.**

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CONFIRMATION REMOVED FROM TABLE

The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Wiecek, voted to remove the following confirmation - which was tabled at the August 8, 2012 Meeting.

CONFIRMATION

The Governor and Council on motion of Councilor Wiecek, seconded by Councilor Wheeler, voted to approve the following confirmation:

Board of Pharmacy - RSA: 318

Robert J. Stout, Candia

Succeeding: George L. Bowersox, Hudson (term limited)

Effective: September 7, 2012

Expiration: September 7, 2017

*

The Governor and Council on motion of Councilor Wieczorek seconded by Councilor St. Hilaire, and further on a roll call vote as follows: Councilor Burton – yes, Councilor St. Hilaire – yes, Councilor Sununu – yes, Councilor Wieczorek – yes, and Councilor Wheeler – yes, voted to go into non-public session under RSA 91-A:3:2.

After the conclusion of the non-public session, and back in public session, the Governor announced that the Council unanimously voted to seal the minutes of the non-public session under RSA 93-A:3 because the information pertains to a personnel matter.

*

The Next regular Governor and Executive Council meeting is scheduled for Wednesday, September 19, 2012, at the Spaulding Youth Center, Tilton, NH.

Honorable Board then Adjourned at 3:00 p.m.