GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
May 23, 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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Councilor Wheeler offered the prayer and Governor Lynch led the Pledge of Allegiance.

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The Governor and Executive Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu, accepted the minutes of May 9, 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 May 9, 2012 meeting.

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

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RESIGNATIONS

The Governor and Council accepted the following resignation:

Board of Acupuncture Licensing - RSA: 328-G
(Acupuncturist)
Patty S. Jensen, Henniker — Effective: May 23, 2012

State Committee on Aging - RSA: 161-F
(Belknap County)
Russell A. Armstrong, Gilford — Effective: June 5, 2012

Director of the Division of Administration for the Department of Safety - RSA: 21-P:6
Wesley J. Colby, Laconia — Effective: June 1, 2012

CONFIRMATIONS

The Governor and Council confirmed the following:

Agricultural Lands Preservation Committee - RSA: 432
Peter S. Helm, Canaan — Effective: May 23, 2012
Reapointment — Expiration: October 10, 2014

Deputy Bank Commissioner - RSA: 383
Nominated by the Commissioner of the Department of Banking
Glenn A. Perlow, Concord — Effective: August 1, 2012
Succeeding: Robert A. Fleury, Hopkinton (resigned) — Expiration: August 1, 2018
Salary: Grade GG, Maximum step - $90,606

Division for Children, Youth and Families Advisory Board - RSA: 170-G:6
Nominated by the Commissioner of the Department of Health and Human Services
Strafford County
Steven H. Slovenski, Lee — Effective: May 23, 2012
Reappointment — Expiration: December 2, 2014

Community College System of New Hampshire Board of Trustees - RSA: 188-F
(Public Member)
Richard M. Heath, Bow — Effective: June 30, 2012
Reappointment — Expiration: June 30, 2016

Community College System of New Hampshire Board of Trustees - RSA: 188-F
(Public Member)
Katharine Bogle Shields, Canterbury — Effective: June 30, 2012
Reappointment — Expiration: June 30, 2016

Community Development Finance Authority - RSA: 162-L
(Community Development Organization)
David S. Moore, Portsmouth — Effective: July 1, 2012
Succeeding: David Wood, Bethlehem — Expiration: July 1, 2017

Fish and Game Commission – RSA 206:2
(Coastal Commissioner)
Frederick C. Clews Jr., Hampton — Effective: May 23, 2012
Vacancy — Term: September 13, 2012

Board of Foresters - RSA: 310-A:100
(Dir. of the Division of Forest and Lands)
Brad W. Simpkins, Hillsborough — Effective: May 23, 2012
Reappointment — Expiration: August 22, 2016

Division of Higher Education - RSA: 21-N:8-a
(On recommendation from the NH College and University Council)
Michele D. Perkins, Henniker — Effective: June 30, 2012
Reappointment — Expiration: June 30, 2017

Director of Agency Software at the Department of Information Technology - RSA: 21-R:3
Nominated by the Commissioner of the Department of Information Technology
Peter C. Hastings, Derry — Effective: May 23, 2012
Vacancy — Expiration: May 23, 2016
Salary: Grade HH, Maximum step - $98,691

Maine-New Hampshire Interstate Bridge Authority - RSA: 234:46
Robert A. Allard, Portsmouth — Effective: May 23, 2012
Reappointment — Expiration: May 25, 2013

Maine-New Hampshire Interstate Bridge Authority - RSA: 234:46
Henry B. Stebbins, Portsmouth — Effective: May 23, 2012
Succeeding: Michael M. O'Malley, Portsmouth — Expiration: May 25, 2013

Pharmacy Board - RSA: 318
(Public Member)
Heather C. Shambarger, Salem — Effective: May 23, 2012
Succeeding: Sandra Keans, Rochester (term limited) — Expiration: October 14, 2016

Advisory Board on Private Investigative Agencies and Security Services - RSA: 106-F:3-a
(Licensed Investigator/Bail Recovery)
Seldon E. Nason Jr., Webster — Effective: May 23, 2012
Reappointment — Expiration: April 27, 2015

Respiratory Care Practitioners Governing Board - RSA: 328-F
Richard W. Mozier, Jr., Belmont — Effective: May 23, 2012
Succeeding: Michael W. Quinlan, Bedford (resigned) — Expiration: January 8, 2015

Associate Justice of the Supreme Court - RSA: 490:1 – Confirmed on a roll call vote as follows: Councilor Burton – yes, Councilor St. Hilaire – yes, Councilor Sununu – yes, Councilor Wieczorek – yes, Councilor Wheeler – **no.**
James P. Bassett, Canterbury — Effective: May 23, 2012
Succeeding: James E. Duggan, Amherst (resigned) — Expiration: Until 70 years of age

Board of Veterinary Medicine - RSA: 332-B
Nominated by the New Hampshire Veterinary Medical Association
Catherine Gajewski, Barrington — Effective: May 23, 2012
Succeeding: Michael Maki, New Ipswich (term limited) — Expiration: March 5, 2017

Wetlands Council - RSA: 21-O:5-a
(Member of Municipal Conservation Commission)
Deborah Lievens, Londonderry — Effective: May 23, 2012
Succeeding: Paul A. Dionne, Derry — Expiration: November 21, 2013

NOMINATIONS

The Governor placed into nomination the following:

State Committee on Aging - RSA: 161-F
Representing: (Sullivan County)
Lawrence W. Flint, Newport — Effective: June 24, 2012
Succeeding: Jack Liberman, Newport (term limited) — Expiration: June 24, 2015

Boxing and Wrestling Commission - RSA: 285
Arthur J. Nolin, Pembroke — Effective: July 15, 2012
Reappointment — Expiration: July 15, 2015

Connecticut River Valley Resource Commission - RSA: 227-E
(Hydro-Electric Concern)
Cleve P. Kapala, Hopkinton — Effective: Upon confirmation
Reappointment — Expiration: January 22, 2015

Electrician's Board - RSA: 319-G
(Master Electrician)
Raymond R. Hebert, Manchester — Effective: June 30, 2012
Reappointment — Expiration: June 30, 2017

Executive Branch Ethics Committee - RSA: 21-G:29
Joseph A. DiBrigida, Jr. (r), Bedford — Effective: June 30, 2012
Reappointment — Expiration: June 30, 2015

Family Mediator Certification Board - RSA: 328-C
(Public Member)
Karen McCall, Nashua — Effective: Upon confirmation
Reappointment — Expiration: April 10, 2015

Fish & Game Commission - RSA: 206:2
(Coos County)
Theodore A. Tichy, (i), Milan — Effective: Upon confirmation
Reappointment — Expiration: June 29, 2017

Passenger Tramway Safety Board - RSA: 225-A
(Surface Lift)
Mark Petrozzi, Gilford — Effective: Upon confirmation
Reappointment — Expiration: June 20, 2013

Personnel Appeals Board - RSA: 21-I:45
Robert J. Johnson, (r), Hillsborough — Effective: Upon confirmation
Reappointment — Expiration: June 2, 2015

Associate Justice of the Superior Court - RSA: 491:1
John C. Kissinger, Jr., Manchester — Effective: Upon confirmation
Vacancy — Expiration: Until 70 years of age

Advisory Council on Worker's Compensation - RSA: 281-A
(Labor)
William J. McQuillen, Portsmouth — Effective: June 13, 2012
Reappointment — Expiration: June 13, 2015

#1 **CONSENT CALENDAR - DONATIONS:**

OFFICE OF THE ADJUTANT GENERAL

A. Authorized to accept donations of coffee, meeting registration fees, luncheon donation, computer server/services and a refrigerator for a total of $3,100.48 for the NH State Veterans Cemetery to be used for the betterment of the cemetery.

ATTORNEY GENERAL – DEPARTMENT OF JUSTICE

B. Authorized to accept a gift of $2,000 from the NH Charitable Foundation to help cover the costs of printing copies of the 3rd edition of the "Guidebook for NH Charitable Non-profit Organizations". Effective upon G&C approval.

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

C. Authorized to accept a donation of panel mounted Atlantic salmon from Donald Chaput valued at $601.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
New Hampshire Hospital

D. Authorized to accept donations from January 1, 2012 through March 31, 2012 in the amount of $2,429.80 for deposit into the Resident Benefit Fund.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
New Hampshire Hospital

E. Authorized to accept nonmonetary donations received during the period of January 1, 2012 through March 31, 2012.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#2 Authorized to amend a $100,000 grant agreement with the City of Keene, Keene, NH, (originally approved by G&C on 1-19-11, item #6), to allow for finalization of rehabilitation work to be completed on several Cheshire Housing Trust Properties, by extending the date to December 31, 2012 from June 30, 2012. No Additional Funding. **100% Federal Funds.**

#3 Authorized to amend a $220,000 grant agreement with the Town of Gilsum, Gilsum, NH (originally approved by G&C on 8-19-09, item #5), for the construction of the manufacturing and sales facility, by extending the end date to June 30, 2013 from June 30, 2012. No Additional Funding. **100% Federal Funds.**

#4 Authorized to amend a $200,000 grant agreement with the Town of Newport, Newport, NH, (originally approved by G&C on 3-16-11, item #10), to allow for finalization of lead-based paint abatement to be conducted on rental units of housing in the town, by extending the date to December 31, 2012 from June 30, 2012. No Additional Funding. **100% Federal Funds.**

#5 Authorized to award a grant to the City of Franklin, NH, in the amount of $350,000 to renovate and provide furnishings and fixtures on behalf of the CAP Belknap-Merrimack Counties Head Start program. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#6 Authorized to enter into an agreement with the Town of Amherst, NH, for the purpose of assisting NeighborWorks Greater Manchester with the acquisition costs in support of the construction of 28 units of affordable workforce rental housing, in the amount of $500,000. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#7 Authorized to award a grant to the County of Grafton, Haverhill, NH, in the amount of $92,750, for the purpose of assisting the Grafton County Economic Development Council, with microenterprise training and technical assistance activities, in the amount of $92,750. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#8 Authorized to award a grant to the Town of Bethlehem, NH, in the amount of $165,000 for the purpose of assisting the Women's Rural Entrepreneurial Network. Effective upon G&C approval through December 31, 2012. **100% Federal Funds**.

#9 Authorized to award a grant to the Town of Littleton, NH, in the amount of $110,000 for the purpose of assisting Secured Network Services Inc., with a business expansion activity. Effective upon G&C approval through December 31, 2013. **100% Federal Funds.**

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#10 **DENIED** – The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Wheeler, and with Councilors Burton and St. Hilaire voting **no,** voted to **deny** the request, with the Department of Information Technology to enter into a contract with Hancock Software Inc., Framingham, MA, for the purchase of a Weatherization Management Database, in the amount of $316,000. Effective upon G&C approval through March 31, 2015. **95% Federal ARRA, 5% Federal Funds.**

#11 Authorized to enter into a **sole source** contract with Community Action Partnership of Strafford County, Dover, NH, for the Senior Energy Assistance Services Program in the amount of $607.74. Effective upon G&C approval through June 30, 2012. **100% Other (NH DHHS) Funds.**

#12 Authorized to enter into a **sole source** contract with Tri-County Community Action Program Inc., Berlin, NH, for the Senior Energy Assistance Services Program, in the amount of $9,403. Effective upon G&C approval through June 30, 2012. **100% Other (NH DHHS) Funds.**

#13 Authorized to enter into a **sole source** contract with Southwestern Community Services Inc., Keene, NH, for the Senior Energy Assistance Services Program, in the amount of $5,289. Effective upon G&C approval through June 30, 2012. **100% Other (NH DHHS) Funds.**

#14 Authorized to enter into a **sole source** contract with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, for the Senior Energy Assistance Services Program, in the amount of $7,166. Effective upon G&C approval through June 30, 2012. **100% Other (NH DHHS) Funds.**

#15 Authorized to enter into a **sole source** contract with Southern NH Services Inc., Manchester, NH, for the Senior Energy Assistance Services Program, in the amount of $10,791. Effective upon G&C approval through June 30, 2012. **100% Other (NH DHHS) Funds.**

JUDICIAL COUNCIL

#16 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu authorized the request to amend the agreement for Contract Attorney Services (originally approved by G&C on 6-8-11, item #11), for Representation of Indigent Defendants, by reducing the Insurance Requirement terms from $250,000 per claim and $1,000,000 per occurrence to $100,000 per claim and $300,000 aggregate. Effective upon G&C approval. **100% General Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#17 Authorized to transfer appropriated funds in the amount of $200,000 within the Army Sustainable Range Program, of the appropriation warrant for fiscal year 2012 and 2013, for the purpose of using the funds for the new construction and to adjust the budget. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Contingent upon Fiscal Committee approval on May 18, 2012.**

#18 Authorized confirmation of Captain Andrew R. Smith, Dover, NH, for promotion to the rank of Major, NH Air National Guard.

#19 Authorized confirmation of John W. Gorham, Concord, NH, for appointment to the rank of Major, NH Air National Guard.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#20 Authorized the Division of Personnel's request for waiver approval of classification decisions as detailed in letter dated May 8, 2012. Effective upon G&C approval.

#21 Authorized to enter into a contract with Sprinkler Systems Inspection Corporation d/b/a JMK Sprinkler Systems Inspection, Lewiston, ME, for fire suppression system testing, repair and inspection services, for a total not to exceed $50,550. Effective upon G&C approval through February 28, 2015. **22.3% General, 77.7% Transfer Rental Income Funds.** (2)Further authorized an allowance in the amount of $52,500 for any actual repairs or emergency services that may be required to maintain the fire suppression systems in proper working condition, bringing the total to $103,050. **42.2% General, 57.8% Transfer Rental Income Funds.**

#22 Authorized that $59,118,710 be lapsed from the Working Capital Warrant for the months of January, February, and March. (2)Further authorized a Working Capital Warrant in the amount of $425,000,000 to cover the payment of expenditures for the month of June.

#23 Authorized the Risk Management Unit to enter into an agreement with Ferdinando Insurance Associates Inc., d/b/a FIAI Inc., Manchester, NH, for insurance coverage for state owned watercraft at a cost of $21,850. Effective June 4, 2012 through June 4, 2013.

#23A Authorized to accept and place on file the Report and Findings of Councilor David Wheeler with regard to the financing of certain capital expenditures and the refinancing of certain existing indebtedness in connection with St. Joseph Hospital, Nashua, NH and Covenant Health Systems Inc., Tewksbury, MA.

#23B Authorized to accept the donation of capital improvements that will be completed at the Bridges House from the Friends of the Bridges House, a nonprofit corporation that has raised private funds and acquired a Community Development Finance Authority grant to restore portions of the Bridges House with a total value of $750,000. Effective upon G&C approval. (2)Further authorized to enter into a Capital Improvements Gift Acceptance Agreement with The Friends of Bridges House, detailing mutual covenants, conditions, and agreements to allow for the improvements to the property. Effective upon G&C approval through June 30, 2013. (3)Further authorized to enter into a mortgage deed agreement with the Community Development Finance Authority as beneficiary of the original CDFA $500,000 award to the Friends of the Bridges House, with the building and land to serve as financial security for the award. Effective upon G&C approval through October 10, 2020.

#23C Authorized to enter into a contract with Enhanced Communications of Northern New England Inc., Portland, ME, for carrier Ethernet services, for a total price not to exceed $3,000,000. Effective upon G&C approval through May 9, 2017. The approximate annual value of this contract is $600,000, provided through individual agency expenditures.

#23D Authorized the Bureau of Public Works Design and Construction to enter into a contract with Dec-Tam Corporation, North Reading, MA, for the Interior Demolition and Abatement of Tobey Building – Governor Hugh Gallen State Office Park South, Concord, NH, for a total price not to exceed $747,729. (2)Further authorized the amount of $26,500 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to $774,229. Effective upon G&C approval through July 31, 2012. **100% Capital – Other Funds Employment Security.**

STATE TREASURY

The Governor and Council acted as follows:

#24 Authorized to amend a contract with Xerox State & Local Solutions Inc., Fairfax, VA., (formerly ACS State & Local Solutions Inc.), (originally approved by G&C on 6-17-09, item #34), to exercise the contract extension provision and extend the completion date to September 30, 2012 from June 30, 2012, in order to facilitate the safekeeping and timely conversion of abandoned securities while engaged in an RFP process for other service providers. **100% Other Funds.**

#25 Authorized to enter into a contract with Verus Financial LLC, Waterbury, CT, for the purpose of carrying out examinations of records of any holder or person to determine compliance with RSA Chapter 471-C, Custody and Escheat of Unclaimed and Abandoned Property, price is based upon a contingent fee of 10.25% of the "gross amount identified" and remitted to the state. Fees paid shall be funded entirely from Abandoned Property revenues. **100% Other Funds.**

#26 Authorized to issue a warrant from funds not otherwise appropriated in the amount of $93,575 and the State Treasurer to issue checks in the amount of $93,574.80 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#27 Authorized with Councilor Wheeler voting **no,** to award a two year operating grant in the amount of $18,528 to the NH Philharmonic Orchestra, Manchester. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#28 Authorized with Councilor Wheeler voting **no,** the Division of the Arts to award a two year operating grant in the amount of $9,078 to Haverhill Heritage, Haverhill. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

DEPARTMENT OF AGRICULTURE, MARKETS & FOODS

#29 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton authorized the request of the NH State Conservation Committee to enter into a grant with Ausbon Sargent Land Preservation Trust, New London, NH, for the Patten Easement in the Town of Springfield, Sullivan County, NH, in the amount of $15,000. Effective upon G&C approval through April 30, 2014. **100% Other Funds – State Conservation Committee.**

ATTORNEY GENERAL – DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

#30 Authorized to amend item #45, approved by G&C on April 18, 2012, by changing the position # from 9U534 to 9U554 to be paid from accounting unit 02-20-20-2099-0865-059. Effective upon G&C approval. **100% Federal ARRA Funds.**

#31 Authorized to amend item #17, approved by G&C on January 11, 2012, by reallocating $282 of the funds received from the Department of Health and Human Services, Division of Public Health Services, to fund the NH Sudden Unexplained Infant Death research. Effective upon G&C approval through July 31, 2012. **100% Transfer from other agencies (origin – Federal Funds).**

#32 Authorized to amend a **retroactive sole source** contract with Dr. Carolyn Kappen, Bronx, NY, (originally approved by G&C on 1-11-12, item #20), to serve as a substitute medical examiner, by increasing the contract by $582.77 from $15,000 to a new total of $15,582.77 to conduct autopsies as needed in the absence of the State Medical Examiner and the Deputy Medical Examiner. Effective upon G&C approval. **100% General Funds.**

#33 Authorized to enter into sub grants with the agencies as detailed in letter dated May 8, 2012 from the Victims of Crime Act federal grant to fund programs providing direct services to victims of crime and training to direct service providers, for the total amount of $1,913,500. Effective July 1, 2012 through June 30, 2013. **100% Federal Funds.**

#34 **WITHDRAWN** – The Agency withdrew the petition of Melissa Ann Breault (age 37) requesting a pardon hearing for the offenses of Conspiracy to Commit Insurance Fraud and Conspiracy to Commit Arson. The petitioner is not eligible for an annulment.

NEW HAMPSHIRE EMPLOYMENT SECURITY

#35 The Governor and Council on motion of Councilor Burton, seconded by Councilor St. Hilaire authorized the request to continue 11 positions as detailed in letter dated May 7, 2012, through the period not to extend past June 30, 2013, and not to exceed $372,023.63. **100% Federal Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of the Commissioner

#36 Authorized General Fund transfers in the amount of $15,801,345 and increase related revenue adjustments of $156,718 in Federal Funds and increase revenue adjustments of $3,038,882 in Other Funds. Effective upon G&C approval through June 30, 2012. **Contingent upon Fiscal Committee approval on May 18, 2012.**

#37 Authorized General Fund transfers in the amount of $722,014 and decrease related revenue adjustments of $147,621 in Federal Funds and increase revenue adjustments of $126,273 in Other Funds. Effective upon G&C approval through June 30, 2012. **Contingent upon Fiscal Committee approval on May 18, 2012.**

#38 Authorized General Fund transfers in the amount of $852,001 and increase related revenue adjustments of $369,666 in Federal Funds and increase revenue adjustments of $5,675 in Other Funds. Effective upon G&C approval through June 30, 2012. **Contingent upon Fiscal Committee approval on May 18, 2012.**

Office of Minority Health and Refugee Affairs

#39 Authorized to enter into a contract with Lutheran Community Services, Concord, NH, to provide Capacity Building as part of the Health Profession Opportunity Project, in an amount not to exceed $83,036. Effective upon G&C approval through September 29, 2012. **100% Federal Funds.**

#40 Authorized to enter into a contract with Fedcap Rehabilitation Services, New York, NY, to provide Capacity Building as part of the Health Profession Opportunity Project, in an amount not to exceed $215,195. Effective upon G&C approval through September 29, 2012. **100% Federal Funds.**

#41 Authorized to enter into a contract with OnSite/OffSite Business Services Inc., Manchester, NH, to provide Capacity Building as part of the Health Profession Opportunity Project, in an amount not to exceed $44,495. Effective upon G&C approval through September 29, 2012. **100% Federal Funds.**

#42 Authorized to enter into a contract with Southern NH University, Manchester, NH, to provide Capacity Building as part of the Health Profession Opportunity Project, in an amount not to exceed $33,086. Effective upon G&C approval through September 29, 2012. **100% Federal Funds.**

Division of Public Health Services

#43 Authorized the Bureau of Public Health Systems, Policy and Performance, Rural Health and Primary Care Section, to enter into an agreement with Suzanne Reid, Advance Practice Registered Nurse, Center Conway, NH, to provide reimbursement for payment of educational loans through the State Loan repayment program, in an amount not to exceed $17,500. Effective July 1, 2012 or upon G&C approval, whichever is later, through June 30, 2014. **100% General Funds.**

#44 Authorized to enter into a memorandum of understanding with the Department of Safety, Concord, NH, for the purpose of sharing costs for geographical information system services, in an amount not to exceed $60,514. Effective upon G&C approval and until terminated by either or both parties. **73.71% Federal, 26.29% General Funds.**

#45 Authorized the Bureau of Public Health Protection, Healthy Homes and Environments Section, Health Homes and Lead Poisoning Prevention Program, to enter into an agreement with K. Kirkwood Consulting LLC, Manchester, NH, to provide Environmental Protection Agency (EPA)/Department of Housing and Urban Development Model Renovator Courses and Model Renovator Refresher Courses for Lead Safety for Renovation, Repair and Painting, in an amount not to exceed $18,603.20. Effective upon G&C approval through December 31, 2012. **100% Federal Funds.**

Bureau of Homeless and Housing Services

#46 Authorized to amend an agreement with Harbor Homes Inc., Nashua, NH, (originally approved by G&C on 9-23-09, item #80), to expand the Housing Bridge Subsidy program for persons with mental illness who are homeless or at risk of becoming homeless, by increasing the price by $40,612 from $759,156, to an amount not to exceed $799,768. Effective upon G&C approval through June 30, 2012. **30% General, 70% Federal Funds.**

Disability Determination Unit

#47 Authorized to amend an agreement with Sreenivas Katragadda, MD, Bow, NH, (originally approved by G&C on 5-26-10, item #69), to function as a Medical Disability Determination Reviewer, by increasing the price $15,502 from $31,004 to an amount not to exceed $46,506, and by extending the completion date to June 30, 2013. Effective July 1, 2012 or upon G&C approval, whichever is later. **75% Federal, 25% General Funds.**

#48 Authorized to enter into an agreement with Peter B. Delfausse, M.D., Concord, NH, to provide services as a Medical Disability Determination Reviewer in an amount not to exceed $41,280. Effective July 1, 2012 or upon G&C approval, whichever is later, through June 30, 2013. **75% Federal, 25% General Funds.**

#49 Authorized to enter into an agreement with Katherine Wescott, RN, Concord, NH, to provide services as a Disability Determination Reviewer in an amount not to exceed $49,600. Effective July 1, 2012 or upon G&C approval, whichever is later, through June 30, 2013. **75% Federal, 25% General Funds.**

#50 Authorized to enter into an agreement with Patricia I. Williams, M.D., Concord, NH, to provide services as a Medical Disability Determination Systems Development Specialist in an amount not to exceed $14,160. Effective July 1, 2012 or upon G&C approval, whichever is later, through June 30, 2013. **50% Federal, 50% General Funds.**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#51 Authorized to transfer appropriated funds in the amount of $24,000 to cover projected shortfalls for the remainder of fiscal year 2012. Effective upon G&C approval. **100% General Funds. Contingent upon Fiscal Committee approval on May 18, 2012.**

#52 Authorized to accept and expend Carl D. Perkins Grant for Women funds from the NH Department of Education in the amount of $10,941 for the purpose of purchasing computers and instructional support materials for female inmates. Effective upon G&C approval through June 30, 2013. **100% Agency Income (Federal funds at origin).**

#53 Authorized to exercise a renewal option to contract with Spectra Laboratories Inc., Milpitas, CA, (originally approved by G&C on 5-12-10, item #45), for the provision of On-Site Clinical Laboratory Services, by increasing the amount by $408,000 from $471,662.25 to $879,662.25. Effective June 1, 2012 through May 31, 2014. **100% General Funds.**

#54 Authorized to enter into a renewal lease agreement with Bergeron Construction Company Inc., Keene, NH, for the purpose of probation/parole district office space for the period of August 3, 2012 through August 2, 2017, in an amount not to exceed $145,285.20. **100% General Funds.**

DEPARTMENT OF REVENUE ADMINISTRATION

#55 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton authorized the request to **retroactively** amend a contract with Account Control Technology Inc. ("ACT"), Canoga Park, CA (originally approved by G&C on 3-30-11, item #18), for debt out-of-state debt collection services, by exercising the optional one year extension from March 30, 2012 to March 29, 2013. This contract incurs no outlay of State funds as ACT is working on a percentage rate of recovery basis. As a first placement debt collector in the debt collection process, ACT will retain 18.5% from any funds that are recovered without litigation; if litigation is required and approved by the Department, Act shall retain 35%.

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#56 Authorized to accept and expend $10,326 from the Department of Environmental Services for red tide monitoring activities. Effective upon G&C approval through January 31, 2013. **100% Inter Agency Transfer Funds.**

#57 Authorized to amend an existing Cooperative Project Agreement with the University of NH, (originally approved by G&C on 11-19-08, item #87), for bobcat management-related research, by reducing the existing budget by $6,000 from $248,095 to $242,095. Effective upon G&C approval through December 31, 2013. **25% State, 75% Federal Funds.**

#58 Authorized to amend an existing contract with the National Wild Turkey Federation (originally approved by G&C on 8-19-09, item #77), to provide wild turkey and related wildlife habitat management technical assistance, by extending the end date from June 30, 2012 to December 31, 2012. No Additional Funding. **100% Game Management Funds.**

#59 Authorized to hold a Hunter Education Volunteer Recognition and Training Seminar on June 23, 2012, for a total cost of $4,620. (2)Further authorized to pay Dennis Corriveau d/b/a WildCheff Enterprises, $4,620 to provide a wild game lunch buffet for the Hunter Education Volunteer Recognition Banquet and Seminar on June 23, 2012. Effective upon G&C approval through June 23, 2012. **100% Federal Funds.**

#60 Authorized to enter into a Transfer Agreement with the Sector Management of the Northeast Fishery Sectors XI and XII for the transfer of Potential Sector Contributions of groundfish from federal fisheries permits residing in the NH State Permit Bank. Effective upon G&C approval through April 30, 2013.

#61 Authorized to enter into a **retroactive sole source** contract with Daniel and Melissa Hayward d/b/a TERNS LLC, to continue ongoing endangered seabird restoration on the Isles of Shoals for a total of $54,000. Effective May 1, 2012 through March 31, 2013. **65% Federal, 35% Conservation License Plate Funds.**

#62 Authorized to enter into a contract with Joe Brigham Inc., d/b/a JBI Helicopter Services, Pembroke, NH, to carry out aerial stocking and water sample collection (acid rain analysis) of remote, high altitude trout ponds, in the amount of $12,850. Effective upon G&C approval through June 30, 2012. **100% Fish and Game Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#63 Authorized a Supplemental Loan Agreement with the County of Cheshire, NH, (originally approved by G&C on 8-19-09, item #109C), which finalizes and lowers the original loan agreement by $319,503.78 from $614,000 to $294,496.22. **23.6% CWSRF Repayment Account, 76.4% Federal ARRA Funds.**

#64 Authorized an Allonge to Promissory Note and amendment of loan agreement with Pennichuck Water Works Inc., Nashua, NH, in the amount of $300,000, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. **50% ARRA, 50% Drinking Water State Revolving Loan Fund Repayment Funds.**

#65 Authorized an Allonge to Promissory Note and amendment of loan agreement with Pennichuck Water Works Inc., Nashua, NH, in the amount of $98,000, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. **50% ARRA, 50% Drinking Water State Revolving Loan Fund Repayment Funds.**

#66 Authorized an Allonge to Promissory Note and amendment of loan agreement with Lyme Water Association Inc., Lyme, NH, by reducing the original amount by $39,239 from $300,000 to $260,761, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

#67 Authorized an Allonge to Promissory Note and amendment of loan agreement with Pennichuck East Utility Inc., Nashua, NH, in the amount of $1,800,000, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

#68 Authorized a loan agreement with West Swanzey Water Company Inc., West Swanzey, NH, in the amount of $40,000 to finance water system improvements. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

#69 Authorized a loan agreement with the Town of Belmont, NH, in the amount of $220,000 to finance water system improvements. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

#70 Authorized to amend a **sole source** agreement with the Town of Exeter, NH, (originally approved by G&C on 6-23-10, item #78), for the Exeter River Restoration Project: Evaluating the Impacts of Dam Removal for the Great Dam project, by increasing the award amount by $12,000 from $60,000 to $72,000, and by extending the completion date to December 31, 2012 from June 309, 2012. **100% Federal Funds.**

#71 Authorized to enter into an agreement with Aquatic Control Technology Inc., Sutton, MA, for the purpose of conducting a sampling and monitoring research program as part of an herbicide treatment in the Nashua Mill Pond and Canal system, Nashua, NH, in the amount of $27,752.50. Effective upon G&C approval through January 31, 2013. **100% Lakes Restoration Funds.**

#72 Authorized to enter into a contract with Northeast Water and Wastewater Training Associates Inc., Old Orchard Beach, ME, to provide training classes for wastewater operators, totaling $41,570. (2)Further authorized an advance payment in Fiscal Year 2012 in the amount of $13,860. Effective upon G&C approval through December 31, 2013. **100% Federal Funds.**

#73 Authorized to enter into a single bid contract with Lamey LLC, Northwood, NH, to administer an inland, mobile pumpout boat service for the NH DES Clean Vessel Act program, for a total of $13,500. Effective upon G&C approval through December 31, 2013. **100% Federal Funds.**

#74 Authorized to enter into a **retroactive sole source** agreement with the US Geological Survey, Pembroke, NH, to assess potential contaminant transport pathways in deep bedrock at the OK Tool Superfund Site in Milford, NH, in the amount of $30,000. Effective May 1, 2012 through March 31, 2013. **100% Federal Funds.**

#75 Authorized a Supplemental Loan Agreement with the City of Rochester, NH, by reducing the amount by $2,476.87 from $2,000,000 to $1,997,523.13, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. **83% Federal, 17% Capital (General) Funds.**

#76 Authorized to award a grant to the University of NH, Sponsored Programs Administration, Durham, NH, to provide technical planning assistance to coastal communities, in the amount of $15,450. Effective July 1, 2012 through December 31, 2013. **100% Federal Funds.**

#77 Authorized to award a grant to the University of NH, Office of Sponsored Research, Durham, NH, to map Little Bay bathymetry and substrate characteristics, in the amount of $49,641. Effective upon G&C approval through March 31, 2013. **100% Federal Funds.**

#78 Authorized to award a grant to the Strafford Regional Planning Commission, Rochester, NH, to provide planning technical assistance to member coastal communities, in the amount of $8,550. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#79 Authorized to enter into a **sole source** memorandum of agreement with the NH Fish and Game Department to perform field sampling of lobster for red tide testing, in the amount of $20,609. Effective upon G&C approval through January 31, 2013. **100% Federal Funds.**

#80 Authorized to enter into a **sole source** contract with the Northeast Waste Management Officials' Association, Boston, MA, to provide funding for the Northeast Regional Pollution Prevention Information Center, in the amount of $114,885. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#81 Authorized to amend a **sole source** contract with CDM Smith Inc., formerly Camp, Dresser & McKee Inc., Manchester, NH, (originally approved by G&C on 6-25-08, item #156), for professional engineering services associated with the cost recovery system assessment meter program, by increasing the amount by $153,500 from $2,926,000 to $3,079,500, and by extending the completion date from June 30, 2012 to December 31, 2013. **100% Winnipesaukee River Basin Program Funds.**

#82 Authorized to enter into an agreement with Belknap Landscape Company Inc., Gilford, NH, for lawn maintenance services, in the amount of $16,080. Effective upon G&C approval through December 31, 2015. **100% Winnipesaukee River Basin Funds.**

MCAULIFFE-SHEPARD DISCOVERY CENTER

#83 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Wieczorek authorized the request to amend a **sole source** contract with AAA Energy Service Company, Auburn, NH, (originally approved by G&C on 9-14-11, item #122), for HVAC service and preventative maintenance, by increasing the amount by $13,280 from $26,560 to $39,840. Effective upon G&C approval through December 31, 2012. **87% General, 13% Center Revenue Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#84 Authorized the Division of State Police to transfer $4,500 within the account entitled New Entrant CDL, to re-align appropriated funds for the purpose of implementing the Federal Motor Carrier Safety Administration New Entrant Safety Audit Program. Effective upon G&C approval through June 30, 2012. **100% Federal Funds. Fiscal Committee approved.**

#85 Authorized the Division of State Police to transfer $12,294 within the account entitled High Priority Grant to maximize the use of federal grant funds in the Federal Motor Carrier Safety Administration High Priority Grant. Effective upon G&C approval through June 30, 2012. **100% Federal Funds. Fiscal Committee approval.**

#86 Authorized the Division of Motor Vehicles to enter into an agreement with New England Document Systems Inc., Manchester, NH, for microfilm processing and developing, for an amount not to exceed $18,900. Effective upon G&C approval through June 30, 2015. **100% Highway Funds.**

#87 Authorized the Division of State Police to enter into a contract with the NH Association of Broadcasters, Manchester, NH, to produce and broadcast radio announcements to promote safe driving around large trucks, in the amount of $47,000. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

#88 Authorized the Division of Motor Vehicles to enter into a contract with Nassau Broadcasting Inc., Gilford, NH, for the purpose of creation, production, distribution and promotion of radio announcements focusing on the importance of sharing the road and motorcycle rider training courses, in an amount not to exceed $22,000 – funding is available through the "Motorcycle Rider Training Program Media Campaign" grant approved by G&C on 1-11-12, item #84. Effective upon G&C approval through August 31, 2012.

#89 Authorized the Division of State Police to enter into a contract with CBS Outdoor Inc., New York, NY, to produce, install and display a message to promote safe driving around large trucks, in the amount of $19,298. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

#90 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Southern NH Planning Commission, for emergency preparedness capabilities enhancements, in the amount of $5,040. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#91 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Middleton, to purchase and equip a mobile Emergency Operations Center (EOC)/Command Vehicle for a total amount of $20,000. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#92 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the City of Claremont, to purchase communications equipment for the new Emergency Operations Center and to upgrade the EOC/Shelter's elevator to accommodate ambulatory EMS stretchers for a total amount of $27,184. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

#93 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Atkinson to purchase and install a generator for back-up power at the community's shelter for a total amount of $33,548. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#94 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Bennington, for implementation of projects identified through the evaluation of natural hazards, for a total amount of $228,513. Effective upon G&C approval through January 12, 2015. **100% Federal Funds.**

#95 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Goffstown for the reimbursement of project cost overruns associated with the project identified through the evaluation of natural hazards. Effective upon G&C approval through December 31, 2012. **100% Federal Funds.**

#96 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Piermont for the purchase of two Police Department portable radios and two vehicle repeaters for both the Police and Fire Departments for a total amount of $6,132. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

#97 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Deerfield to purchase and install a generator for back-up power at the Fire Department for a total amount of $29,699. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#98 Authorized to accept and place on file the Monthly Equipment Acquisition Plan status report for the period ending April 30, 2012.

#99 Authorized to transfer $625,000 between Highway Fund accounts and classes. Effective upon G&C approval through June 30, 2012. **Contingent upon Fiscal Committee approval on May 18, 2012.**

#100 Authorized to transfer $3,895,000 from Highway Surplus to fund various roadway repairs. Effective upon G&C approval. **100% Highway Funds. Contingent upon Fiscal Committee approval on May 18, 2012.**

#101 Authorized to accept and place on file the Bureau of Right of Ways Contemplated Awards Lists for amounts greater than $5,000 for the period extending from April 19, 2012 through April 30, 2012.

#102 Authorized the Bureau of Aeronautics to amend a grant (originally approved by G&C on 4-14-10, item #118), to provide additional funding to the Pease Development Authority, for AIP-45 to design snow removal equipment and constant friction measuring equipment for the Portsmouth International Airport at Pease in the amount of $4,597.89 from $32,200 to $36,797.89. Effective upon G&C approval through April 30, 2013. **97.44% Federal, 2.56% General Funds.**

#103 Authorized the Bureau of Turnpikes to exercise a contract renewal option with Telvent USA, LLC, Austin, TX, (originally approved by G&C on 8-19-09, item #255), for the first of two 3-year maintenance services at Hampton Mainline Toll Plaza, and for the installation of Open Road Tolling at the Hooksett Mainline Toll Plaza and maintenance for two years, in an amount not to exceed $2,197,671 for July 1, 2012 to June 30, 2015. This increases the contract from $1,987,205 to $4,184,876. **100% Turnpike Funds.**

#104 Authorized the Bureau of Turnpikes to enter into a contract with Xerox State and Local Solutions Inc., Germantown, MD, for design, testing, installation and maintenance services for the Toll Collection System, in the amount of $14,785,605. Effective upon G&C approval through June 30, 2017, with the option to renew for up to 2-year optional maintenance period up, but not beyond June 30, 2021. **100% Turnpike Funds.**

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ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu, voted to remove item #64- which was tabled at the March 18, 2012 Meeting.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Bureau of Drug and Alcohol Services

#64 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton voted to approve the request to amend an agreement with Phoenix Houses of New England Inc., Providence, RI, (originally approved by G&C on 6-23-10, item #132), to provide substance abuse treatment services, by decreasing the price by $139,759 from $3,194,498 to an amount not to exceed $3,054,739. Effective upon G&C approval. **42.6% Federal, 52.9% General, 4.5% Other (Highway) Funds.**

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ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu, voted to remove item #65- which was tabled at the March 18, 2012 Meeting.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Bureau of Drug and Alcohol Services

#65 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton, and with Councilor St. Hilaire recusing himself, voted to approve the request to amend an agreement with Easter Seals NH, Manchester, NH, (originally approved by G&C on 6-23-10, item #134), to provide substance abuse treatment services, by decreasing the price by $97,698 from $2,651,504 to an amount not to exceed $2,553,806. (2)Further authorized to amend the agreement (originally approved by G&C on 6-23-10, item #134), to provide substance abuse treatment services, by decreasing the price by $107,455 from $2,651,504 to an amount not to exceed $2,544,049. Effective upon G&C approval. **85% Federal, 11% General, 4% Highway Funds.**

*

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu, voted to remove item #66- which was tabled at the March 18, 2012 Meeting.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Bureau of Drug and Alcohol Services

#66 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton voted to approve the request to amend an agreement with Monadnock Family Services, Keene, NH, (originally approved by G&C on 6-23-10, item #132), to provide substance abuse treatment services, by decreasing the price by $41,688 from $297,774 to an amount not to exceed $256,086. (2)Further authorized to amend the agreement (originally approved by G&C on 6-23-10, item #134), to provide substance abuse treatment services, by decreasing the price by $9,380 from $297,774 to an amount not to exceed $288,394. Effective upon G&C approval. **80% Federal, 20% Highway/Other Funds.**

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ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Sununu, voted to remove item #41- which was tabled at the April 18, 2012 Meeting.

ATTORNEY GENERAL – DEPARTMENT OF JUSTICE

#41 The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Sununu, voted to approve the request to enter into sub grants totaling $49,487 with the Manchester Police Department and the Nashua Police Athletic League, from the FFY 2009 and FFY 2010 Project Safe Neighborhoods Anti-Gang/Anti-Gun Initiatives to help curb youth gang activity by supporting youth programs. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

*

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu, voted to remove item #143- which was tabled at the May 9, 2012 Meeting.

DEPARTMENT OF TRANSPORTATION

#143 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton voted to approve the request of the Bureau of Construction's summary of projects with possible contingencies use for the period through March 31, 2012.

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LATE ITEMS

DEPARTMENT OF ADMINISTRATIVE SERVICES

A. Authorized the list of Governor and Council meeting dates for the period of July through December 2012.

DEPARTMENT OF ADMINISTRATIVE SERVICES

B. Authorized to pay out of unappropriated general funds, the invoice from AVICORE REPORTING in the total amount of $798.50 for transcription services at the April 13, 2012 special meeting of the Governor and Executive Council regarding Medicaid Managed Care.

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The Next regular Governor and Executive Council meeting is scheduled for Wednesday, June 6, 2012, at the State House, Concord, NH.

The Honorable Board then Adjourned at 12:15 p.m.