GOVERNOR AND EXECUTIVE COUNCIL MINUTES

State House, Concord, New Hampshire April 13, 2011, 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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Reverend Gary Schulte of the United Congregational Church Conference, Concord, offered the prayer and the Pledge of Allegiance was led by Councilor Burton.

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The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton, accepted the minutes of March 30, 2011.

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The Governor and Executive Council on motion of Councilor St. Hilaire, seconded by Councilor Burton, accepted the minutes of the Special meeting held on April 5, 2011.

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The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Wheeler, with Councilor St. Hilaire recusing himself from the vote on his own Justice of the Peace renewal, approved the appointment of several persons nominated for Civil Commissions from the March 30, 2011 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:

Advanced Manufacturing Education Advisory Council

(Superintendent)

Christopher Hottel, Gilmanton Effective: April 13, 2011

Lakes Management Advisory Committee

(Member Representing Marine Dealers Association)

Kenneth P. Wilson, Gilford Effective: April 13, 2011

CONFIRMATIONS

The Governor and Council confirmed the following:

Employee Relations Manager of the Division of Personnel for the Dept of Administrative Svcs

Nominated by: Director of Personnel

Matthew J. Newland, Concord Effective: April 13, 2011 Vacancy Term: July 1, 2011

Salary: Grade FF; Maximum \$83,917

Alcohol and Drug Abuse Prevention, Intervention, and Treatment Commission

(Public member)

Lisa Peakes, Manchester Effective: April 13, 2011 Succeeding: M. Anne Lawing, Dover Term: October 4, 2013

Family Mediator Certification Board

(Mental Health Professional)

I. Terry Sturke, Concord Effective: April 13, 2011 Reappointment Term: April 10, 2014

Board of Professional Geologists

(Public member)

Philip R. Braley, Concord Effective: April 13, 2011 Succeeding: Ronald E. Cook, Canterbury Term: February 14, 2016 **Board of Hearing Care Providers**

(Audiologist)

William Flanders, Hampton Effective: April 13, 2011 Reappointment Term: April 23, 2013

Executive Director of the Land and Community Heritage Authority

Nominated by the NH Land and Community Heritage Authority Board of Directors

Dorothy Tripp Taylor, Hopkinton Effective: April 13, 2011 Succeeding: Deborah K. Turcott, Hampton (resigned) Term: December 20, 2015

Chief Justice of the Superior Court

Tina L. Nadeau, Lee Effective: April 13, 2011 Succeeding: Robert J. Lynn, Windham Term: April 13, 2016

<u>Telecommunications Planning and Development Advisory Commission</u>

(Residential Telecom User)

Nominated by the Commissioner of the Department of Resources and Economic Development

Martha McLeod, Franconia Effective: April 13, 2011

Reappointment Term: September 19, 2013

Advisory Council on Unemployment Compensation

(Employers)

Frederick B. Kfoury Jr., Manchester Effective: April 13, 2011 Reappointment Term: March 26, 2014

Advisory Council on Unemployment Compensation

(Chair)

Lee C. Nyquist, New Boston Effective: April 13, 2011 Reappointment Term: March 26, 2014

Volunteer New Hampshire Board of Directors

Pamela S. Hall, Portsmouth
Reappointment
Effective: April 13, 2011
Term: March 26, 2014

NOMINATIONS

The Governor placed into nomination the following:

Advanced Manufacturing Education Advisory Council

(Superintendent)

Mark C. Conrad, Nashua Effective: Upon confirmation Succeeding: Christopher Hottel, Gilmanton (resigned) Term: December 18, 2011

Board of Licensure for Alcohol and Other Drug Use Professionals

(MLADC)

Catherine M. Iacuzzi, Canaan Effective: Upon confirmation Succeeding: William T. Kohut, Sr., Dover (term limited) Term: January 28, 2014

Board of Licensure for Alcohol and Other Drug Use Professionals

(MLADC)

Cheryl A. Wilkie, Concord Effective: Upon confirmation Succeeding: Eileen M. Fiori, Nashua (term limited) Term: January 28, 2014

Assessisng Standards Board

(Municipal official of a town of a population greater than 5000)

Fred B. Keach, Concord Effective: Upon confirmation Reappointment Term: March 24, 2013

Community College System of New Hampshire

(Alumni Member)

Melanie Levesque, Brookline Effective: Upon confirmation

Succeeding: Amy Rice, New Boston (resigned)

Term: June 30, 2013

Compensation Appeals Board

(Attorney)

Nominated by the Commissioner of the Department of Labor

Hamilton R. Krans, Jr., Dover Effective: May 26, 2011 Reappointment Term: May 26, 2014

Compensation Appeals Board

(Attorney)

Nominated by the Commissioner of the Department of Labor

Christopher T. Regan, Durham Effective: Upon confirmation

Reappointment Term: April 14, 2014

Judicial Retirement Plan Board of Trustees

(Business experience)

Deborah B. Butler, Concord Effective: Upon confirmation Reappointment Term: November 19, 2013

McAuliffe-Shepard Discovery Center

(Business)

Byron O. Champlin, Concord Effective: Upon confirmation

Reappointment Term: April 17, 2014

Private Investigative Agencies and Security Services Advisory Board

(Law Enforcement Community)

Vincent A. Baiocchetti III, Gilmanton Iron Works Effective: Upon confirmation

Vacancy Term: 2 yrs from confirm.(RSA 106-F:3-a,I)

Private Investigative Agencies and Security Services Advisory Board

(Licensed Investigator)

Dennis M. Davey, Wolfeboro Effective: Upon confirmation

Vacancy Term: 3 yrs from confirm.(RSA 106-F:3-a,I)

Private Investigative Agencies and Security Services Advisory Board

(Licensed Investigator)

Quentin Estey, Peterborough Effective: Upon confirmation

Vacancy Term: 2 yrs from confirm.(RSA 106-F:3-a,I)

Private Investigative Agencies and Security Services Advisory Board

(General Public)

Kathleen M. Kimball, Antrim Effective: Upon confirmation

Vacancy Term: 1 yr from confirm.(RSA 106-F:3-a,I)

Private Investigative Agencies and Security Services Advisory Board

(Licensed Investigator/Bail Recovery)

Seldon E. Nason Jr., Webster Effective: Upon confirmation

Vacancy Term: 1 yr from confirm.(RSA 106-F:3-a,I)

Private Investigative Agencies and Security Services Advisory Board

(General Public)

Gary M. Sloper, Concord Effective: Upon confirmation

Vacancy Term: 3 yrs from confirm.(RSA 106-F:3-a,I)

Railroad Appeals Board

(Alternate/Legal Profession)

David Woodbury, New Boston Effective: Upon confirmation

Reappointment Term: April 23, 2014

Recreational Therapy Governing Board

Rebecca L. K. Taylor, Manchester Effective: Upon confirmation Succeeding: Robert C. DuPont, Penacook (resigned) Term: October 25, 2013

Advisory Council on Unemployment Compensation

(Employees)

Robert E. Martel, Dunbarton Effective: Upon confirmation Reappointment Term: March 26, 2014

#1 CONSENT CALENDAR - DONATIONS:

DEPARTMENT OF CULTURAL RESOURCES

A. Authorized to accept the donation of a sundial, valued at \$800, from the Sons of Union Veterans of the Civil War to be installed upon an existing granite pedestal on the State House Lawn.

BUSINESS FINANCE AUTHORITY

- **TABLED** The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton and further on a roll call vote as follows: Councilor Burton yes, Councilor St. Hilaire no, Councilor Sununu no, Councilor Wieczorek yes, and Councilor Wheeler no, voted to approve this item. The item **failed** to pass. After discussion, the Governor and Council on motion of Councilor Sununu, seconded by Councilor St. Hilaire, and further on a roll call vote as follows: Councilor Burton no, Councilor St. Hilaire yes, Councilor Sununu yes, Councilor Wieczorek no, and Councilor Wheeler yes, voted to **table** the request to hold a <u>Public Hearing</u> to approve an award of a State Guarantee under RSA 162-A:13-a with respect to a loan from Enterprise Bank to Gourmetgiftbaskets.com, Inc. located in Manchester, 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.
- #3 **TABLED -** The Governor and Executive Council on motion of Councilor Wheeler, seconded by Councilor Sununu 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 **table** the request to hold a <u>Public Hearing</u> to approve an award of a State Guarantee under RSA 162-A:13 with respect to a loan from Profile Bank to Country Tire & Service Center, LLC located in Rochester, 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.
- The Governor and Executive Council on motion of Councilor Sununu, 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 yes, authorized to hold a <u>Public Hearing</u> with respect to the financing of a commercial facility by the Business Finance Authority for Cottage Hospital located in Woodsville, New Hampshire. Action will Authorized a Resolution under RSA 162-I:9 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 APRIL 13, 2011 AT THE STATE HOUSE, CONCORD

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At 10:45 the Governor announced that the next matter to be considered would be the refinancing of a commercial facility project by the Business Finance Authority for Cottage Hospital in Woodsville (Town of Haverhill) (the "Project") and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received documentation and information with respect to the Project. The Governor said that the meeting would then hear anyone wishing to speak on the subject. Jack Donovan, Executive Director of the Authority, stated that the Authority had approved the financing and refinancing and recommended that the Governor and Council make the required findings under RSA 162-I:9. He also briefly explained the Project and emphasized that the credit of the State was not involved and introduced Maria Ryan, CEO of Cottage Hospital. 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-I:9 WITH RESPECT TO THE FINANCING AND REFINANCING OF A COMMERCIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR COTTAGE HOSPITAL" and moved its adoption, which was seconded by Councilor St. Hilaire. 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, Councilor Wieczorek, and Councilor Wheeler; those abstaining were Councilor (s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING AND REFINANCING OF A COMMERCIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR COTTAGE HOSPITAL

WHEREAS, the Governor and Council have received from the Business Finance Authority (the "Authority") its written recommendation that the Governor and Council make certain findings and a determination pursuant to RSA 162-I:9 with respect to the financing and refinancing of a commercial facility for Cottage Hospital (the "Borrower") in Woodsville (Town of Haverhill) by the Authority's issue of \$7,745,000 Revenue Bonds (the "Bonds") under RSA 162-I (the "Act");

WHEREAS, the Governor and Council have received all the documentation and information with respect to the transaction that they have requested; and

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

IT IS HEREBY RESOLVED THAT:

<u>Section 1</u>. <u>Findings</u>. On the basis of the Authority's recommendation and the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special findings:

(1) The Project (as completed, the "Facility") consisted of the renovation, remodeling and expansion of certain facilities of the Borrower, including the construction of an addition to the main hospital facility and the renovation and remodeling of the main hospital facility, the construction of a rehabilitation wing, including the acquisition and installation of new equipment, and the conversion of existing facilities, located at 90 Swiftwater Road in Woodsville (Town of Haverhill), financed by bonds issued by the Authority for the Borrower in 2005 (the "2005 Bonds") and the proceeds of a taxable loan, and will also include the financing of routine capital expenditures in the Borrower's capital budget over the next three years and the termination of an interest rate swap entered into in connection with the issuance of the 2005 Bonds. The Project is within the definition of "Commercial facility" in the Act and may be financed under the Act.

(2) The establishment and operation of the Facility has created or preserved employment opportunities directly or indirectly within the State of New Hampshire and is of a general benefit to the community as a whole.

(b) General findings:

- (1) The Project and the proposed financing and refinancing of the Project are feasible;
- (2) The Borrower has demonstrated the skills and financial resources necessary to operate the Facility successfully;
- (3) The LOAN AND TRUST AGREEMENT (which is a combined financing document and security document, hereinafter called the "Agreement") contains provisions so that under no circumstances will the Authority be obligated directly or indirectly to pay project costs, debt service or expenses of operation, maintenance and upkeep of the Facility except from Bond proceeds or from funds received under the Agreement, exclusive of funds received thereunder by the Authority for its own use;
- (4) The Agreement does not purport to create any debt of the State with respect to the Facility, other than a special obligation of the Authority acting on behalf of the State under the Act; and
- (5) The proposed financing and refinancing of the Project by the Authority and the continued operation and use of the Facility will serve one or more needs and implement one or more purposes set forth in RSA 162-I:1, will preserve or increase the social 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.
- <u>Section 2</u>. <u>Ultimate Finding and Determination</u>. The Governor and Council find that the proposed financing, refinancing, operation and use of the commercial Facility serves a public use and provides a public benefit; and the Governor and Council determine that the Authority's financing and refinancing of the Project will be within the policy of, and the authority conferred by, the Act.
- <u>Section 3</u>. <u>Approval</u>. The Governor and Council approve the Authority's taking such further action under the Act with respect to the transaction as may be required.

Section 4. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to April 13, 2011

JUDICIAL COUNCIL

#5 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request for additional General Funds from funds not otherwise appropriated in the amount of \$65,000. Effective upon G&C approval through June 30, 2011. **100% General Funds. Fiscal Committee approved.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

- #6 Authorized confirmation of Colonel Carolyn J. Protzmann, South Berwick, ME, for promotion to the rank of Brigadier General, NH Air National Guard.
- #7 Authorized nomination of Major Strider Sulley, Portsmouth, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.
- #8 Authorized to accept and expend additional federal funds in the amount of \$99,385 from the Federal Government (National Guard Bureau) as part of the five-year Federal-State Master Cooperative Agreement in support of the Pease Air National Guard Base State Fire Department. (2)Further authorized to establish six full-time temporary State Fire Fighter I positions, salary grade 15. Effective upon G&C approval through June 30, 2011. 100% Federal Funds. Fiscal Committee approved.

HIGHWAY SAFETY AGENCY

#9 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton authorized the request to enter into a contract with Deep River LLC, d/b/a Deep River Traffic Records Management, Old Saybrook, CT, to manage and administer the Section 408 Traffic Records Program, in the amount of \$75,000. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

- Authorized the Bureau of Public Works Design and Construction to enter into a contract with Continental Paving Inc., Londonderry, NH, for the Roadway and Parking Rehabilitation, Phase I, Hugh Gallen State Office Park Campus, Concord, NH, for a total price not to exceed \$173,705. Effective upon G&C approval through July 15, 2011. 100% General/Capital Funds.
- #10A Authorized \$183,088,650 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 \$415,000,000 to cover expenditures for the month of May.
- #10B **AMENDED** The Governor and Council on motion of Councilor Burton, seconded by Councilor Sununu, amended this item by removing all requests made by the Department of Safety in the Salary and Benefit Adjustment Funds for the period of January-March 2011 in Requested Action I. Authorization was granted to accept and place on file the quarterly report for salary and benefit transfers processed through January-March 2011, consisting of one request for the Secretary of State. (2)Further authorized to make transfers from the Salary Adjustment Fund to agency permanent personnel service accounts for April 1 through June 30, 2011, and to report transfers made as soon as practical after June 30, 2011 and prior to the request for further authority. (3) Further authorized to make transfers from the Benefit Adjustment Fund to agency benefit accounts for April 1 through June 30, 2011, and to report transfers made as soon as practical after June 30, 2011 and prior to the request for further authority.
- #10C Authorized to accept and place on file the report containing the list of vendors that agencies have contracted with for the period of January 1, 2011 through March 31, 2011.

#10D Authorized to transfer funds up to \$25,000 within departments, not to exceed the total amounts of funds available, and to report transfers made as soon as practical after June 30, 2011 and prior to request for further authority. (2)Further authorized to accept and place on file the quarterly report for transfers processed through January – March 2011.

#10E Authorized the Risk Management Unit to amend a contract with the Local Government Center Health Trust LLC, Concord, NH, (previously approved by G&C on 11-17-10, item #34A), providing for the administration of the prescription drug benefit provided to state employees and retirees, to reduce certain administrative fees associated with the contract and adjust certain retail brand pricing. Effective June 1, 2011.

STATE TREASURY

#11 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to issue a warrant from funds not otherwise appropriated in the amount of \$73,188 and the State Treasurer to issue checks in the amount of \$73,187.98 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

- Authorized the Division of Historical Resources to budget and expend prior year unexpended Department of Housing and Urban Development funds in the amount of \$56,882.50. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**
- Authorized the Division of Historical Resources, to enter into a contract with The Cherry Valley Group of Cherry Valley, NY, for an interpretive assessment of the remaining elements of the Old State House, in the amount of \$20,975. Effective upon G&C approval through May 18, 2012. **100% Federal Funds.**

DEPARTMENT OF REVENUE ADMINISTRATION

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to **retroactively** pay the Federation of Tax Administrators, Washington, DC, for organizational dues, in the amount of \$8,845. Effective July 1, 2010 through June 30, 2011. **100% General Funds.**

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

- #15 Authorized with Councilor Wheeler voting **no**, to enter into a grant with Southern NH Resources, Conservation and Development Area Council, in the amount of \$7,200 for the NH Healthy Soils project to be conducted on a county-wide basis. Effective upon G&C approval through December 31, 2012. **100% Other Funds State Conservation Committee.**
- #16 Authorized to enter into a grant with NH Lakes Association, in the amount of \$12,800 for the Lake Friendly Landscaping to Protect Clough Pond project in the Town of Loudon. Effective upon G&C approval through December 31, 2012. **100% Other Funds State Conservation Committee.**
- #17 Authorized to enter into a grant with Cheshire County Conservation District, Walpole, NH, in the amount of \$32,252 for the Cheshire County No-Till Farming Initiative to be conducted on a county-wide basis. Effective upon G&C approval through April 30, 2013. **100% Other Funds State Conservation Committee.**
- #18 Authorized to enter into a grant with Aubson Sargent Land Preservation Trust, New London, NH, in the amount of \$30,000 for the Battles Farm in the Town of Bradford, NH. Effective upon G&C approval through April 30, 2013. **100% Other Funds State Conservation Committee.**
- Authorized to enter into a grant with Rockingham County Conservation District, Brentwood, NH, in the amount of \$25,000 for the Goss Farm project in the Town of Rye. Effective upon G&C approval through April 30, 2013. 100% Other Funds State Conservation Committee.

#20 Authorized to enter into a grant with Monadnock Conservancy, Keene, NH, in the amount of \$21,075 for the Shattuck Farm project in the Town of Jaffrey, NH. Effective upon G&C approval through December 31, 2012. **100% Other Funds – State Conservation Committee.**

ATTORNEY GENERAL

- #21 Authorized to amend a sub grant received from the 2009 ARRA Violence Against Women Act (previously approved by G&C on 2-9-10, item #26), to enhance the Adult Sexual Assault Services, prosecution and Sexual Assault Response Teams to enhance sexual assault services to victims, by extending the end date from April 30, 2011 to April 30, 2012, and by reallocating \$12,165 of the funds between classes for the best utilization of funds available. 100% Transfer from other agencies ARRA. 100% Federal Funds at origin.
- #21A Authorized to amend item #43I, previously approved by G&C on 6-18-09, the Violence Against Women ARRA 2009, to be utilized to improve the State's response to women in NH who are victims of violent crime, by extending the end date from April 30, 2011to April 30, 2012. **100% Federal Funds ARRA. Fiscal Committee approved.**
- #22 Authorized with Councilor Wheeler voting **no**, to amend item #21, previously approved by G&C on 6-9-10, for the Lethality Assessment Program enhanced training efforts, by extending the end date from April 30, 2011 to April 30, 2012, and by reallocating \$11,172 between classes for a sub grant from the NH Department of Justice, Violence Against Women Act Grant to enhance training efforts to law enforcement and allied professionals on domestic and sexual violence and stalking. (2)Further authorized to amend a **sole source** contract with Timothy Russell, Henniker, NH (previously amended by G&C on 6-9-10, item #21), by increasing the price by \$11,350 from \$12,210 to \$23,560, and by extending the end date from April 30, 2011 to April 30, 2012. **100% Transfer from other agencies ARRA Funds. 100% Federal at origin. Fiscal Committee approved.**
- #23 Authorized to **retroactively** amend a grant received from the NH Charitable Foundation (previously approved by G&C on 1-13-10, #46), to support the offender reentry program, by extending the end date from September 30, 2010 to June 30, 2011. No Additional Funding. **100% Agency Income NH Charitable Foundation Grant Funds. Fiscal Committee approved.**
- #24 Authorized to **retroactively** amend a grant received from the Bureau of Justice Assistance, Office of Justice Programs (previously approved by G&C on 11-4-09, item #16), to support offender reentry, by extending the end date from September 30, 2011 to June 30, 2011. No Additional Funding. **100% Federal Funds. Fiscal Committee approved.**
- #25 Authorized to amend funds received from the FF& 20098 Edward Byrne Justice Assistance Grant Program (previously amended by G&C on 11-17-10, item #62), to be used for the ProLaw upgrade, by reallocating \$14,983.02. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**
- Authorized to amend a sub grant to the Manchester Police Department (previously approved by G&C on 4-14-10, item #33), for a program designed to provide law enforcement services to victims of domestic and sexual violence, by extending the end date from April 30, 2011 to April 30, 2012. (2)Further authorized to amend the sub grants as detailed in letter dated March 29, 2011 (previously approved by G&C on 7-14-10, item #38), for programs designed to provide increased prosecution and judicial resolution for victims of domestic and sexual violence, by extending the end date from April 30, 2011 to April 30, 2012. (3)Further authorized to amend a sub grant to the Administrative Office of the Courts (previously approved by G&C on 12-8-10, item #56), for a program designed to provide judicial resolution for victims of domestic and sexual violence, by extending the end date from April 30, 2011 to April 30, 2012. No Additional Funding. **100% Federal Funds ARRA.**
- #27 Authorized to enter into sub grants with the agencies as detailed in letter date March 28, 2011, for a total of \$25,454, from the previously accepted 2009 ARRA, Violence Against Women Formula Grant, designed to provide services for women in NH who are victims of violent crimes. Effective upon G&C approval through April 30, 2012. **100% Federal ARRA Funds.**

- #28 Authorized to enter into sub grants with the agencies as detailed in letter dated March 29, 2011, in the total amount of \$23,050 from the federal fiscal year 2009 ARRA Victims of Crime Act, to support programs providing direct services to victims of crime. Effective July 1, 2011 through September 30, 2011. **100% Federal ARRA Funds.**
- #29 Authorized to accept and expend \$833 in a stipend from the Massachusetts College of Pharmacy and Health Sciences, Boston, MA, for a student interning in the Office of the Chief Medical Examiner. Effective upon G&C approval through June 30, 2011. **100% Agency Income.**
- #30 Authorized with Councilor Wheeler voting **no**, to enter into a new sub grant, with NH Department of Corrections, Victim Services Unit, in the amount of \$12,000, from the 2008 Victims of Crime Act VOCA Assistance Formula Grant award, to fund programs providing direct services to victims of crime. Effective upon G&C approval through June 30, 2011. **100% Federal Funding.**
- #30A Authorized to contract with and appoint Mark J. Myrdek to serve as part-time criminal justice investigator in the amount of \$119,190 for the purpose of investigating allegations of voting fraud and other violations of state or federal law relating to federal elections, provided federal funding remains available. Effective upon G&C approval through November 19, 2013. **100% Federal Funds.**
- #30B Authorized to enter into a contract with Diane Martin, Bedford, NH, to provide legal research on State and Local responses relative to authority questions that arise in an emergency with energy repercussions, in the amount of \$20,285. Effective upon G&C approval through August 30, 2011. **100% Transfer from Other Agencies** (ARRA) Funds.

NEW HAMPSHIRE EMPLOYMENT SECURITY

The Governor and Council acted as follows:

- #31 Authorized to amend item #48A, approved by G&C on 6-17-09, by reallocating \$258,278 of the ARRA federal funds from the US Department of Labor, to continue to improve unemployment compensation benefit and tax operations. Effective upon G&C approval through June 30, 2011. **100% Federal ARRA Funds. Fiscal Committee approved.**
- #32 Authorized to make one-time payments in the total amount of \$253.45 from SFY 2011 funds to part-time employees: Kelsey Gates, Shannon Cloutier, and Nermina Jamak, to compensate for wages and benefits that were not paid in SFY 2010. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

- #33 Authorized to accept and expend funds made available through a Victims of Crime Act sub grant from NH Department of Justice in the amount of \$12,000 to provide assistance to crime victims and their families. Effective upon G&C approval through June 30, 2011. **100% Agency Income (federal funds at origin).**
- #34 **TABLED** The Governor and Council on motion of Councilor Burton, seconded by Councilor Wieczorek, voted to amend the contract by extending it by one year, rather than two. The Attorney General indicated that because the contract with the vendor was for two years, the Executive Council could not amend it. The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton, and further on a roll call voted as follows: Councilor Burton yes, Councilor St. Hilaire yes, Councilor Sununu **no**, Councilor Wieczorek yes, and Councilor Wheeler **no**, voted to **table** the request to amend a contract with MHM Correctional Services Inc., Vienna, VA (previously amended by G&C on 5-20-09, item #39), for the provision of psychiatric services, by increasing the amount by \$9,196,033 from \$14,928,122 to \$24,124,155. Effective July 1, 2011 through June 30, 2013. **100% General Funds.**
- Authorized to pay overtime in the amount of \$1,364,685 for permanent personnel for positions that are vacant due to illness, extended leaves of absence, or pending recruitment. 100% General Funds.

- Authorized to enter into a contract with Keefe Commissary Network LLC, St. Louis, MO, for the provision of MP3 Players, Downloadable Digital Media & Kiosk services. Effective upon G&C approval through June 30, 2013. **100% Offender Funds.**
- #37 Authorized to amend a contract with Androscoggin Valley Hospital, Berlin, NH, (previously approved by G&C on 6-23-10, item #53), for the provision of Inpatient and Outpatient Hospital Medical Services, by increasing the price by \$93,700 from \$1,591,278 to \$1,684,978. Effective July 1, 2010 through June 30, 2012. **100% General Funds.**

NEW HAMPSHIRE LIQUOR COMMISSION

#38 The Governor and Council on motion of Councilor Sununu, seconded by Councilor St. Hilaire authorized the request to increase Cash-Change Revolving Fund for Store Operations by \$10,000 from \$130,000 to \$140,000.

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

The Governor and Council on motion of Councilor Burton, seconded by Councilor Sununu authorized the request to amend a lease with Pasquale F. Alosa Revocable Trust, Concord, NH (previously approved by G&C on 6-9-10, item #36), for continued rental of office and hearing room space comprised of approximately 2,700 square feet, in the amount not to exceed \$32,400. Effective July 1, 2011 through June 30, 2012. **99.993% General, .007% Other (Filing Fees) Funds.**

RACING AND CHARITABLE GAMING COMMISSION

#40 The Governor and Council on motion of Councilor Burton, seconded by Councilor Wieczorek authorized the request to enter into a memorandum of understanding providing for the shared use of lease space through collocation and sublet of a certain portion by the Governor's Commission on Disability authorizing acceptance of their sublet rental payments not to exceed \$42,258.26 for the term. The Governor's Commission on Disability will be provided approximately 1,434 square feet of the current 6,180 square feet of office space lease from McCarthy Properties, Concord, NH. Effective May 1, 2011 through June 15, 2013. 100% Agency Income (Gov's Commission on Disability) Funds.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

- 441 Authorized the Bureau of Historic Sites to accept a donation of architectural and engineering services valued at \$25,000 from the Weeks State Park Association Inc., Lancaster, NH, for the "Weeks Estate Restoration" project to benefit the Weeks Estate. (2)Further authorized a memorandum of agreement with Weeks State Park Association, for the purpose of coordinating the "Weeks Estate Restoration" project at Weeks State Park. Effective upon G&C approval through December 31, 2013. No Funds required.
- Authorized the Bureau of Trails to enter into a contract with Gosselin Plumbing and Heating Inc., Milan, NH, for installation of plumbing and heating at the Visitor Center at Jericho Mountain State Park, Berlin, NH, in the amount of \$17,300. Effective upon G&C approval through May 31, 2011. **100% Federal Funds.**
- 43 Authorized the Division of Travel and Tourism Development to award grants to the organizations as detailed in letter dated March 16, 2011, in the total amount of \$11,344.78 for their 2011 in-state and out-of-state marketing projects under the Joint Promotional Program. Effective upon G&C approval. 100% General Funds.
- #44 Authorized to amend a **sole source** contract with SilverTech Inc., Manchester, NH, (previously amended by G&C on 11-18-09, item #27), for additional web portal design and development and maintenance and support services, by increasing the amount by \$107,400 from \$413,500 to \$520,900, and by extending the completion date to December 31, 2011 from June 30, 2011. **98% Federal, 2% General Funds.**
- Authorized with Councilor Wheeler voting **no**, the Division of Economic Development to enter into a contract with Cogent Solutions LLC, Portsmouth, NH, to facilitate Business Continuity Training Workshops, for an amount up to \$37,000. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

Authorized the Division of Forests and Lands to accept the gift by Warranty Deed of two tracts of vacant forestland and fieldland, totaling 178.59 acres from the Nature Conservancy, nearly abutting Cape Horn State Forest in the Town of Northumberland, NH. **0% State Funds.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

- #47 Authorized to enter into a wildlife habitat improvement agreement with Richard Flint of Milan, NH, for the management of 24 acres of agricultural land in the Town of Milan. Effective upon G&C approval through December 31, 2020. No Funding.
- Authorized to enter into a grant agreement with the Council to Advance Hunting and the Shooting Sports Inc., in the amount of \$125,000 to assist with hunter requirement and retention. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**
- Authorized to grant, at no cost, a utility easement on Fish and Game owned land in the Town of Warren, NH, to NH Electric Cooperative Inc., for the purpose of installing one power pole and associated wires at the Warren Fish Hatchery.
- #49A Authorized to enter into a contract with the Wetherbee Creative & Web LLC, Derry, NH, for website and outreach materials for the Merrimack River Watershed Wildlife Heritage Trail, in the amount of \$10,000. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

- #50 Authorized to transfer FY 2011 appropriations in the amount of \$43,179 between classes, for the wastewater operator training program. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**
- #51 Authorized to enter into a Grant Agreement with Winnipesaukee Flagship Corporation, Weirs Beach, NH, to support the purchase and installation of replacement engines in M/V Doris E, in an amount not to exceed \$46,315. Effective upon G&C approval through September 30, 2011. **100% ARRA Federal Funds.**
- #52 Authorized to enter into a Grant Agreement with Richard Anderson, Rye, NH, to support the purchase and installation of a replacement engine in his fishing vessel, in an amount not to exceed \$38,225. Effective upon G&C approval through September 30, 2011. **100% ARRA Federal Funds.**
- #53 Authorized to complete repairs to Drowns Dam on Pawtuckaway Lake in Nottingham, in an amount not to exceed \$89,405. Effective upon G&C approval through June 30, 2012. **100% Dam Maintenance Program Funds.**
- Authorized to amend a memorandum of agreement between DES and the NH Fish and Game Department (previously amended by G&C on 4-1-09, item #56), to complete the reconstruction of Alton Power Dam in Alton and Perkins Pond Marsh Dam in Weare on a force account basis, by changing the completion to June 30, 2012 from June 30, 2011. No Additional Funding. **100% Dam Maintenance Funds.**
- #55 Authorized to enter into agreements with the entities as detailed in letter dated March 17, 2011, in the amount of \$14,142.50 to engage in outreach activities to communities in support of the fluvial erosion hazard program. Effective upon G&C approval through August 31, 2011. **100% Other (Interagency Pass-Thru Federal)** Funds.
- Authorized to award a grant to the NH Rivers Council, Concord, NH, to recruit volunteers to collect water quality and biological samples and conduct outreach through press releases, blog, and interpretative signage, in the amount of \$19,501. Effective upon G&C approval through December 31, 2012. **100% Federal Funds.**

- #57 Authorized to enter into a grant agreement with the NH Lakes Association Inc., Concord, NH, for the purpose of milfoil prevention activities, in the amount of \$169,000. (2)Further authorized an advance payment in the amount of \$65,000. Effective upon G&C approval through December 31, 2011. **100% Lakes Restoration Funds.**
- #58 Authorized a Supplemental Loan Agreement with the City of Manchester, which lowers the original loan agreement by \$278,486.83 from \$3,600,000 to \$3,321,513.17, which finalizes the amount used to finance the Crescent Road Combined Sewer Overflow Separation Project. Effective upon G&C approval. **100% Repayment Account.**
- #59 Authorized a Supplemental Loan Agreement with the City of Manchester, which finalizes and lowers the original loan agreement by \$344,338.02 from \$4,000,000 to \$3,655,661.98, used for the construction of the Cohas Brook Interceptor, Phase II, Contract 2 project. Effective upon G&C approval. **83% Federal, 17% CWSRF State Match.**
- #60 Authorized a loan agreement with Rockhouse Mountain Property Owners Association, to finance the development of an additional well project in the amount of \$230,000. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**
- #61 Authorized a loan agreement with the City of Berlin Water Works, to finance a water distribution system improvement project, in the amount of \$3,000,000. (2)Further authorized a loan agreement with the City of Berlin Water Works, to finance a "green" energy improvements project, in the amount of \$1,000,000. Effective upon G&C approval. 79% Federal, 21% Capital (General) Funds.
- #62 Authorized Charlotte & Ernestine Hartshorn's request to perform work on property having an average of 1,624 ft of frontage on Squam Lake in Moultonborough.
- #63 Authorized Lake Cottage Trust's request to perform work on property having an average of 153 ft of frontage on Barndoor Island, on Lake Winnipesaukee.
- #64 Authorized Nicole R. Gregg Revocable Trust's request to perform work on property having an average of 197 ft of frontage on Pickering's Creek in Portsmouth.
- #65 Authorized the City of Portsmouth's request to perform work on tidal waters in Portsmouth.
- #66 Authorized C/O Larry & Mary T. Ciotti Rev Trust's request to perform work on property having an average of 53 ft of frontage on Sagamore Creek in Portsmouth.
- #67 Authorized Bonnie and Paul Lamson's request to perform work on 70 ft of frontage on Little Bay in Dover. Impact 320 sq. ft of previously developed upland tidal buffer zone for the construction of a gravel driveway.
- #68 Authorized Sunray Shores Improvement Association's request to install 8 seasonal docks on frontage with six existing docks, within a dredged inlet and canal off Lake Winnisquam, in Belmont.
- #69 Authorized Barbara E. Daniell's request to perform work on property having an average of 430 ft of frontage on Governors Island, Lake Winnipesaukee in Gilford.
- #69A Authorized to **retroactively** amend a **sole source** agreement with Stantec Consulting Services Inc., Topsham, ME, (previously approved by G&C on 6-27-07, item #128), for engineering oversight of the Winnicut Dam Removal and Fish Passage construction project, by increasing the amount by \$52,737.36 from \$362,291 to \$415,028.36, and by extending the end date to June 30, 2012 from March 31, 2011. **100% Federal Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Human Resource Management

- #70 Authorized to make a one-time payment from SFY 2011 funds to Sharon Ryan, Attorney I, Child Support Services, in the amount of \$4,341, to compensate for wages that were not paid for SFY 2009 & 2010. **34% General, 66% Federal Funds.**
- #71 Authorized to make a one-time payment from SFY 2011 funds to Nancy Carreiro, Mental Health Worker III, NH Hospital, in the amount of \$548.19, to compensate for wages that were not paid for SFY 2010. **83%** General, 17% Federal Funds.

Bureau of Facilities and Assets Management

- #72 Authorized to amend a **sole source** lease with C&C Thibodeau Properties LLC, Conway, NH, (previously approved by G&C on 6-7-06, item #115), for Conway District Office space, by increasing the price in the amount of \$188,700 to \$1,121,112 from \$932,412, and by extending the end date from June 8, 2011 to June 8, 2012. **60.5% General, 39.5% Federal Funds.**
- Authorized to amend a **sole source** lease with the City of Rochester, NH (previously amended by G&C on 6-23-10, item #92), for continued occupation by the Rochester District Office, by increasing the price in the amount of \$550,500 to \$2,159,687.50 from \$1,609,187.50, and by extending the end date from June 30, 2011 to June 30, 2013. **60.5% General, 39.5% Federal Funds.**

Office of Minority Health and Refugee Affairs

#74 Authorized to enter into a contract with Lutheran Social Services of New England Inc., Concord, NH, to provide direct services to NH Temporary Assistance to Needy Families recipients and other low-income adults through the NH Health Profession Opportunity Project, in the amount of \$9,195,000. Effective upon G&C approval through September 29, 2015. **100% Federal Funds.**

Division of Public Health Services

- #75 Authorized the Bureau of Laboratory Services, Public Health Laboratories to accept and expend federal funds in the amount of \$365,243 from the Centers for Disease Control and Prevention to fund NH Epidemiology and Laboratory Capacity. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**
- #76 Authorized the Bureau of Population Health and Community Services, Healthy Eating and Physical Activity Section, Special Supplemental Nutrition Program for Women, Infants, and Children, to enter into an agreement with Mervyn Taub, Bedford, NH, to perform compliance buys at NH Women, Infants, and Children's Authorized grocery stores, in an amount not to exceed \$9,000. Effective upon G&C approval through June 30, 2013. 100% Federal Funds.
- #77 Authorized the Bureau of Population Health and Community Services, Maternal and Child Health Section to enter into an agreement with NH Children's Trust Inc., Concord, NH, to provide Home Visiting Capacity Building Services that will strengthen and improve home visiting programs and activities for low-income pregnant and parenting women in NH, in an amount not to exceed \$200,000. Effective upon G&C approval through June 30, 2012. 100% Federal Funds.
- Authorized the Bureau of Public Health Systems, Policy & Performance, Community Health Development Section, to amend a **sole source** agreement with JSI Research and Training Institute Inc., d/b/a Community Health Institute, Bow, NH, (previously amended by G&C on 5-12-10, item #90), to develop a training program for primary care providers to increase their ability to vaccinate their patient population during infectious disease emergencies, by increasing the price by \$29,435 from \$610,315 to \$639,750. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

Bureau of Drug and Alcohol Services

#79 Authorized to enter into agreements with the providers as detailed in letter dated March 17, 2011, as well as additional applicants responding to the Department's Request for Application at an estimated cost not to exceed \$6,515,492. Effective upon G&C approval through June 30, 2013. 100% Federal Funds.

Bureau of Homeless and Housing Services

#80 Authorized to enter into an agreement with Families in Transition, Manchester, NH, to provide services to homeless individuals in an amount not to exceed \$70,057. Effective **retroactive** to July 1, 2010 through June 30, 2011. **100% Federal Funds.**

Bureau of Behavioral Health

#81 Authorized to accept and expend additional federal revenue in the amount of \$25,918, and to accept and expend Title XIX Medicaid federal funds through the ARRA 2009 from the Centers for Medicare and Medicaid Services in the amount of \$8,761,984; and decrease revenue adjustments to General Funds in the amount of \$8,779,115. Effective **retroactive** to July 1, 2010 through June 30, 2011. **100% Federal ARRA Funds. Fiscal Committee approved.**

Bureau of Developmental Services

#82 Authorized to accept and expend additional federal revenue in the amount of \$2,893, and to accept and expend Title XIX Medicaid federal funds through the ARRA 2009 from the Centers for Medicare and Medicaid Services in the amount of \$2,890,497. Effective **retroactive** to July 1, 2010 through June 30, 2011. **100% Federal ARRA Funds. Fiscal Committee approved.**

#83 Authorized to accept and expend additional federal revenue in the amount of \$1,232,560, and to accept and expend Title XIX Medicaid federal funds through the ARRA 2009 from the Centers for Medicare and Medicaid Services in the amount of \$17,439,803; and decrease revenue adjustments to General Funds in the amount of \$18,653,691. Effective retroactive to July 1, 2010 through June 30, 2011. **100% Federal ARRA Funds. Fiscal Committee approved.**

#83A Authorized with Councilor Sununu recusing himself, the Special Medical Services section, Partners in Health Program, to hold an organized meeting at the Waterville Valley Conference & Event Center, Waterville Valley, NH, for an amount not to exceed \$15,282, to be held on April 15-16, 2011 entitled "Keeping It All Together: Balancing Family, Systems and Life (Or How To Do It All Without Losing It!)" conference. (2)Further authorized to pay a total of \$15,282 to: conference speakers, venue accommodations, respite providers for conference attending families, and conference materials / supplies. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

New Hampshire Hospital

#84 Authorized to make a **retroactive** one-time payment to the National Association of State Mental Health Program Directors Research Institute Inc., Alexandria, VA, in the amount of \$6,950. Effective upon G&C approval through February 28, 2012. **70% General**, **30% Federal Funds**.

BOARD OF BARBERING, COSMETOLOGY, AND ESTHETICS

#85 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton authorized the request to amend a lease with McCarthy Properties, West Wareham, MA, for continued rental of office and meeting space comprised of approximately 2,000 square feet, Concord, NH, in an amount not to exceed \$22,134. Effective July 1, 2011 through June 30, 2012. **100% General Funds.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#86 Authorized to increase the appropriation and expend additional grant funds in the amount of \$808,155 from the US Department of Education. Effective upon G&C approval through September 30, 2011. **100% Federal ARRA Funds. Fiscal Committee approved.**

- #87 Authorized to increase the appropriation and expend additional grant funds in the amount of \$23,730,632 from the US Department of Education. Effective upon G&C approval through September 30, 2011. **100% Federal ARRA Funds. Fiscal Committee approved.**
- Authorized a renewal option for a cooperative agreement with the Institute on Disability, University of NH, Office of Sponsored Research, (previously approved by G&C on 1-27-10, item #77), to continue to support at-risk children and youth with disabilities through evidence-based problem solving frameworks statewide technical assistance, for a total of \$750,000. (2)Further authorized payment for services rendered and approved in accordance with the terms of the agreement. Effective July 1, 2011 through June 30, 2013. **100% Federal Funds.**

DEPARTMENT OF SAFETY

- #89 Authorized the Division of State Police to transfer \$850 to re-align appropriated funds for the purpose of implementing the J-ONE Project. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.** Fiscal Committee approved.
- #90 Authorized the Division of Fire Standards and Training and Emergency Medical Services to accept and expend \$114,600 of the prior year carry forward balance in the Fire Standards Instruction Account to fund additional personnel and travel expenses for the part-time instructors and evaluators. Effective upon G&C approval through June 30, 2011. 100% Agency Income Fire Standards Training Fees. Fiscal Committee approved.
- #91 Authorized the Division of State Police to accept and expend \$208,800 of the prior year carry forward balance in the Outside Details account to cover the benefits on the special payments for construction details needed by outside vendors. Effective upon G&C approval through June 30, 2011. **100% Private Local Funds. Fiscal Committee approved.**
- #92 Authorized the Division of State Police to amend a grant (previously approved by G&C on 11-17-10, item #178), by reallocating the funds from \$1,700 within the account entitle Sex Offender Grant for the purpose of developing a more comprehensive, multi-jurisdictional Sex Offender Unit. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**
- #93 Authorized the Division of Homeland Security and Emergency Management to accept and expend Flood Mitigation Assistance funds from the Federal Emergency Management Agency in the amount of \$623,957 for the implementation of cost effective flood mitigation projects. Effective upon G&C approval through June 30, 2011. (2)Further authorized to enter into a grant agreement with the Town of Merrimack, NH, for a total amount of \$394,425 for implementation of a project identified through the evaluation of natural hazards. Effective upon G&C approval through September 15, 2012. **100% Federal Funds. Fiscal Committee approved.**
- #94 Authorized the Division of Homeland Security and Emergency Management to enter into a **retroactive** grant agreement with the Town of Washington, for the installation of an in-ground fire cistern for a total amount of \$14,745. Effective April 1, 2010 through September 30, 2011. **100% Federal Funds.**
- #95 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Bethlehem, to update their local emergency operations plan for a total amount of \$5,000. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**
- #96 Authorized the Division of Homeland Security and Emergency Management to enter into grant agreements with the Town of Bedford, and the Town of Kingston Police Department, for emergency management capabilities enhancements for a total amount of \$109,370. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**
- #97 Authorized the Division of State Police to accept and expend \$4,680 of federal pass-through funds from the NH Department of Justice, for the purpose of reimbursing the cost for bullet proof vests. Effective upon G&C approval through June 30, 2011. **100% Agency Income.**

- #98 Authorized the Division of State Police to enter into a contract with Whelen Technologies Inc., Chester, CT, for the repair of defective Whelen units/assemblies, for \$15,000. Effective upon G&C approval through June 30., 2013. **100% Highway Funds.**
- #99 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Litchfield, for the reimbursement of project cost overruns associated with the projects identified through the evaluation of natural hazards, in the amount of \$48,139. Effective upon G&C approval through June 30, 2011. 100% Federal Funds.
- #100 Authorized the Division of Motor Vehicles to accept and expend "FFY 2010 CDL Information System Modernization Grant" funds in the amount of \$17,000 from the US Department of Transportation Federal Motor Carrier Safety Administration. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**
- #101 Authorized the Division of Homeland Security and Emergency Management to enter into a memorandum of agreement with the Department of Environmental Services for \$450,000 for final engineering designs and projects along the Suncook River. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**
- #102 Authorized to enter into a memorandum of agreement on behalf of the state agencies as detailed in letter dated March 28, 2011, in the amount of \$181,400 for the State Homeland Security Program portion of the 2008 and 2009 Homeland Security grant program. Effective upon G&C approval through July 31, 2012. **100% Federal Funds.**
- #103 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton, authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the City of Manchester, for the purchase of emergency preparedness equipment and systems for the new Hackett Hill Road Fire Station for a total amount of \$120,000, to allow the fire station to be utilized as an alternate emergency operations center and back-up communications link for the northwest part of the city. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**
- #104 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the North Country Resource Conservation & Development Area Council Inc., to provide planning and technical assistance to communities for rural fire protection, in the amount of \$86,887. Effective upon G&C approval through March 31, 2012. 100% Federal Funds.
- #105 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Colebrook, for emergency preparedness capabilities enhancements for a total amount of \$44,732.96. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**
- #106 Authorized the application of Masquebec Family Corporation located on Newfound Lake in Bridgewater, NH, for a congregate mooring field renewal of 7 moorings.
- #107 Authorized the application of Old Clubhouse Land Association located on Newfound Lake in Bridgewater, NH, for a congregate mooring field renewal of 8 moorings.
- #108 Authorized the application of Winnstock Condominium Association located on Lake Winnipesaukee in Gilford, NH, for a congregate mooring field renewal of 20 moorings.
- #109 Authorized the application of Pine Cove Shores South Beach Association located on Lake Winnipesaukee in Moultonborough, NH, for a congregate mooring field renewal of 5 moorings.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#110 Authorized to transfer \$3,383,777 between Highway Fund accounts as detailed in letter dated March 3, 2011. **Fiscal Committee approved.**

- #111 Authorized the Bureau of Construction to amend a contract with Alvin J. Coleman & Son Inc., Conway, NH, (previously approved by G&C on 7-14-10, item #96), for pavement and bridge rehabilitation on NH Route 26 in Dixville and Millsfield, by increasing the amount by \$350,000 from \$2,945,685.28 to \$3,295,685.28. Effective upon G&C approval. **100% Federal Funds.**
- #112 Authorized the Bureau of Planning and Community Assistance to enter into an agreement with the City of Manchester to provide funding and services under the Federal Highway Safety Improvement Program through a municipally-managed process to complete the replacement of existing signals at the intersections of Maple Street and Spruce Street, Maple Street and Hanover Street, and Beech Street and Cilley Road totaling \$284,400 federal funds. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**
- #113 Authorized the Bureau of Aeronautics to award a grant to the City of Manchester, for AIP-85 to purchase snow removal equipment, upgrade the Terminal Public Announcement (PA) System, and to purchase property in the Runway Protection Zone at the Manchester-Boston Regional Airport, in the amount of \$2,422,556. Effective upon G&C approval through March 31, 2015. **95% Federal, 5% General Funds.**
- #114 Authorized the Bureau of Rail & Transit to amend a contract with Advance Transit Inc., Wilder, VT, (previously approved by G&C on 9-23-09, item #115), to purchase transit vehicles and transit-related equipment, by increasing the amount by \$45,243 from \$1,810,950 to \$1,856,193, and by extending the end date from April 30, 2011 to December 31, 2012. **88.9% Federal, 11.1% General Funds.**
- #115 Authorized the Bureau of Highway Design to enter into an agreement with HNTB Corporation, Westbrook, ME, and Kansas City, MO, for on-call Turnpike-related consulting services, for an amount not to exceed \$750,000. Effective upon G&C approval through April 30, 2014. **100% Turnpike Funds.**
- #116 Authorized the Bureau of Highway Maintenance (Well Section) to enter into a contract with L. G. Cushing & Sons Inc., Walpole, NH, for decommissioning four abandoned drilled wells, in the amount of \$10,481.25. Effective upon G&C approval through June 24, 2011. **100% Highway Funds.**
- #117 Authorized the Bureau of Highway Maintenance (Well Section) to enter into a contract with L. G. Cushing & Sons Inc., Walpole, NH, for a well rehabilitation and pumps at the Canterbury Rest Area, in the amount of \$25,850.50. Effective upon G&C approval through May 21, 2011. **100% Highway Funds.**
- #118 Authorized with Councilor Wheeler voting **no**, the Bureau of Construction to enter into a contract with A.R. Couture Construction Corp., Berlin, NH, for roadway realignment of one-half mile of NH Route 16 in the Town of Errol, on the basis of a low bid of \$1,210,000. (2)Further authorized a contingency in the amount of \$121,000 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through June 15, 2012. **100% Federal Funds.**

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ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Sununu, voted to remove item #41- which was tabled at the 3-30-11 Meeting

INSURANCE DEPARTMENT

#41 **DENIED** – The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Sununu, voted to **deny** the request to enter into a contract with the Wakely Consultant Group, Winchester, MA, for the provision of consulting services in connection with the planning initiative for evaluating options for an exchange under the federal Patient Protection and Affordable Care Act, in the amount of \$610,675.04. Effective upon G&C approval through October 31, 2011. **100% Federal Funds.**

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ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Wieczorek, voted to remove item #87A- which was tabled at the 3-30-11 Meeting

DEPARTMENT OF SAFETY

#87A **AMENDED** - The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Sununu, voted to amend the request of the Division of State Police to accept and expend a sub-grant from the NH Department of Justice in the amount of \$299,700, to purchase additional digital livescan fingerprint stations to be distributed to the State Police and localities to support automated fingerprinting of arrestees and fingerprinting of applicants for positions requiring a criminal records check. Effective upon G&C approval through June 30, 2011. **100% Agency Income. Contingent upon Fiscal Committee approval on March 25, 2011.**

The amendment is as follows:

The Governor and Council direct the State Police to destroy all applicant tenprint cards for applicant background checks after a search of the FBI database and no electronic fingerprint or associated demographic data is to be kept by either the FBI or the NH State Police.

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Commissioner Thomas Getz, Chairman of the Public Utilities Commission, appeared before the Executive Council to discuss general administrative matters pertaining to Public Utilities Commission hearings. Attorney General Michael Delaney advised the Executive Council and Chairman Getz to refrain from any substantive discussion addressing particular cases or the outcome of proceedings.

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Next regular Governor and Executive Council meeting is scheduled for Wednesday, April 27, 2011, at the State House, Concord, NH.

The Honorable Board then Adjourned at 1:25 p.m.