

GOVERNOR AND EXECUTIVE COUNCIL MINUTES  
State House, Concord, New Hampshire  
December 14, 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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Councilor Wheeler offered the prayer and the Pledge of Allegiance was led by the Governor.

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The Governor and Executive Council on motion of Councilor Wheeler, seconded by Councilor Sununu, accepted the minutes of November 30, 2011.

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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 November 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:

Athletic Trainers Governing Board

Kerri Lafond, Keene

Effective: January 1, 2012

Community Development Finance Authority

(Community Development Organization)

Ignatius MacLellan, Bow

Effective: December 14, 2011

Ports and Harbors Advisory Council

Diane Terragni, Dunbarton

Effective: December 14, 2011

**CONFIRMATIONS**

The Governor and Council confirmed the following:

Board of Accountancy

(CPA)

Wayne B. Geher, Concord

Reappointment

Effective: December 14, 2011

Term: December 2, 2016

Advanced Manufacturing Education Advisory Council

(Public Member)

Barbara J. Couch, Hanover

Reappointment

Effective: December 18, 2011

Term: December 18, 2014

Appellate Board

(Attorney -Chair)

Heather E. Krans, Exeter

Changed from Vice Chair to Chair

Effective: December 14, 2011

Term: November 21, 2012

New Hampshire State Council on the Arts

Susan V. Duprey, Concord

Reappointment

Effective: December 14, 2011

Term: October 28, 2016

Community Development Finance Authority

(Community Development Organization)

Racheal L. Stuart, Berlin

Reappointment

Effective: December 18, 2011

Term: December 18, 2016

Current Use Advisory Board

(Representing assessing official from town with less than 5,000 population)

Normand G. Bernaiche, Charlestown

Reappointment

Effective: December 23, 2011

Term: December 23, 2013

Department of Education

(District 3)

James C. Schubert, Hampton

Succeeding: Daphne A. Kenyon, Windham (resigned)

Effective: February 1, 2012

Term: January 31, 2014

Commissioner of the Department of Health and Human Services – Councilors Wiczorek & Wheeler voted **no**.

Nicholas A. Toumpas, Rye

Reappointment

Salary: Grade MM - \$120,095

Effective: January 16, 2012

Term: January 16, 2016

Historical Resources Council

Carl W. Schmidt, Orford

Reappointment

Effective: December 27, 2011

Term: December 27, 2016

Board of Home Inspectors

(Home Inspector)

Robert J. Corsetti, Dover

Reappointment

Effective: December 18, 2011

Term: December 18, 2016

Board of Home Inspectors

(Home Inspector)

Daryl Justham, Rochester

Reappointment

Effective: December 18, 2011

Term: December 18, 2016

Independent Investment Committee

David A. Jensen, Contoocook

Succeeding: Thomas Silvia, Amherst (resigned)

Effective: December 14, 2011

Term: At the pleasure of the Governor

Medical Review Subcommittee

(Physician)

Nominated by the Board of Medicine

Paul J. Scibetta, Jr., Holderness

Reappointment

Effective: December 14, 2011

Term: December 3, 2014

Nash Stream Forest Citizens Committee

(Environmental Organization)

Wendell M. Lees, Kearsarge

Reappointment

Effective: December 14, 2011

Term: November 2, 2014

Physical Therapy Governing Board

Robert P. Brunton, Wolfeboro

Succeeding: Laurel L. Clute, Lempster (term limited)

Effective: January 8, 2012

Term: January 8, 2015

Public Employee Labor Relations Board

(Chair-Public)

Charles S. Temple, Concord

Succeeding: John Buckley, Dover

Effective: December 14, 2011

Term: September 12, 2017

Public Water Access Advisory Board

(Representing River Association)

Marcy Stanton, Milford

Succeeding: Brian Giles, Durham

Effective: December 14, 2011

Term: December 16, 2013

State Radiation Advisory Committee

(Life Science)

Richard A. Fralick, Durham

Reappointment

Effective: December 14, 2011

Term: October 14, 2013

New Hampshire Retirement System Board of Trustees

(Nominated by the New Hampshire Education Association)

Karen McDonough, Peterborough

Succeeding: Michael Macri, Concord (resigned)

Effective: December 14, 2011

Term: July 1, 2012

Traffic Safety Commission

Bruce M. Keller, Manchester

Succeeding: Lyman A. Cousens, Boscawen (resigned)

Effective: December 14, 2011

Term: September 16, 2013

**CONFIRMATION AMENDED**

Marital Master (Amended Term)

Nominated by the Administrative Judge of the Judicial Court, Family Division

Jennifer A. Lemire, Stratham

Succeeding: Diane M. Nicolosi Concord

Effective: Upon confirmation

Term: January 27, 2013

**NOMINATIONS**

The Governor placed into nomination the following:

Advanced Manufacturing Education Advisory Council

(Superintendent)

Debra Livingston, Charlestown

Succeeding: Jacqueline E. Guilette, Claremont (resigned)

Effective: Upon confirmation

Term: December 18, 2012

State Committee on Aging

(Coos County)

Margaret Moser, Lancaster

Vacancy

Effective: Upon confirmation

Term: June 24, 2013

State Board of Fire Control

(Forest Fire Warden)

Norman W. Skantze, Swanzey

Succeeding: John DeSilva, Bow (left fire service)

Effective: Upon confirmation

Term: September 27, 2014

Board of Foresters

(Public Forester)

Steven S. Roberge, Peterborough

Succeeding: Charles Hersey, Manchester (resigned)

Effective: Upon confirmation

Term: August 22, 2014

Northern New Hampshire Correctional Facility Warden

Nominated by the Commissioner of the Department of Corrections  
Edward Reilly, Eaton  
Succeeding: Larry D. Blaisdell, Littleton (resigned)  
Salary: HH Step 4 - \$93,812

Effective: Upon confirmation  
Term: Serves at Commissioners pleasure

Rivers Management Advisory Committee

(Recreation Interests)  
Kenneth D. Kimball, Jackson  
Reappointment

Effective: Upon confirmation  
Term: December 28, 2014

Telecommunication Planning and Development Advisory Committee

(Regional Economic Development Organization or Planning Commission)  
Nominated by the Commissioner of the Department of Resources and Economic Development  
Michael D. Blair, Swanzey  
Reappointment

Effective: Upon confirmation  
Term: October 18, 2014

Telecommunication Planning and Development Advisory Committee

(Municipal Government)  
Nominated by the Commissioner of the Department of Resources and Economic Development  
Robert D. Ciandella, New Castle  
Reappointment

Effective: Upon confirmation  
Term: October 18, 2014

Telecommunication Planning and Development Advisory Committee

(County Government)  
Nominated by the Commissioner of the Department of Resources and Economic Development  
Arthur Durette, Pembroke  
Reappointment

Effective: Upon confirmation  
Term: October 18, 2014

Telecommunication Planning and Development Advisory Committee

(Industry)  
Nominated by the Commissioner of the Department of Resources and Economic Development  
Ellen G. Scarponi, Canterbury  
Succeeding: Teresa R. Rosenberger, Concord

Effective: Upon confirmation  
Term: October 3, 2013

Wetlands Council

(NH Audubon/Society for the Protection of NH Forests)  
Nominated by the NH Audubon and Society for the Protection of NH Forests  
Robert N. Snelling, Holderness  
Succeeding: Tom Chrisenton, Lyndeborough (resigned)

Effective: Upon confirmation  
Term: October 23, 2014

#1 **CONSENT CALENDAR - DONATIONS:**

**DEPARTMENT OF ADMINISTRATIVE SERVICES**

- A. Authorized to accept two Christmas trees to be placed at the Bridges House on Mountain Road and the State House in Concord, NH, from Farmstead Acres, Westmoreland, NH, with a value of approximately \$130.

**DEPARTMENT OF EDUCATION**

- B. Authorized the Division of Career Technology and Adult Learning Services for Blind and Visually Impaired to accept a donation in the amount of \$50.

**DEPARTMENT OF INFORMATION TECHNOLOGY**

- C. Authorized to participate in a no cost program for cyber security monitoring services from the Multi-State Information Sharing and Analysis Center for a period of one year, with optional extensions, pending additional funding from the federal Department of Homeland Security, with an estimated value of \$12,000.

**BUSINESS FINANCE AUTHORITY**

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

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE  
GOVERNOR AND COUNCIL HELD ON DECEMBER 14, 2011  
COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE**

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At approximately 10:50 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Guaranteed Asset Program of the Business Finance Authority in connection with a loan to be made by Ledyard National Bank to W. H. Silverstein, Inc., and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Jack Donovan, Executive Director of the Authority who briefly explained the project .The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Burton introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM LEDYARD NATIONAL BANK TO W.H. SILVERSTEIN, INC." and moved its adoption, which was seconded by Councilor Wieczorek. Those voting in favor were: The Governor and Councilor Burton, Councilor St. Hilaire, Councilor Sununu, and Councilor Wieczorek; those abstaining were Councilor (s): None; and those voting against were: Councilor Wheeler. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-A:18  
AWARDING A STATE GUARANTEE UNDER RSA 162-A:13  
WITH RESPECT TO A LOAN FROM  
LEDYARD NATIONAL BANK TO W.H. SILVERSTEIN, INC.**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to eighty percent (80%) of the principal amount of a loan up to \$698,700 from Ledyard National Bank to W. H. Silverstein, Inc., pursuant to RSA 162-A:13 (the Guaranteed Asset Program or the "GAP Program");

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

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

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

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

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

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

(a) Special Findings.

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

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

(b) General Findings.

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

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

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

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

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

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

## COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#3 Authorized to award a \$500,000 grant to the Town of New Ipswich, NH, for the purpose of assisting Warwick Mills, with a business expansion activity in the amount of \$235,000, and for the High Bridge Foundation, for the purpose of creating a training program in partnership with Warwick Mills, in the amount of \$232,500. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#4 Authorized to amend a \$500,000 grant agreement with the Town of Newport, NH (originally approved by G&C on 8-19-09, item #11), to allow for finalization of the construction and job creation commitments at the industrial park, by extending the end date to September 30, 2012 from December 31, 2011. No Additional Funding. **100% Federal Funds.**

#5 Authorized to award a \$238,957 grant to the City of Franklin, NH, to renovate and provide furnishings and fixtures on behalf of Tiny Twisters Child Care Center. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#6 Authorized to award a \$500,000 grant to the City of Laconia, to complete energy efficiency and other upgrades to the former federal building. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#7 Authorized to amend a \$500,000 grant With the County of Merrimack, Concord, NH, (originally approved by G&C on 1-13-10, item #3), to allow for finalization of septic system replacement at the Catamount Hill Cooperative Manufactured Housing Park, by extending the completion date to December 31, 2012. No Additional Funding. **100% Federal Funds.**

#8 Authorized to amend a \$12,000 grant agreement with the Town of Hinsdale, NH, (originally approved by G&C on 9-22-10, item #7), to help municipalities solve community development problems, by extending the end date to December 31, 2012 from December 31, 2011. No Additional Funding. **100% Federal Funds.**

## OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#9 Authorized to enter into a contract with Nexight Group LLC, Silver Spring, MD, for work to be accomplished as part of the ARRA – Energy Assurance Planning, in the amount of \$49,121. Effective upon G&C approval through July 31, 2012. **100% Federal ARRA Funds.**

#10 Authorized to enter into a memorandum of agreement with the Department of Environmental Services, Concord, NH, for the continued operation of the Granite State Clean Cities Coalition, and to provide OPE with assistance reporting on state energy operations, and hosting the annual State Energy Conference for state employees, in the amount of \$33,000. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#11 Authorized to enter into a **sole source** memorandum of agreement with the Community College System of NH, Manchester, NH, to provide training to NH State Employees engaged in maintenance of HVAC and other equipment in State-owned buildings and facilities, in the amount of \$12,666.83. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#12 Authorized to enter into a **sole source** agreement with the University of NH, Complex Systems Research Center, Durham, NH, to continue implementation of the state's Floodplain/Risk MAP program as approved by the Department of Homeland Security, Federal Emergency Management Agency, in the amount of \$61,721. Effective upon G&C approval through September 13, 2012. **100% Federal Funds.**

## DEPARTMENT OF INFORMATION TECHNOLOGY

#13 The Governor and Council on motion of Councilor Burton, seconded by Councilor St. Hilaire authorized the request of a contract renewal option with NIIT Technologies, Atlanta, GA, (originally approved by G&C on 12-18-08, item #3), for technical support services for the Municipal Agent Automation Program, in the amount of \$497,090 from \$1,230,540 to \$1,727,630. Effective January 1, 2012 through December 31, 2013. **100% Other (Agency Class 27) Funds: the agency class 27 used by DOS to reimburse DoIT for this contract with 100% Highway Funds.**

## OFFICE OF THE ADJUTANT GENERAL

#14 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to nominate Major Eugene R. Mozzoni, Dover, 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.

## DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#15 Authorized to accept and place on file the list of Governor and Executive Council meeting dates for the period of January 2012 through June 2012.

#16 Authorized the Division of Personnel's request for a waiver of classification decisions as detailed in letter dated November 30, 2011. Effective upon G&C approval.

#17 Authorized the Bureau of Graphic Designs to enter into a contract with Dynamic Advantage Inc., Mineola, NY, for full repair service and maintenance to high speed reproduction equipment, for a base charge of \$45,624. (2)Further authorized \$5,760 to cover the estimated cost of copies over and above the copy allowance in the contract, bringing the total to \$51,384. Effective upon G&C approval through September 30, 2013. **100% Agency Income Print Shop Operations.**

#18 Authorized the Bureau of Court Facilities, to enter into a twelve month amendment to the Use of Premises Agreement with Rockingham County, Brentwood, NH, (originally approved by G&C on 6-25-08, item #49), for which the County shall pay the State \$175,836.12 for the office space located in the courthouse. Effective January 1, 2012 through December 31, 2012. **100% Agency Income.**

#19 Authorized the Bureau of Court Facilities to **retroactively** enter into a Use of Premises Agreement with the Town of Jaffrey, NH, for the leasing of State owned property located at the Jaffrey-Peterborough District Court, Jaffrey, NH, for an amount not to exceed \$11,598. Effective November 1, 2011 through October 31, 2014. **100% Agency Income.**

#20 Authorized the Bureau of Court Facilities to enter into a lease agreement with the City of Claremont, NH, for courtroom and office space for the 5<sup>th</sup> Circuit Claremont District Division Courthouse at the Opera House Square (City Hall), Claremont, NH, in an amount not to exceed \$105,981.60. Effective January 1, 2012 through December 31, 2013. **100% Transfer Funds – transfer from AOC, Rent from Other Agencies.**

#21 Authorized, acting in cooperation with the Department of Health and Human Services, to sell the State-owned land, building, and other improvements located at 1188 River Road, Manchester (the "property") to John C. Malynowski for \$90,000 pursuant to the terms of a Purchase & Sale Agreement dated November 9, 2011. Effective upon G&C approval. (2)Further authorized to pay 5% of the gross proceeds from the foregoing sale in the amount of \$4,500 to Gallo Realty Group NH, LLC, Manchester, NH, as its commission for real estate brokerage and listing agent services provided with respect to the Property pursuant to the terms of the proposed Exclusive Agreement dated September 22, 2011. Effective upon G&C approval. **100% Proceeds from Sale (General Funds).**

#22 Authorized to enter into a contract with Easter Seals NH Inc., Manchester, NH, to provide an employee shuttle service for state employees who work in the State House Complex, for a total amount not to exceed \$62,805. Effective January 3, 2012 through June 30, 2013. **100% General Funds.**



#22A Authorized a Working Capital Warrant in the amount of \$400,000,000 to cover expenditures for the month of January.

#22B Authorized a new section of the Manual of Procedures entitled “Approval of Adjustments to Classified Employee salary and/or Associated Amounts Relating to a Previous Fiscal Year” as detailed in letter dated December 5, 2011. Effective upon G&C approval.

#22C Authorized a new chapter of the Manual of Procedures entitled “NH FIRST Payroll Function” as detailed in letter dated December 6, 2011. Effective upon G&C approval.

#### **STATE TREASURY**

The Governor and Council acted as follows:

#23 Authorized to fill an Assistant Treasurer position at Grade DD, Step 1, and annual salary of \$59,469. Effective December 27, 2011. **100% Other Funds.**

#24 Authorized to issue a warrant from funds not otherwise appropriated in the amount of \$66,378, and the State Treasurer to issue checks in the amount of \$66,377.37 to the rightful owners of abandoned or unclaimed funds.

#24A Authorized to budget and expend \$362,132 of Surplus Land and Community Heritage Investment Program funds received in fiscal year 2011 and carried forward in fiscal year 2012, for the purpose of providing grants for projects to preserve state natural and historic resources. Effective upon G&C approval through June 30, 2012. **100% Other Funds. Fiscal Committee approved.**

#### **DEPARTMENT OF REVENUE ADMINISTRATION**

#25 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to place Attorney Kathryn E. Skouteris at the maximum step for the position of Revenue Counsel, unclassified salary grade FF, earning \$83,917 annually. Effective upon G&C approval. **100% General Funds.**

#### **DEPARTMENT OF CULTURAL RESOURCES**

The Governor and Council acted as follows:

#26 Authorized with Councilor Wheeler voting **no**, to award operating grants to the organizations as detailed in letter dated November 18, 2011, totaling \$37,056. Effective upon G&C approval through June 30, 2013. **100% General Funds.**

#27 Authorized with Councilor Wheeler voting **no**, to award a Cultural Facilities Grant to Mt. Kearsarge Indian Museum, Warner, in the amount of \$5,000. Effective upon G&C approval through June 30, 2012. **100% General Funds.**

#28 Authorized with Councilor Wheeler voting **no**, to award a Conservation License Plate Grant in the amount of \$8,992 to the City of Rochester, for the Conservation and Microfilming of Selectman’s Records. Effective upon G&C approval through June 30, 2012. **100% Conservation Plate Funds.**

#29 Authorized with Councilor Wheeler voting **no**, to award operating grants to the organizations as detailed in letter dated November 28, 2011, totaling \$68,556. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#30 Authorized with Councilor Wheeler voting **no**, to award operating grants to the organizations as detailed in letter dated November 28, 2011, totaling \$61,584. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#31 Authorized with Councilor Wheeler voting **no**, to award operating grants to the organizations as detailed in letter dated November 18, 2011, totaling \$43,056. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

### JOINT BOARD OF LICENSURE AND CERTIFICATION

#32 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to enter into a **sole source** contract with the National Council of Examiners for Engineering and Surveying, SC, for membership in NCEES and the preparation and scoring of the engineering and land surveying examinations from April 1, 2012 through March 31, 2014, in the amount of \$140,000. (2)Further authorized unencumbered payments with internal accounting control. **100% General Funds.**

### ATTORNEY GENERAL – DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

#33 **DENIED** – The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton, voted to **deny** the petition of Kurt Carpentino requesting a pardon hearing for the offense of Aggravated Felonious Sexual Assault. The petitioner is not eligible for an annulment.

#34 **DENIED** – The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton, voted to **deny** the petition of Lucille Sanchez requesting a pardon hearing for the offense of First Degree Murder. The petitioner is not eligible for an annulment.

#35 **DENIED** – The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton, voted to **deny** the petition of Peter Vancourt requesting a pardon hearing for the offense of DWI. The petitioner will not be eligible for an annulment because his medical condition prevents him from completing all the terms and conditions of his sentence.

#36 Authorized to appoint Laura E. Lombardi as an Assistant Attorney General in the Civil Bureau at a salary level of \$72,430.28. Effective upon G&C approval through July 31, 2013. **100% General Funds.**

#37 Authorized to reappoint Jeffrey A. Strelzin as an Assistant Attorney General. Effective December 29, 2011 through December 29, 2016. **84% General, 16% Federal Funds.**

#38 Authorized to appoint Karen A. Schlitzer as an Assistant Attorney General in the Transportation and Construction Bureau at a salary level of \$77,000. Effective upon G&C approval through August 31, 2014. **100% Transfer from Another Agency (Highway Funds).**

#39 Authorized to enter into a sub grant with the NH Coalition Against Domestic and Sexual Violence in the amount of \$148,828 from the US Department of Justice, Office on Violence Against Women, Sexual Assault Support Program, for the purpose of providing services for victims of sexual assault in NH. **100% Federal Funds.**

#40 Authorized to enter into sub grants in the amount of \$733,600 with nineteen agencies as detailed in letter dated November 29, 2011, from the Violence Against Women Formula Grant, for the purpose of providing services for women in NH who are victims of violent crimes. Effective upon G&C approval through June 30, 2013. (2)Further authorized to enter into sub grants in the amount of \$284,925 with six agencies as detailed in letter dated November 29, 2011, from the Violence Against Women Formula Grant, for the purpose of providing services for women in NH who are victims of violent crimes. Effective upon G&C approval through July 31, 2013. **100% Federal Funds.**

### NEW HAMPSHIRE EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#41 Authorized to enter into a **retroactive** inter-agency agreement with the NH Department of Transportation, for use of premises located at 11 Stickney Ave, Concord, NH, in the amount of \$48,118.50. Effective July 1, 2011 through June 30, 2012. **100% Federal Funds.**

#42 Authorized to enter into a contract with Total Security, Laconia, NH, for panic, burglar, and fire alarm monitoring at NHES's offices statewide, in the amount not to exceed \$10,920. Effective January 1, 2012 through June 30, 2015. **100% Federal Funds.**

## INSURANCE DEPARTMENT

The Governor and Council acted as follows:

#43 Authorized to amend a contract with the Compass Health Analytics Inc., (originally approved by G&C on 6-22-11, item #38), to develop insurance rate information, by extending the end date **retroactively** from October 31, 2011 to February 29, 2012. **100% Federal Funds.**

#44 Authorized to amend a contract with Susan Palmer Terry, to develop insurance rate information, by extending the end date from December 31, 2011 to February 29, 2012. **100% Federal Funds.**

#45 Authorized to amend a contract with the Gorman Actuarial (originally approved by G&C on 6-22-11, item #34), to develop insurance rate information, by extending the end date from December 31, 2011 to February 29, 2012. **100% Federal Funds.**

## DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#46 Authorized to accept and expend funds in the amount of \$214,265 in SFY 2012 and \$448,026 in SFY 2013 from an established canteen trust fund to create an accounting unit entitled Canteen Operations. (2)Further authorized to establish one full-time temporary Supervisor III position, labor grade 23; one full-time temporary Supervisor II position, labor grade 21; and three full-time temporary Corrections Officer positions, labor grade 14. Effective January 1, 2012 or upon G&C approval, whichever is later, through June 30, 2013. **100% Agency Income. Fiscal Committee approved.**

#47 Authorized to accept and place on file the Annual Report for the State Fiscal year ending June 30, 2011.

#48 Authorized to enter into a renewal lease agreement with Riverside Properties of Nashua Inc., Nashua, NH, for the purpose of probation/parole district office space in an amount not to exceed \$200,054.88. Effective December 19, 2011 through December 18, 2014. **100% General Funds.**

## PUBLIC UTILITIES COMMISSION

#49 Authorized with Councilor Wheeler voting **no**, to enter into a **sole source** Cooperative Project Agreement with Carbon Solutions New England, University of NH, to track the environmental and economic results of projects funded by the Greenhouse Gas Emissions Reduction Fund, in the amount of \$80,000. Effective upon G&C approval through December 31, 2012. **100% Other Funds (Greenhouse Gas Emissions Reduction Fund).**

#50 Authorized to accept and place on file the Biennial Report for the period ending June 30, 2011.

## DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#51 Authorized with Councilor Sununu recusing himself, to accept and place on file the report regarding season passes issued for Cannon Mountain during fiscal year 2012.

#52 Authorized with Councilor Sununu recusing himself, the Division of Parks and Recreation, Cannon Mountain, to make a one-time **retroactive sole source** payment to Siriusware, Inc., Taos, NM, in the amount of \$2,762.08 for On-Site Rentals Software Training services for Cannon Mountain's Rental and Repair Shop. Effective upon G&C approval. **100% Ski Area Revolving Funds.**

#53 Authorized with Councilor Sununu recusing himself, the Division of Parks and Recreation, Cannon Mountain to enter into **sole source** addition of Schedule #04 to the previously approved Master Lease Equipment Agreement #09-169 with International Financial Services Corporation, Libertyville, IL, (originally approved by G&C on 12-9-09, item #46), in the total amount of \$324,110, for the lease of one Prinoth BR350 Sherpa TW Snow Groomer. Effective December 15, 2011 through April 15, 2015. **100% Ski Area Funds.**

#54 Authorized the Division of Parks and Recreation, to make a payment to the NH Campground Owner's Association, Epsom, NH, for membership renewal, brochure distribution, and advertising via their guide and web site for Fiscal Year 2012, in the amount of \$4,109. Effective upon G&C approval through June 30, 2012. **100% Park Funds.**

#55 Authorized the Division of Economic Development to accept and expend \$50,000 from the Office of Energy and Planning for the continued operation of the Business Energy Efficiency Program. Effective upon G&C approval through June 30, 2012. **100% Transfer from Other Agencies.**

#56 Authorized the Division of Forests and Lands to reimburse Crotched Mountain Foundation for the cost of title policy, in an amount not to exceed \$5,000 for a property on which a Conservation Easement will be acquired (originally approved by G&C on 11-17-10, item #97), acquisition of the easement was delayed and authority to expend the funds to purchase the title insurance expired. **100% Federal Funds.**

#57 Authorized the Division of Forests and Lands to accept and expend a grant in the amount of \$31,461 from the Department of Safety, Homeland Security and Emergency Management office for damages caused by the Memorial Day 2011 flooding at Nash Stream Forest. Effective upon G&C approval through June 30, 2012. **100% Transfers from Other Agency.**

#58 Authorized the Bureau of Trails to enter into a cost-share agreement with, and to accept and budget \$90,000 from the US Forest Service, White Mountain National Forest, for trail repairs to two sections of snowmobile trail and for trail repairs from damages caused by Tropical Storm Irene. Effective upon G&C approval through June 30, 2012. **100% Federal Funds. Fiscal Committee approved.**

#59 Authorized the Bureau of Trails to enter into Grant-in-Aid Trail Maintenance contracts with the Snowmobile clubs as detailed in letter dated November 28, 2011, in the total amount of \$1,511,802.05. Effective upon G&C approval through May 1, 2012. **100% OHRV and Snowmobile Funds.**

#60 Authorized the Bureau of Trails to amend a **retroactive sole source** contract with NH Central Railroad, N. Stratford, NH, (originally approved by G&C on 9-14-11, item #58), to lift, salvage and stockpile railroad and other track materials from a portion of the North Stratford Branch, between Colebrook and W. Stewartstown, by extending the completion date to August 30, 2012 from November 30, 2011. No Additional Funding. **100% Federal Funds.**

#61 Authorized the Division of Travel and Tourism Development to enter into a contract with SilverTech Inc., Manchester, NH, for DRED web site hosting, maintenance, support and enhancements, in an amount not to exceed \$48,000. Effective upon G&C approval through June 30, 2016, with the option to renew for one two-year period. **94% General, 3% Federal, 3% Other Funds.**

#61A Authorized the Division of Forests and Lands to enter into a contract with Stallion Builders LLC, Nashua, NH, for renovations to the Forestry Learning Center at Shieling Forest in Peterborough, in the amount of \$249,921.31. Effective upon G&C approval through June 30, 2012. **100% Capital Funds.**

#### **NEW HAMPSHIRE FISH AND GAME DEPARTMENT**

The Governor and Council acted as follows:

#62 Authorized to pay the Association of Fish and Wildlife Agencies, Washington, DC, \$22,776 annual membership dues. Effective upon G&C approval through June 30, 2012. **100% Fish and Game Funds.**

#63 Authorized to enter into a Grant Agreement with the Trust for Public Land, in the amount of \$40,000 for land acquisition costs associated with the Albany Town Forest Conservation Project in Albany, NH. Effective upon G&C approval through March 31, 2012. **100% Other (Wildlife and Fisheries Habitat Accounts) Funds.**

## DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#64 Authorized the Oil Fund Disbursement Board to budget and expend prior year carry forward funds in the amount of \$420,000 for purposes of gasoline ether cleanup. Effective upon G&C approval through June 30, 2013. **100% Gasoline Ether Funds. Fiscal Committee approved.**

#65 Authorized to award grants totaling \$7,500 to the municipalities as detailed in letter dated November 10, 2011, for the purpose of used oil collections. Effective upon G&C approval through December 14, 2012. **100% Hazardous Waste Cleanup Funds.**

#66 Authorized to enter into agreements with the entities as detailed in letter dated November 9, 2011, to implement water quality planning and outreach programs, in the amount of \$42,801. Effective upon G&C approval through December 31, 2012. (2) Further authorized to enter into an agreement with the Lakes Region Planning Commission, to implement water quality planning and outreach programs, in the amount of \$16,799. **100% Federal Funds.**

#67 Authorized to approve a Supplemental Loan Agreement with Tioga River Water Company Inc., in the amount of \$230,000, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. **50% ARRA, 39% Federal, 11% Capital (General) Funds.**

#68 Authorized an Allonge to Promissory Note and amendment of Loan Agreement with Crotched Mountain Rehabilitation Center Inc., (originally approved by G&C on 12-9-09, item #69), for the purpose of financing the Wastewater Improvements Project, which finalizes and lowers the Loan Agreement by \$108,291.44 to \$3,991,708.56 from \$4,100,000. Effective upon G&C approval. **100% Clean Water State Revolving Fund Repayment account.**

#69 Authorized a loan agreement with the Pennichuck East Utility Inc., to finance water system improvements, in the amount of \$400,000. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

#70 Authorized to amend an agreement with the State of Maine Department of Marine Resources (originally approved by G&C on 7-14-10, item #64), for the purpose of providing services and deliverables in support of a 2009 National Environmental Information Exchange Network Grant for the Gulf of Maine region by extending the end date to June 30, 2012 from December 31, 2011. No Additional Funding. **100% Pass Thru Federal Funds.**

#71 Authorized to amend an existing Cooperative Agreement with the University of NH, Office of Sponsored Research, Durham, NH, (originally approved by G&C on 4-27-11, item #39), supporting wetland restoration and water quality improvements in the Berry Brook watershed in Dover, by increasing the Aquatic Resource Mitigation Fund grant amount by \$40,000 to \$440,000 from \$400,000. Effective upon G&C approval. **100% Aquatic Resource Mitigation Funds.**

#72 Authorized Newmarket Mills LLC's request to construct a tidal docking structure consisting of a permanent pier connecting to a ramp to a landing float, to a float with three finger piers in an E configuration, providing 6 slips on frontage on the Lamprey River.

#72A Authorized Richard & Deborah Zollner's request to fill to construct breakwater extending straight from shore with a gap at the shoreline and a cantilevered pier west of an existing seasonal dock on frontage on Lake Winnepesaukee in Alton.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

### Office of the Commissioner

#73 Authorized to transfer funds in the amount of \$1,198,722 between class line items and make the related federal revenue adjustments to decrease the federal funds in the amount of \$494,078 in SFY 2012, within the Health Information Exchange account. Effective upon G&C approval through June 30, 2012. (2) Further authorized the Office of Information Services to accept and expend federal funds in the amount of \$963,258 in SFY 2013, from the US Department of Health and Human Services, Office of the National Coordinator for Health Information Technology through the ARRA 2009 and transfer funds in the amount of \$1,414,510 between class line items within the Health Information Exchange account. Effective upon G&C approval through June 30, 2013. **100% Federal ARRA Funds. Fiscal Committee approved.**

### Office of Medicaid Business and Policy

#74 Authorized to accept and expend additional federal funds from the Centers for Medicare and Medicaid Services in the amount of \$651,366.71. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#75 Authorized to amend an existing **sole source** Cooperative Project Agreement with the University of NH, Institute for Health Policy and Practice, Durham, NH, (originally approved by G&C on 6-22-11, item #112), to obtain services necessary for the implementation, maintenance and operation of the specialized information technology system necessary for the operation of the Medicaid Electronic Health Records inventive program, by increasing the price by \$493,171 from \$3,482,839 to \$3,976,010. Effective upon G&C approval through June 30, 2013. **90% Federal, 10% General Funds.**

#75A Authorized to amend an agreement with Clifton Gunderson LLP, Timonium, MD, (originally approved by G&C on 9-9-09, item #75), to provide additional funds for certain federally mandated auditing functions, by increasing the price by \$387,561 from \$450,800 to \$838,361, and by extending the completion date from December 31, 2011 to December 31, 2013.

### Office of Information Services

#76 Authorized to amend a **sole source** contract with HP Enterprise Services LLC, Plano, TX, (originally approved by G&C on 4-28-93, item #81), to enable system modifications to NH's legacy Medicaid Management Information System, by increasing the price by an amount not to exceed \$11,334,100 from \$153,427,457 to \$164,761,557, and by extending the end date from December 31, 2011 to February 28, 2013. **75% Federal, 25% General Funds.**

### Division of Public Health Services

#77 Authorized with Councilor Wheeler voting **no**, the Bureau of Population Health and Community Services, Maternal & Child Health Section to accept and expend federal funds in the amount of \$858,817 from the Department of Health and Human Services, Health Resources and Services Administration to fund the Maternal, Infant and Early Childhood Home Visiting Program. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#78 Authorized the Bureau of Population Health and Community Services, Chronic Disease Prevention and Screening Section to accept and expend federal funds in the amount of \$713,931 from the Department of Health and Human Services, Centers for Disease Control and Prevention to fund the Coordinated Chronic Diseases Prevention Program. Effective **retroactive** to October 1, 2011 through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#79 Authorized the Maternal and Child Health Section to accept and expend federal funds in the amount of \$242,792 from the Department of Health and Human Services, Centers for Disease Control and Prevention to fund the Pregnancy Risk Assessment Monitoring System. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

**Office of Minority Health**

#80 Authorized to enter into a **retroactive sole source** contract with International Institute of Boston Inc., Boston, MA, through its subsidiary the International Institute of NH, to provide preventive health services to NH refugees, in the amount of \$120,000. Effective July 1, 2011 through August 14, 2014. **100% Federal Funds.**

**Division for Children, Youth and Families**

#81 Authorized to **retroactively** award six grants totaling \$267,106 for the provision of Title I programs as detailed in letter dated November 28, 2011. Effective October 3, 2011 through August 31, 2012. **100% Federal Funds.**

**Division for Juvenile Justice Services**

#82 Authorized to make a one-time payment to Casco Food Equipment Service, Manchester, NH, for emergency repairs to the Sununu Youth Services Center's kitchen equipment, in the amount of \$746.79. **100% General Funds.**

**Division of Community Based Care Services**

#83 Authorized to accept and expend System Transformations for Youth federal funds from the Substance Abuse and Mental Health Services Administration in the amount of \$300,029. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

**Bureau of Behavioral Health**

#84 Authorized to accept and expend Medicaid Incentive for Prevention of Chronic Diseases grant federal funds of \$1,669,800. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

**Bureau of Homeless and Housing Services**

#85 Authorized a contract renewal option with Cross Roads House Inc., Portsmouth, NH, (originally approved by G&C on 7-13-11, item #96D), to provide services to homeless individuals, in an amount not to exceed \$34,170. Effective January 1, 2012 through December 31, 2012. **100% Federal Funds.**

#86 Authorized to enter into an agreement with Lakes Region Mental Health Center Inc., d/b/a Genesis Behavioral Health, Laconia, NH, to provide services to homeless individuals in an amount not to exceed \$36,605. Effective February 1, 2012 through January 31, 2013. **100% Federal Funds.**

#87 Authorized to enter into a **sole source** agreement with Merrimack Valley Assistance Program, Concord, NH, to provide supportive services, long term rental assistance and short term assistance to homeless, low income and very low income individuals who have HIV/AIDS and their families in an amount not to exceed \$940,530. Effective March 1, 2012 through February 28, 2015. **100% Federal Funds.**

**New Hampshire Hospital**

#88 Authorized to enter into an agreement with E. Guimond Construction LLC, Bow, NH, for the repair of the curtain wall on the NH Hospital Acute Psychiatric Services Building, in the amount not to exceed \$18,850. Effective upon G&C approval through June 30, 2012. **100% General Funds.**

**NEW HAMPSHIRE BOARD OF PHARMACY**

#89 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to accept and place on file the Biennial Report for Fiscal Years 2010 and 2011.

**NEW HAMPSHIRE BOARD OF OPTOMETRY**

#90 The Governor and Council on motion of Councilor Burton, seconded by Councilor St. Hilaire authorized the request to accept and place on file the biennial report for FY 10 and FY 11.

#91 NOT USED

### NEW HAMPSHIRE VETERANS HOME

#92 The Governor and Council on motion of Councilor Burton, seconded by Councilor Wieczorek authorized the request to enter into a **sole source** contract with Simplex Grinnell, Nashua, NH, to provide Fire Alarm Testing and Inspection services to the Home, in the amount of \$12,149.86. Effective upon G&C approval through June 30, 2012. **100% General Funds.**

### DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#93 Authorized with Councilor Wheeler voting **no**, the Division of Instruction to contract with Christine Downing, Goshen, NH, to provide technical assistance to NH schools and districts in the area of reading and mathematics, in an amount not to exceed \$50,000. Effective upon G&C approval through June 30, 2012, with the option to renew for up to one additional fiscal year. **100% ARRA Federal Funds.**

#94 Authorized to amend a grant with the University of NH, Institute on Disability (originally approved by G&C on 5-11-11, item #55), to provide RTI literacy training, by increasing the amount of \$250,000, by \$9,927 to \$259,927. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

### McAULIFFE-SHEPARD DISCOVERY CENTER

The Governor and Council acted as follows:

#95 Authorized to enter into a contract with Granite State Glass, Gilford, NH, to remove and later reinstall the Discover Center's curtain wall, in an amount not to exceed \$5,500. Effective upon G&C approval through December 31, 2011. **100% Capital (General) Funds.**

#96 Authorized to enter into a contract with Louis P. Cote Inc., Goffstown, NH, to offload the XF8U-2 Crusader, BU #140448 from a third party transporter, bring it into the Discover Center, reassemble it and set it into place, in an amount not to exceed \$19,875. Effective upon G&C approval through December 31, 2011. **100% Capital (General) Funds.**

#97 Authorized to enter into a **sole source** agreement with Les Chapman Transport Inc., Blossom, TX, for transport of US Navy's XF8U-2 Crusader jet, BU #140488, from Dallas TX, to the Discovery Center, in an amount not to exceed \$24,361. Effective upon G&C approval through December 31, 2011. **100% Capital (General) Funds.**

### DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#98 Authorized the Division of State Police to transfer \$43,075 within the account entitled MCSAP Grant, to re-align appropriated funds that will be used by the State Police, Troop G to re-align the state budget to agree with the Federal budget. Effective upon G&C approval through June 30, 2012. **80% Federal, 20% Highway Funds. Fiscal Committee approved.**

#99 Authorized the Division of State Police to accept and expend \$236,201 of federal funds from the Federal Motor Carrier Safety Administration for the purpose of hiring one State Police Sergeant by State Police, Troop G and to add additional overtime appropriations. (2)Further authorized to establish one full-time temporary State Police Sergeant position, LG 24, S416, to be assigned to Troop G, in an effort to dedicate his/her time to motor carrier compliance for Federal and State regulations. Effective upon G&C approval through September 30, 2012. **100% Federal Funds. Fiscal Committee approved.**

#100 Authorized the Division of State Police to amend an existing budget, and transfer \$49,961 within the account entitled High Priority Grant, and to create a class and re-align appropriated funds for the purpose of implementing the Federal Motor Carrier Safety Administration High Priority Grant. (2)Further authorized to accept and expend \$24,561 of federal funds from the Federal Motor Carrier Safety Administration for the purpose of launching a safety campaign expanding public awareness and education of driving safely around large trucks. Effective upon G&C approval through June 30, 2012. **100% Federal Funds. Fiscal Committee approved.**



#101 Authorized the Division of Homeland Security and Emergency Management to transfer Repetitive Flood Claim funds in the amount of \$235,363 to realign funds between fiscal years for the account titled Repetitive Flood Claims. (2)Further authorized to accept and expend Repetitive Flood Claim Funds from the Federal Emergency Management Agency in the amount of \$83,469 for the implementation of cost effective flood mitigation projects. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#102 Authorized the Division of Motor Vehicles to enter into an agreement with Grafton County, North Haverhill, NH, for the purpose of providing a training range, in an amount not to exceed \$7,500. Effective upon G&C approval through December 31, 2013. **100% Motorcycle Rider Education Program Funds.**

#103 Authorized the Division of Homeland Security and Emergency Management to amend a grant agreement with the Nashua Regional Planning Commission, (originally approved by G&C on 5-11-11, item #68), adjusting the scope of work by deleting the communities of Milford, Amherst and Mont Vernon and inserting the city of Nashua reducing the Grant limitation from \$20,000 to \$10,000, thus updating the Nashua Regional Planning Commission's grant agreement to provide planning assistance for the communities of Litchfield and Nashua, for a total of \$10,000. Effective upon G&C approval. **100% Federal Funds.**

#104 Authorized the Division of Homeland Security and Emergency Management to amend a grant agreement with the Central NH Regional Planning Commission, (originally approved by G&C on 5-25-11, item #121), adjusting the scope of work by deleting the communities of Bow and Henniker and inserting the towns of Warner and Epsom, thus updating the Central NH Regional Planning Commission's grant agreement to provide planning assistance for local hazard mitigation plans for the towns of Boscawen, Bradford, Warner, Webster and Epsom, for a total of \$25,000. Effective upon G&C approval. **100% Federal Funds.**

#105 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Gilmanton for the purchase of equipment and furnishings for the local Emergency Operations Center, for a total amount of \$42,608. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

#106 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Newfields for the installation of a generator for backup power at the Town Hall, in the amount of \$5,103. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

#107 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Jefferson, NH, for a total amount of \$5,000, for updating their local hazard mitigation plan. Effective upon G&C approval through September 18, 2014. **100% Federal Funds.**

#108 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the City of Manchester for the upgrade of the City's Emergency Operations Center for a total amount of \$138,000. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

#109 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Lower Bartlett Water Precinct for the purchase and installation of a generator for well pump #2 for a total amount of \$106,575. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

#110 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with Volunteer NH!, for a Volunteer and Emergency Mission Program Planner for a total amount of \$30,000. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

#111 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Jackson, NH, for a total amount of \$5,000 for updating their local hazard mitigation plan. Effective upon G&C approval through September 9, 2013. **100% Federal Funds.**

## DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#112 Authorized to accept and expend funds in the amount of \$2,205,883 to cover Tropical Storm Irene costs. (2) Further authorized to accept and expend funds in the amount of \$250,000 to cover Tropical Storm Irene costs. Effective upon G&C approval through June 30, 2012. **100% Other Funds. Fiscal Committee approved.**

#113 Authorized to transfer \$560,000 from Highway Surplus to fund increases in vehicle fuel prices and volume. Effective upon G&C approval. **100% Highway Funds. Fiscal Committee approved.**

#114 Authorized to transfer \$2,412,335 between Highway Fund accounts. Effective upon G&C approval through June 30, 2012. **Fiscal Committee approved.**

#115 Authorized the Bureau of Construction to amend a contract with Weaver Bros. Construction Co. Inc., Concord, NH, (originally approved by G&C on 9-28-11, item #134), for replacement of an existing concrete pipe under Baptist Road in the Town of Canterbury, by increasing the amount by \$22,000. Effective upon G&C approval. **100% Betterment Funds.**

#116 Authorized the Bureau of Right of Way to pay various owners \$296,128 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from November 9, 2011 through November 21, 2011. Effective upon G&C approval.

#117 Authorized the Bureau of Rail and Transit to enter into an agreement with the Cooperative Alliance for Seacoast Transportation, Dover, NH, to support expanded transit service in the Seacoast region, for an amount not to exceed \$2,806,736. Effective upon G&C approval through December 31, 2018. **100% Turnpike Funds.**

#118 Authorized the Bureau of Rail & Transit to amend a contract with HDR Engineering Inc., Boston, MA (originally approved by G&C on 2-2-11, item #76), to prepare an updated State Rail Transportation Plan, by extending the completion date from December 31, 2011 to June 30, 2012. No Additional Funding. **100% Federal Funds.**

#119 Authorized the Bureau of Turnpikes to enter into a contract with Northeast Engineering PLLC, Weare, NH, for Installation of Water Treatment System and Operator Services, in the amount of \$30,412.50. Effective upon G&C approval through June 30, 2013. **100% Turnpike Funds.**

#120 Authorized the Bureau of Right of Way to sell a 2.5+/- acre parcel in Meredith to Ambrose Bros., Inc., for \$14,500 which includes an Administrative Fee of \$1,100. Effective upon G&C approval.

#121 Authorized the Bureau of Turnpikes to continue membership and participation with the International Bridge, Tunnel and Turnpike Association, Washington, DC, by paying annual membership dues in the amount of \$20,901 for Calendar Year 2012. **100% Turnpike Funds.**

#122 Authorized the Bureau of Traffic to enter into a contract with Miovision Technologies Inc., Kitchener, Ontario, Canada, for providing three Traffic Video Collection Units; three Pole Mounts for said VCUs; and up to 3,000 hours of software usage/video download hours, on the basis of a low bid in an amount not to exceed \$65,985. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

#123 Authorized the Bureau of Planning and Community Assistance to enter into agreements totaling \$84,025 with the Sub-recipients as detailed in letter dated October 19, 2011, to provide funding and services under the Federal Safe Routes to School Program through a local project administration process. Effective upon G&C approval, for fiscal year 2012. **100% Federal Funds.**

#124 Authorized the Bureau of Construction to enter into a contract with Continental Paving Inc., Londonderry, NH, for roadway reconstruction and replacing signals at the intersection of NH Route 125 and NH Route 27 in Epping, on the basis of a low bid of \$1,189,905.25. (2)Further authorized a contingency in the amount of \$118,990.53 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through September 28, 2012. **100% Federal Funds.**

#125 Authorized the Bureau of Aeronautics to award a grant to the Nashua Airport Authority, for SBG-12-09-2011 to relocate and extend Runway 14-32, Phase II at Boire Field, Nashua, NH, in the amount of \$7,243,942.11. Effective upon G&C approval through November 30, 2015. **97.44% Federal, 2.56% General Funds.**

#126 Authorized with Councilor Wheeler voting **no**, the Bureau of Materials & Research to enter into an agreement with GZA GeoEnvironmental, Manchester, NH, for on-call professional geotechnical engineering and related technical services for various transportation projects throughout the State, in the amount of \$400,000. Effective upon G&C approval through December 31, 2014.

#127 Authorized with Councilor Wheeler voting **no**, the Bureau of Materials & Research to enter into an agreement with Golder Associates Inc., Manchester, NH, for on-call professional geotechnical engineering and related technical services for various transportation projects throughout the State, in the amount of \$400,000. Effective upon G&C approval through December 31, 2014.

#128 Authorized the Office of Federal Compliance to enter into a grant agreement with NH Construction Career Days Inc., Westford, MA, to reimburse an amount not to exceed \$31,950. Effective March 1, 2011 through December 31, 2011. **100% Federal Funds.**

\*

#### **ITEM REMOVED FROM TABLE**

The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton, voted to remove item #46- which was tabled at the November 9, 2011 Meeting

#### **INSURANCE DEPARTMENT**

#46 **FAILED** – The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton, and with Councilors Sununu, Wieczorek, and Wheeler voting **no, failed** to authorize the request to expend federal grant funds in the amount of \$333,000 from the US Department of Health and Human Services, for the purpose of supporting a process in NH to determine whether NH should establish a health insurance exchange for individuals and small businesses. (2)Further authorized to establish a Class 046 (Consultants) to enter into a contract with various vendors, to provide consulting services, in an amount not to exceed \$329,000. Effective upon G&C approval through June 30, 2012. **100% Federal Funds. Fiscal Committee approved.**

\*

#### **ITEM REMOVED FROM TABLE**

The Governor and Council on motion of Councilor Wheeler, seconded by Councilor St. Hilaire, voted to remove item #51- which was tabled at the November 9, 2011 Meeting

#### **DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT**

#51 The Governor and Council on motion of Councilor Sununu, seconded by Councilor St. Hilaire, and with Councilor Wheeler voting **no**, voted to authorize the request to enter into a contract with Act One Inc., Concord, NH, for conservation license plate marketing, in an amount not to exceed \$100,000. Effective upon G&C approval through June 30, 2013. **100% Conservation Plate Funds.**

\*

**ITEM REMOVED FROM TABLE**

The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton, voted to remove item #17- which was tabled at the November 30, 2011 Meeting

**DEPARTMENT OF CULTURAL RESOURCES**

#17 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton, and with Councilor Wheeler voting **no**, voted to authorize the request to award Conservation Number Plate Grants in the amount of \$14,800 to the Town of Goffstown. Effective upon G&C approval through June 30, 2012. **100% Conservation Plate Funds.**

\*

**ITEM REMOVED FROM TABLE**

The Governor and Council on motion of Councilor Burton, seconded by Councilor Sununu, voted to remove item #38- which was tabled at the November 30, 2011 Meeting

**DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT**

#38 The Governor and Council on motion of Councilor Burton, seconded by Councilor Sununu voted to authorize the request of the Division of Parks and Recreation to enter into a contract with MC Contracting Inc., Tyngsboro, MA, for cedar shingle roof replacement on the Yankee Building at Mt. Washington State Park in Sargent's Purchase, in the amount of \$115,000. Effective upon G&C approval through August 31, 2012. **100% Capital Funds.**

\*

**ITEM REMOVED FROM TABLE**

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton, voted to remove item #63- which was tabled at the November 30, 2011 Meeting

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Office of Minority Health and Refugee Affairs**

#63 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton, voted to authorize the request to enter into a **retroactive sole source** contract with Lutheran Community Services Inc., Concord, NH, to provide school-related social services to NH refugees, in the amount of \$55,000. Effective August 15, 2011 through August 14, 2012. **100% Federal Funds.**

\*

**ITEM REMOVED FROM TABLE**

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton, voted to remove item #64- which was tabled at the November 30, 2011 Meeting

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Office of Minority Health and Refugee Affairs**

#64 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton, voted to authorize the request to enter into a **retroactive sole source** contract with International Institute of Boston Inc., Boston, MA, to provide school-related social services to NH refugees, in the amount of \$120,000. Effective August 15, 2011 through August 14, 2012. **100% Federal Funds.**

\*

**ITEM REMOVED FROM TABLE**

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton, voted to remove item #65- which was tabled at the November 30, 2011 Meeting

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Office of Minority Health and Refugee Affairs**

#65 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton, voted to authorize the request to enter into a **retroactive sole source** contract with the Manchester Health Department, Manchester, NH, to provide preventive health services to NH refugees, in the amount of \$60,000. Effective July 1, 2011 through August 14, 2014. **100% Federal Funds.**

\*

**ITEM REMOVED FROM TABLE**

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton, voted to remove item #66- which was tabled at the November 30, 2011 Meeting

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Office of Minority Health and Refugee Affairs**

#66 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton, voted to authorize the request to enter into a **retroactive sole source** contract with the Lutheran Community Services Inc., Concord, NH, to provide preventive health services to NH refugees, in the amount of \$120,000. Effective July 1, 2011 through August 14, 2014. **100% Federal Funds.**

\*

**ITEM REMOVED FROM TABLE**

The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Burton, voted to remove item #117- which was tabled at the November 30, 2011 Meeting

**DEPARTMENT OF TRANSPORTATION**

#117 The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Wieczorek, voted to authorize the request of the Bureau of Construction to enter into a contract with Busby Construction Co. Inc., Atkinson, NH, for construction of a roundabout at the intersection of US Route 3 and NH Route 11B in Laconia, including construction of a waterline as requested by the City of Laconia, on the basis of a low bid of \$908,555. (2)Further authorized a contingency in the amount of \$45,427.75 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through June 28, 2013. **77.76% Federal, 22.24 % Local Funds.**

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**LATE ITEMS**

**BUSINESS FINANCE AUTHORITY**

A. The Governor and Executive Council on motion of Councilor St. Hilaire, 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 Public Hearing with respect to the financing of a loan to Rochester Housing Authority for a project located in Rochester, NH. Action will authorize a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE  
GOVERNOR AND COUNCIL HELD ON DECEMBER 14, 2011  
COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE**

\* \* \* \* \*

At approximately 11:00 a.m., the Governor announced that the next matter to be considered would be a loan to be made by Business Finance Authority to Rochester Housing Authority (the "Borrower") and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loan. The Governor then said that the meeting would hear anyone wishing to speak on the subject. Jack Donovan, Executive Director of the Authority, briefly explained the project. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor St. Hilaire introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDDING A LOAN UNDER RSA 162-A:7 FROM THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE TO ROCHESTER HOUSING AUTHORITY" and moved its adoption, which was seconded by Councilor Wieczorek. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor St. Hilaire, Councilor Sununu, 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-A:18 AWARDDING A LOAN  
UNDER RSA 162-A:7 FROM THE BUSINESS FINANCE AUTHORITY OF  
THE STATE OF NEW HAMPSHIRE TO ROCHESTER HOUSING AUTHORITY**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to a loan by the Authority to Rochester Housing Authority (the "Borrower") in the original principal amount of up to \$4,000,000 to provide financing for the development of a 50 acre parcel of land and construction of a 250,000 square foot manufacturing facility to be leased to SAFRAN, USA, the US subsidiary of SNECMA (the "Loan")

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

WHEREAS, the Governor and Council will receive all the documentation and information with respect to the proposed Loan by the Authority; and

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

NOW, THEREFORE, it is hereby resolved that:

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

a. Special Findings.

(i) The Loan in consistent with local or regional development plans or policies.

b. General Findings.

(i) The Loan that the Authority has proposed will serve a public use and provide a public benefit.

(ii) The Loan that the Authority has proposed is within the policy of, and the authority conferred, by RSA Chapter 162-A.

- (iii) The Loan that the Authority has proposed will preserve or increase the social welfare or economic prosperity of the State and one or more of its political subdivisions, and will promote the general welfare of the State's citizens.
- (iv) The Loan that the Authority has proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. Governor and Council approve the Loan by the Authority as recommended by the Authority and authorize the Authority to cause the execution and delivery of the loan documents substantially in the form submitted to Governor and Council and to take such further action as the act with respect to the transaction as may be required.

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

Passed and agreed to December 14, 2011.

#### **DEPARTMENT OF SAFETY**

B1. Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with Merrimack County Sheriff's Department for the purchase and installation of a generator to provide backup power for a radio tower located in Hooksett for a total amount of \$7,455. Effective upon G&C approval through Sept. 30, 2012. **100% Federal Funds.**

#### **DEPARTMENT OF SAFETY**

B2. Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Allenstown for the purchase of P-25 compliant communications equipment to meet P25 radio interoperability requirements mandated by the FCC prior to January 2013 for a total amount of \$44,096. Effective upon G&C approval through Sept. 30, 2012. **100% Federal Funds.**

#### **DEPARTMENT OF ADMINISTRATIVE SERVICES**

C. Authorized to enter into a short-term license for use of premises with Granite State United Way, Concord, for residential space at the Anna Philbrook Center to be used as a homeless shelter on as as-needed basis effective upon G&C approval through June 30, 2012

**DEPRATMENT OF CULTURAL RESOURCES**

D. Authorized to accept a perpetual historic preservation easement consisting of the real property and structure known as the Laconia Federal Building from the US Dept. of Health and Human Services effective upon G&C approval. **No cost.**

**DEPARTMENT OF TRANSPORTATION**

E. Authorized to enter into a contract with Archer Western Contractors, Ltd., Canton, MA on the basis of best value, lump sum bid of \$81,420,000 for the design-build replacement of the Memorial Bridge from the date of G&C approval through Aug. 2, 2013. **59% Federal Funds, 3% NHDOT State Funds, 1% City of Portsmouth Funds, 37% Maine DOT Funds**

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The Governor noted that the Governor and Council met in non-public session for the purpose of reviewing and approving the minutes of the non-public session held on November 9, 2011 and that such minutes were unanimously approved.

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Next regular Governor and Executive Council meeting is scheduled for Wednesday, January 11, 2012, at the State House, Concord, NH.

The Honorable Board then Adjourned at 1:15 p.m.