GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
January 19, 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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The invocation was given by Reverend Gene Robinson and Councilor Burton led the Pledge of Allegiance.

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The Governor and Executive Council on motion of Councilor Wheeler, seconded by Councilor Burton, accepted the minutes of January 6, 2011 with the following amendment:

> Prior to the start of the meeting, the invocation was given by Reverend Neil Sandford of Dublin, and Councilor Wheeler led the Pledge of Allegiance.

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

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The Governor and Executive Council swore into office the following Representative-elect:

Merrimack County District No. 4
Christine C. Hamm, d, Hopkinton (14 South Road) 03229

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RESIGNATIONS

The Governor and Council, accepted the following resignation:

State Council on the Arts
Edra Toth, Farmington — Effective: January 19, 2011

Salem District Court
Michael E. Jones, Salem — Effective: January 31, 2011

New London District Court
F. Graham McSwiney, New London — Effective: January 19, 2011

Department of Education
(District 4)
Stephen R. L'Heureux, Hooksett — Effective: February 1, 2011

Medical Review Subcommittee
(Physician)
Richard P. Hockman, Bedford — Effective: January 21, 2011

Board of Nursing
(LPN)
Christine M. Naas, Hudson — Effective: January 21, 2011

NH Retirement System Board of Trustees
(Rep. of the State Employees' Association)
Charles Koontz, Hopkinton — Effective: January 19, 2011

NOMINATIONS

The Governor placed into nomination the following:

Department of Administrative Services, Director, Division of Personnel
Nominated by the Commissioner of the Department of Administrative Services
Karen D. Hutchins, Concord — Effective: Upon confirmation
Reappointment — Term: January 1, 2015
Salary: Grade HH, Step 4 - $93,812

Air Resources Council
(General Public)
Robert Duval, Manchester — Effective: Upon confirmation
Reappointment — Term: November 21, 2014

Air Resources Council
(Manufacturing)
Steven J. Walker, Peterborough — Effective: Upon confirmation
Reappointment — Term: November 1, 2014

State Council on the Arts
Susan V. Duprey, Concord — Effective: Upon confirmation
Succeeding: Edra Toth, Farmington (resigned) — Term: October 28, 2011

State Council on the Arts
Timothy G. Sink, Concord — Effective: Upon confirmation
Succeeding: Karen Smith, Exeter (resigned) — Term: November 23, 2013

Athletic Trainers Governing Board
Kerri A. Lafond, Keene — Effective: Upon confirmation
Reappointment — Term: January 8, 2014

Board of Court Reporters
(Public Member)
Brent T. Lemire, Litchfield — Effective: Upon confirmation
Reappointment — Term: January 30, 2016

Enhanced 911 Commission
Nominated by the NH Association of Chiefs of Police
James S. Valiquet, Newbury — Effective: Upon confirmation
Reappointment — Term: July 8, 2013

Electricians' Board
(Master Electrician)
Peter Cicolini, Middleton — Effective: Upon confirmation
Succeeding: Gerald McCarthy, Farmington — Term: July 1, 2015

Electricians' Board
(Master Electrician)
Raymond R. Hebert, Manchester — Effective: Upon confirmation
Succeeding: Thomas J. Malley, Nashua (resigned) — Term: June 30, 2012

Fire Standards and Training Commission
(Fire Prevention Society)
Nominated by the Fire Prevention Society
Mark W. Tetreault, Epsom — Effective: February 14, 2011
Reappointment — Term: February 14, 2014

Health Services Planning and Review Board
Nominated by the NH Association of Counties
Robert M. Chase, Laconia — Effective: Upon confirmation
Reappointment — Term: December 15, 2013

Board of Home Inspectors
(Public Member)
Gayle Robertson, Windham — Effective: Upon confirmation
Reappointment — Term: December 18, 2015

Board of Home Inspectors
(Home Inspector)
David J. Roth, Hollis — Effective: Upon confirmation
Reappointment — Term: December 18, 2015

Department of Information Technology: Acting Commissioner
S. William Rogers, Jr. Dover — Effective: Upon confirmation
Vacancy — Term: until Comm. is confirmed & sworn
Salary: $104,500

Lakes Management Advisory Committee
(Member representing the Scientific Community)
James F. Haney, Milton — Effective: Upon confirmation
Reappointment — Term: August 22, 2013

Medical Review Subcommittee
David C. Conway, Henniker — Effective: Upon confirmation
Succeeding: Malcom MacKenzie, Nelson — Term: December 3, 2013

Medical Review Subcommittee
(Physician)
Nominated by the Board of Medicine
Paul J. Scibetta, Jr., Holderness — Effective: Upon confirmation
Succeeding: Richard Hockman, Bedford (resigned) — Term: December 3, 2011

NH Motor Vehicle Industry Board
Archie C. Burnett III, Milford — Effective: Upon confirmation
Reappointment — Term: January 9, 2015

Occupational Therapy Governing Board
(Licensed Occupational Therapist)
Eileen Thayer, Epsom — Effective: Upon confirmation
Reappointment — Term: January 8, 2014

Respiratory Care Practitioners Governing Board
Robert G. Fishwick, Allenstown — Effective: Upon confirmation
Reappointment — Term: January 8, 2014

Rivers Management Advisory Committee
(Rep. of Local River Management Advisory Committee)
Nominated by the Commissioner of the Department of Environmental Services
Kathryn P. Nelson, Nashua — Effective: Upon confirmation
Reappointment — Term: September 5, 2013

Waste Management Council
(Private Solid Waste Management Industry)
David J. Tooley, Portsmouth — Effective: Upon confirmation
Reappointment — Term: December 23, 2014

Water Council
(Public Member)
Nancy E. Christie, Pittsfield — Effective: February 5, 2011
Reappointment — Term: February 5, 2015

#1 **CONSENT CALENDAR - DONATIONS:**

OFFICE OF THE ADJUTANT GENERAL

A. Authorized to accept cash donations in the amount of $1,900 in support of the NH Medal of Honor presentation ceremony.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Division for Juvenile Justice Services

B. Authorized the John H. Sununu Youth Center to accept a monetary donation from the Local Outreach Committee of the First Congregational Church of Manchester, NH, in the amount of $1,000.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#2 Authorized to award a grant to the Town of Merrimack, NH, in the amount of $500,000 for the purpose of assisting a business, Resonetics LLC, with business expansion activities. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#3 Authorized to award a grant to the Town of Lisbon, NH, in the amount of $500,000, for acquisition and rehabilitation of the Lisbon Inn. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#4 Authorized to enter into an agreement with the County of Carroll, Ossipee, NH, for the purpose of building the capacity of NH's Regional Development Corporations, in the amount of $200,000. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#5 Authorized to award a grant to the County of Merrimack, Boscawen, NH, in the amount of $225,000, to renovate and upgrade McKenna House's major building systems and increase energy efficiency. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#6 Authorized to award a grant to the City of Keene, NH, in the amount of $100,000 to renovate 16 scattered site apartments, owned by Cheshire Housing Trust. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

DEPARTMENT OF INFORMATION TECHNOLOGY

The Governor and Council acted as follows:

#7 Authorized to accept and expend $38,000 in SFY 2011 of additional other funds available from the Department of Safety for procurement of information technology services to increase the responsibilities of an existing contractor to perform analysis and development services for integrating the medical certification into the Commercial Driver License Information System. Effective upon G&C approval through June 30, 2011. **100% Other (Agency Class 27) Funds; the agency Class 27 used by DOS to reimburse DoIT is 100% Federal Funds.**

#7A Authorized with Councilor Wheeler voting **no,** to amend a **sole source** contract with First Data Government Solutions, Englewood, CO, (previously approved by G&C on 5-21-08, item #6), for support and maintenance of a proprietary interactive voice response system that provides child support payment information to clients and claims payment information to child care providers of the DHHS, Division of Child Support Services and Division for Children, Youth and Families, by increasing the amount by $64,917.84 from $102,735.64 to $167,653.48, and by extending the end date from January 31, 2011 to January 31, 2013. **58% General, 42% Federal Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#8 Authorized to confirm Lieutenant Colonel Paul N. Loiselle, Falmouth, ME, for promotion to the rank of Colonel, NH Air National Guard.

#9 Authorized to nominate Captain Brian R. Jusseaume, Stratham, NH, for promotion to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

#10 Authorized to nominate Lieutenant Colonel Adam J. Vernadakis, Melrose, MA, for appointment 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.

#11 Authorized to nominate Lieutenant Colonel Louise M. Pardis, Rochester, NH, for promotion to the rank of 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:

#12 Authorized with Councilor Wheeler voting **no,** that $97,888,679 be lapsed from the Working Capital Warrant for the months of October, November, and December. (2)Further authorized a Working Capital Warrant for the month of February in the amount of $450,000,000 to cover the payment of expenditures for the month.

#13 Authorized to accept and place on file the list of agency transfers Authorized for Fiscal Year 2011 during the months of October-December 2010.

#14 Authorized the State Suggestion and Extraordinary Service Award Evaluation Committee to award non-monetary recognition to Gail Wolek, of the Department of Resources and Economic Development.

#15 Authorized with Councilor Wheeler voting **no,** the Bureau of Public Works Design and Construction to enter into a contract with Major L. Rodd, The Roofer Inc., St. Johnsbury, VT., for the Carroll County Courthouse Roof Replacement, North Conway, for a total price not to exceed $96,400. (2)Further authorized a contingency in the amount of $14,400 for additional unanticipated expenses, bringing the total to $110,800. Effective upon G&C approval through May 20, 2011. **100% General – Capital Funds.**

#15A Authorized to accept and place on file the reporting containing a list of vendors that agencies have contracted with for the period of July 1, 2010 through December 31, 2010.

STATE TREASURY

#16 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 $146,866 and the State Treasurer to issue checks in the amount of $146,865.85 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#17 Authorized to award a Conservation Number Plate Grant to Friends of Pulpit Rock Tower Inc., in the amount of $10,000. Effective upon G&C approval through June 30, 2011. **100% Conservation Plate Funds.**

#18 Authorized the Division of Arts to enter into service agreements with the artists as detailed in letter dated December 9, 2010, to create and acquire various works of art for the NH Technical Institute Grappone Hall Project, in an amount not to exceed $15,872. Effective upon G&C approval through June 30, 2011. **100% Percent for Arts Funds.**

#19 Authorized to award a Conservation Number Plate Grant to the Town of Pittsfield, in the amount of $10,000. Effective upon G&C approval through June 30, 2011. **100% Conservation Plate Funds.**

#20 Authorized to amend an operating grant awarded to the Sharon Arts Center (previously approved by G&C on 10-21-09, item #23), by reducing the amount $840 from $12,000 to $11,160. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

BOARD OF VETERINARY MEDICINE

#20A The Governor and Council on motion of Councilor Burton, seconded by Councilor St. Hilaire authorized the request to accept and place on file the Annual Report for period of July 1, 2009 to June 30, 2010.

ATTORNEY GENERAL

The Governor and Council acted as follows:

#21 **DENIED** – The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton voted to **deny** the petition of Anthony Kay requesting a pardon hearing for the offense of Criminal Non-Support. The petitioner is not eligible for an annulment.

#22 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton voted to deny this item; with Councilors Sununu, Wieczorek, and Wheeler voting **no,** the motion **failed.** After discussion, the Governor and Council on motion of Councilor Sununu, seconded by Councilor Wieczorek voted to approve the petition of Susan Marie (Riccio) Winter requesting a pardon hearing for the offense of Escape. The petitioner is not eligible for an annulment.

#22A **DENIED** – The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton voted to **deny** the petition of Tyler R. Smith requesting a pardon hearing for the offense of Simple Assault (2 counts) and Criminal Mischief. The petitioner is not eligible for an annulment until May 1, 2011.

#22B **DENIED** – The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton, and with Councilor St. Hilaire recusing himself, voted to **deny** the petition of Richard N. Chamberlin requesting a pardon hearing for the offense of Burglary. The petitioner is not eligible for an annulment until December 22, 2027.

#22C **DENIED** – The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu voted to **deny** the petition of Roger L. Reynolds requesting a pardon hearing for the offense of Possession of a Controlled Drug with Intent to Sell. The petitioner is not eligible for an annulment until September 3, 2018.

#22D **DENIED** – The Governor and Council on motion of Councilor Sununu, seconded by Councilor Wieczorek voted to **deny** the petition of Susan McLaughlin Cook requesting a pardon hearing for the offenses of Accomplice to Murder and Conspiracy. The petitioner is not eligible for an annulment.

#22E The Governor and Council on motion of Councilor Burton, seconded by Councilor Wheeler voted to approve the petition of Ward Bird requesting a pardon hearing for the offense of Criminal Threatening. The petitioner is not eligible for an annulment until January 14, 2021.

#23 Authorized to appoint James C. Vara to an Assistant Attorney General at a salary level of $59,500. Effective upon G&C approval through February 14, 2013 or the termination date of the Federal Funds supporting this position, whichever is later. **100% Federal ARRA Funds.**

#24 Authorized to enter into a contract with Attorney Stephen G. LaBonte of Northwood for the purpose of serving as an Administrative Law Prosecutor on a temporary basis, for the Department of Banking, in an amount not to exceed $27,500. Effective upon G&C approval through June 30, 2011. **100% Agency Income.**

#25 Authorized to enter into a contract with Attorney Benjamin Roberge of Concord, for the purpose of serving as an Administrative Law Prosecutor on a temporary basis, for the Department of Banking, in an amount not to exceed $27,500. Effective upon G&C approval through June 30, 2011. **100% Agency Income.**

#26 Authorized to enter into a **sole source** contract with Dr. Kristen Landi as a substitute medical examiner to conduct autopsies as needed in the absence of the State Medical Examiner and the Deputy Chief Medical Examiner, for a total amount not to exceed $15,000. Effective February 26, 2011 through July 31, 2011. **100% General Funds.**

#27 Authorized to reappoint Kim K. Fallon as Chief Forensic Investigator. Effective January 24, 2011 through January 24, 2016.

#28 Authorized to appoint Matthew G. Mavrogeorge to an Assistant Attorney General at a salary of $59,000. Effective January 19, 2011 through January 19, 2016.

#29 Authorized to enter into a sub grant with the Belknap County Department of Corrections, in the amount of $10,000, from the US Department of Justice's Bureau of Justice Assistance FFY2008 Residential Substance Abuse Treatment grant program for residential substance abuse treatment programming. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

#30 Authorized to enter into a sub grant with the Hillsborough County Department of Corrections, in the amount of $10,000, from the US Department of Justice's Bureau of Justice Assistance FFY2008 Residential Substance Abuse Treatment grant program for residential substance abuse treatment programming. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

#31 Authorized to enter into a sub grant with the Community Health Institute/JSI, in the amount of $5,000, from the US Department of Justice's Bureau of Justice Assistance FFY 2009 Second Chance Act Adult Demonstration Program for the purpose of providing program training for the Department of Corrections and drug court staff. Effective upon G&C approval through March 31, 2011. **100% Federal Funds.**

#31A Authorized with Councilor Wheeler voting **no,** to enter into a contract with Nonni's Italian Eatery at the Holiday Inn, Concord, NH, for a day-long training scheduled for February 17, 2011 for the Department of Corrections and drug court staff and policy makers, in an amount not to exceed $9,000. Effective upon G&C approval. **100% Federal Funds.**

#31B Authorized to enter into sub grants with the agencies as detailed in letter dated January 10, 2011, for a total amount of $128,655.64, from the FFY 2009 and FFY 2010 Project Safe Neighborhoods Initiatives for the purpose of funding prosecutor/investigator positions for the sub grantees. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

#32 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to continue the positions as detailed in letter dated January 4, 2011, in a temporary status for one year from each respective ending date, at an estimated cost of $105,538.82. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#33 Authorized with Councilor Wheeler voting **no,** to amend a **retroactive sole source** contract with NH Coalition Against Domestic and Sexual Violence, Concord, NH, (previously approved by G&C on 4-1-09, item #37), for victim services for NH State inmates who are survivors of sexual assault, by increasing the price by $22,000 from $20,000 to $42,000, and by extending the end date from December 31, 2010 to June 30, 2011. **100% Federal Funds.**

#34 Authorized to make a one-time **retroactive** payment of salary and benefits to Corrections Officer, Luca Susca, in the amount of $66.44 for the period of January 1, 2010 through June 30, 2010 with current State fiscal year funds. **100% General Funds.**

#35 Authorized to enter into a **sole source** contract with NH Taskforce on Women & Recovery, Manchester, NH, for victim services and empowerment training for State female inmates who are survivors of sexual assault in the amount of $5,000. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#36 Authorized the Division of Economic Development to amend a **sole source** contract with Glen Group Inc., North Conway, NH, (previously approved by G&C on 7-28-10, item #25A), for social media and marketing training for businesses, by increasing the amount by $30,000 from $416,000 to $446,000. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#37 Authorized the Bureau of Trails to enter into a contract with Glen Builders Inc., North Conway, NH, for installation of the metal roof on new Visitor Center at Jericho Mtn. State Park, Berlin, NH, in the amount of $18,860. Effective upon G&C approval through February 28, 2011. **100% Federal Funds.**

#38 Authorized the Bureau of Trails to enter into a contract with TGM Plumbing and Heating, Gorham, NH, for installation plumbing and heating at the new Visitor Center at Jericho Mtn. State Park, Berlin, NH, in the amount of $11,000. Effective upon G&C approval through March 30, 2011. **100% Federal Funds.**

#39 Authorized the Bureau of Trails to enter into a contract with R&B Drywall, East Conway, NH, for dry walling at the new Visitor Center at Jericho Mtn. State Park, Berlin, NH, in the amount of $8,290. Effective upon G&C approval through March 30, 2011. **100% Federal Funds.**

#40 Authorized the Division of Parks and Recreation and the Department of Administrative Services, Risk Management Unit, to enter into a contract with the Rowely Agency Inc., Concord, NH, for liability insurance coverage for Cannon Mountain Aerial Tramway and Ski Area (Cannon Mountain), in the amount of $104,729. Effective February 1, 2011 through February 1, 2012. **100% Ski Area Funds.**

#41 Authorized the Office of Workforce Opportunity to amend a contract with White Mountain Community College, Berlin, NH, (previously approved by G&C on 3-10-10, item #59), to implement two innovative workforce development projects, by increasing the amount from $88,683 to $118,683 an increase of $30,000, and by extending the end date from February 28, 2011 to February 28, 2012. **16% Federal (WIA) ARRA Governor's Discretionary Funds, 84% Federal (WIA) Governor's Discretionary Funds.**

#42 Authorized the Office of Workforce Opportunity to amend a **sole source** contract with Southern NH Services Inc., Manchester, NH, (previously approved by G&C on 4-28-10, item #45A), for the delivery of ARRA Workforce Investment Act re-employment service, by increasing the amount from $567,000 to $637,000 an increase of $70,000. **100% ARRA Funds.**

#43 Authorized the Division of Parks and Recreation to enter into a Lease Agreement with US Cellular d/b/a NH #1 Rural Cellular Inc., Chicago, IL, for certain space at the summit of Cannon Mountain, in the amount of $24,000 for the first year, and a 3% increase annually thereafter. Effective February 1, 2011 through January 31, 2016 with the option to renew for up to three additional 5-year periods.

#44 NOT USED

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#45 Authorized to enter into a contract with Anair & Son Logging, Firewood & Chipping, Meredith, NH, for cutting and chipping of interior roads at the Owl Brook Hunter Education Center, Holderness, NH, in the amount of $11,250. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#46 Authorized to enter into a wildlife habitat improvement agreement with Edith Barker of Barker Farm LLC, Stratham, NH, for the management of 15.2 acres of agricultural land in the Town of Stratham. Effective upon G&C approval through June 30, 2020. No Funding.

#47 Authorized to reclassify position #18313 Program Assistant II, labor grade 15, to Fish and Game Mechanical/Technical Specialist, labor grade 18. **100% Fish and Game Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#47A Authorized to award an ARRA Brownfields Revolving Loan Fund cleanup grant totaling $400,000 to the City of Berlin, NH, for addressing environmental contamination. Effective upon G&C approval through September 30, 2011. **100% ARRA Federal Funds.**

#48 Authorized to award grants totaling $17,500 to the municipalities as detailed in letter dated December 30, 2010, for the purpose of used oil collection. Effective upon G&C approval through January 12, 2012. **100% Hazardous Waste Cleanup Funds.**

#49 Authorized an Allonge to Promissory Note and Amendment of Loan Agreement with Emerald Acres Cooperative Inc., in the amount of $117,400 to finance the development of additional groundwater supplies and installation of treatment and associated controls. (2)Further authorized an Allonge to Promissory Note and Amendment of Loan Agreement with Lamprey River Cooperative Inc., in the amount of $75,788.79 to finance the water main interconnection with the Town of Raymond. (3) Further authorized an Allonge to Promissory Note and Amendment of Loan Agreement with The Ledges at Newfound Lake Association in the amount of $197,263.78 to finance improvements to the public water system. (4) Further authorized an Allonge to Promissory Note and Amendment of Loan Agreement with The Hampstead Area Water Company Inc., in the amount of $1,066,133.65 to finance the interconnection of the Hampstead and Atkinson water systems. Effective upon G&C approval. **100% DWSRF Loan Repayment Funds.**

#50 Authorized to award a Local Source Water Protection grant to the Town of Jaffrey, NH, in the amount of $20,000 to complete a project to protect public drinking water systems. Effective upon G&C approval through December 1, 2011. **100% Federal Funds.**

#51 Authorized to award a grant to the Blue Ocean Society for Marine Conservation Inc., Portsmouth, NH, in the amount of $29,602 to conduct marine debris monitoring, reduction and education in the NH seacoast. Effective upon G&C approval through December 31, 2011. **100% Federal Funds.**

#52 Authorized to complete the reconstruction of the Milton 3 Ponds Dam on the Salmon Falls River in Milton in an amount not to exceed $165,700. Effective upon G&C approval through June 30, 2011. **100% Dam Maintenance Program Funds.**

#53 Authorized to enter into a contract with Weston & Sampson Engineers Inc., to conduct generator needs assessments at public water systems in the amount of $50,000. Effective upon G&C approval through December 31, 2011. **100% Federal Funds.**

#54 Authorized to enter into a contract with Underwood Engineers Inc., Portsmouth, NH, to design a water main extension in Raymond, NH, for an amount not to exceed $161,100. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

#55 Authorized Chillin' & Grillin' LLC's request to perform work on an average of 473 ft of frontage on Little Bear Island, Lake Winnipesaukee, in Tuftonboro.

#56 Authorized Bellamy River Village Condominium Association's request to retain a previously unpermitted, non-grandfathered tidal dock, to be reconstructed into a permanent pier expanding into a permanent mooring platform at the structure's waterward end, providing one slip on frontage on the Bellamy River in Dover.

#57 Authorized Bruce Gurall's request to perform work on an average of 297 ft of frontage in Brickyard Cove, on Lake Winnipesaukee in Alton.

#58 Authorized Spinnaker Cove Yacht Club's request to dredge 700 cubic yards of sediment deposited during storm events, from 12,500 square feet of the bed of Lake Winnipesaukee in Laconia.

#59 Authorized Lake Points of View Inc's request to perform work on an average of 677 ft of frontage on Lovell Lake in Wakefield.

#60 Authorized CB Sports LLC's request to perform work on property having an average of 200 ft of frontage on Lake Winnipesaukee in Moultonborough.

#61 Authorized Robert & Wendy Moores's request to conduct work on an average of 100ft of frontage on Lake Winnipesaukee in Alton (previously approved by G&C on 6-9-10, item #76).

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Human Resource Management

#62 Authorized to make a one-time payment from SFY 2011 funds to Sally Hartman, Toxicologist V, Division of Public Health Services, Bureau of Laboratory Services in the amount of $137.10 to compensate for wages that were not paid for SFY 2005 & 2007. **21% General, 79% Federal Funds.**

Office of Minority Health and Refugee Affairs

#63 Authorized to enter into a contract with Lamprey Health Care – Southern NH Area Health Education Center, Raymond, NH, to develop a Minority Nursing Student Support Program in the amount of $30,000. Effective **retroactive** to January 1, 2011 through August 31, 2012. **100% Federal Funds.**

Disability Determination Unit

#64 Authorized to enter into an agreement with Peter S. Bradley, MD, Deerfield, NH, to provide services as a Medical Disability Determination Reviewer in an amount not to exceed $50,700. Effective upon G&C approval through June 30, 2011. **75% Federal, 25% General Funds.**

Bureau of Drug and Alcohol Services

#65 Authorized with Councilor Wheeler voting **no,** to amend a **sole source** agreement with FEI.com Inc., Columbia, MD, (previously approved by G&C on 8-11-10, late item A), to provide the Voucher Management System, by increasing the price by $803,935 from $1,094,566 to $1,898,501, and by extending the completion date from December 31, 2013 to December 31, 2014. **71% Other, 29% Federal Funds.**

#66 Authorized to enter into an agreement with The Research Group Inc., Florence, MA, to provide questionnaire printing, scanning and delivery of a clean data set for the NH Youth Risk Behavior Survey in an amount not to exceed $35,343. Effective upon G&C approval through December 31, 2011. **100% Federal Funds.**

Division of Family Assistance

#67 **TABLED** – The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Burton, voted to **table** the request to award a one-year grant totaling $24,300 to the Tri-County Community Action Program Inc., Berlin, NH, to provide matching funds for TCCAP's North Country Transportation, Federal Department of Transportation's Job Access Reverse Commute grant. (2)Further authorized to award a one-year grant totaling $124,826 to the City of Nashua Transit System, Nashua, NH, to provide matching funds for the City of Nashua's Federal Department of Transportation Job Access Reverse Commute grant. Effective **retroactive** to July 1, 2010 through June 30, 2011. **100% Federal Funds.**

Division of Public Health Services

#68 Authorized the Bureau of Population Health and Community Services, Maternal and Child Health Section to amend a **sole source** agreement with the University of NH, Office of Sponsored Research, Durham, NH, (previously approved by G&C on 6-30-09, item #115), to continue epidemiological expertise to provide analytic and research support to the DPHS, Maternal and Child Health Section, by increasing the price by $33,309 from $259,500 to $292,809, and by extending the completion date to June 30,l 2012, effective **retroactive** to July 1, 2010. **48% Federal, 52% General Funds.**

#69 Authorized to reclassify position #43573 Public Health Nurse Coordinator, salary grade 23, to Senior Management Analyst, salary grade 26. **100% Federal Funds.**

#70 Authorized with Councilor Wheeler voting **no,** the Bureau of Prevention Services, Tobacco Prevention and Control, Healthy Communities Program to accept and expend federal funds in the amount of $16,825 from the Centers for Disease Control and Prevention to fund the Healthy Communities Program. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#71 Authorized the Bureau of Infectious Disease Control, Infectious Disease Investigation Section, to enter into a **sole source** memorandum of understanding with the Trustees of Dartmouth College, Hanover, NH, to provide for planning, training, and equipping emergency medical response strike teams in the region, in an amount not to exceed $301,548. Effective **retroactive** to August 1, 2010 through July 31, 2013. **100% Federal Funds.**

#72 **TABLED** – The Governor and Council on motion of Councilor Sununu, seconded by Councilor St. Hilaire, voted to **table** the request of the Health Statistics Section, Behavioral Risk Factor Surveillance Program to exercise a contract renew and amend option with Macro International Inc., (previously amended by G&C on 1-13-10, item #102), to plan, organize, test, and implement the Behavioral Risk Factor Surveillance System, by increasing the price by $1,030,827 from $736,642 to $1,767,469, and by extending the end date from February 15, 2011 to February 15, 2013. **94% Federal, 6% Other Funds.**

#73 Authorized the Bureau of Community Health Services, Community Public Health Development Section to amend a **sole source** agreement with the North Country Health Consortium, Whitefield, NH, (previously amended by G&C on 5-26-10, item #63), to improve regional public health emergency response plans, by increasing the price by $67,632 from $421,559 to $489,191. Effective upon G&C approval. **100% Federal Funds.**

#74 Authorized the Bureau of Community Health Services, Community Public Health Development Section to amend a **sole source** agreement with Sullivan County, Newport, NH, (previously amended by G&C on 5-26-10, item #64), to improve regional public health emergency response plans, by increasing the price by $51,964 from $343,193 to $395,157. Effective upon G&C approval. **100% Federal Funds.**

#75 Authorized the Bureau of Community Health Services, Community Public Health Development Section to amend a **sole source** agreement with Caring Community Network of the Twin Rivers, Franklin, NH, (previously amended by G&C on 5-26-10, item #62), to improve regional public health emergency response plans, by increasing the price by $37,560 from $140,000 to $177,560. Effective upon G&C approval. **100% Federal Funds.**

#76 Authorized the Bureau of Community Health Services, Community Public Health Development Section to amend a **sole source** agreement with Mid-State Health Center, Plymouth, NH, (previously amended by G&C on 5-26-10, item #67), to improve regional public health emergency response plans, by increasing the price by $34,122 from $324,824 to $358,946. Effective upon G&C approval. **100% Federal Funds.**

#77 Authorized the Bureau of Community Health Services, Community Public Health Development Section to amend a **sole source** agreement with Carroll County Coalition for Public Health, Center Ossipee, NH, (previously amended by G&C on 6-23-10, item #99), to improve regional public health emergency response plans, by increasing the price by $23,862 from $339,578 to $363,440. Effective upon G&C approval. **100% Federal Funds.**

#78 Authorized the Bureau of Community Health Services, Community Public Health Development Section to amend a **sole source** agreement with Concord Hospital Inc., Concord, NH, (previously amended by G&C on 5-26-10, item #68), to improve regional public health emergency response plans, by increasing the price by $46,970 from $398,108 to $445,078. Effective upon G&C approval. **100% Federal Funds.**

#79 Authorized the Bureau of Community Health Services, Community Public Health Development Section to amend a **sole source** agreement with Cheshire County, Keene, NH, (previously amended by G&C on 5-26-10, item #65), to improve regional public health emergency response plans, by increasing the price by $48,126 from $452,582 to $500,708. Effective upon G&C approval. **100% Federal Funds.**

#80 Authorized the Bureau of Community Health Services, Community Public Health Development Section to amend a **sole source** agreement with the Town of Derry, NH, (previously amended by G&C on 5-12-10, item #97), to improve regional public health emergency response plans, by increasing the price by $45,402 from $403,357 to $448,759. Effective upon G&C approval. **100% Federal Funds.**

#81 Authorized the Bureau of Community Health Services, Community Public Health Development Section to amend a **sole source** agreement with the City of Portsmouth, NH, (previously amended by G&C on 6-9-10, item #92), to improve regional public health emergency response plans, by increasing the price by $22,228 from $335,951 to $358,179. Effective upon G&C approval. **100% Federal Funds.**

#82 Authorized the Bureau of Community Health Services, Community Public Health Development Section to amend a **sole source** agreement with the Town of Exeter, NH, (previously amended by G&C on 6-23-10, item #100), to improve regional public health emergency response plans, by increasing the price by $40,027 from $378,876 to $418,903. Effective upon G&C approval. **100% Federal Funds.**

#83 Authorized the Bureau of Community Health Services, Community Public Health Development Section to amend a **sole source** agreement with the Trustees of Dartmouth College, Hanover, NH, (previously amended by G&C on 5-26-10, item #66), to improve regional public health emergency response capacity, by increasing the price by $19,030 from $339,726 to $358,756. Effective upon G&C approval. **100% Federal Funds.**

#84 Authorized the Bureau of Community Health Services, Community Public Health Development Section to amend a **sole source** agreement with Lakes Region Partnership for Public Health, Laconia, NH, (previously amended by G&C on 5-12-10, item #95), to improve regional public health emergency response plans, by increasing the price by $53,793 from $348,273 to $402,066. Effective upon G&C approval. **100% Federal Funds.**

#85 Authorized the Bureau of Community Health Services, Community Public Health Development Section to amend a **sole source** agreement with the Health and Safety Council of Strafford County, Rochester, NH, (previously amended by G&C on 5-12-10, item #96), to improve regional public health emergency response plans, by increasing the price by $41,768 from $440,772 to $482,540. Effective upon G&C approval. **100% Federal Funds.**

NEW HAMPSHIRE BOARD OF MEDICINE

#85A The Governor and Council on motion of Councilor Burton, seconded by Councilor Wieczorek authorized the request to accept and place on file the annual report for FY 2010.

NEW HAMPSHIRE VETERANS HOME

#86 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor St. Hilaire authorized the request to pay $36,675 in overtime for permanent personnel services out of salaries for critical care vacant positions due to pending recruitment for the period of July 1, 2010 through December 3, 2010.

#87 NOT USED

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#88 Authorized to secure the services of Rebecca Gagnon, Sole Proprietor, Northfield, NH, to provide assistance with the implementation of the Initiative for School Empowerment and Excellence (i4see) Follow the Child Assistance Center, in an amount not to exceed $16,687.50. (2)Further authorized payment for services rendered in lieu of withholding 25% of the total value of the contract. Effective upon G&C approval through June 30, 2011 with the option to renew for up to two additional years. **100% Federal Funds.**

#89 Authorized to contract with Christina Gentile, Concord, NH, to conduct impartial special education complaint investigations in an amount not to exceed $5,000. (2)Further authorized payment for services rendered in lieu of withholding 25% of the total value of the contract. Effective upon G&C approval through June 30, 2011 with the option to renew for up to one additional year. **100% Federal Funds.**

#90 Authorized to grant funds through a cooperative project agreement on a **sole source** basis, to the Institute on Disability, University of NH, Office of Sponsored Research to provide opportunities for individuals with disabilities and their families to develop leadership skills in an amount not to exceed $15,000. (2)Further authorized payment for services rendered in lieu of withholding 25% of the total of the agreement. Effective upon G&C approval through June 30, 2011. **100% General Funds**.

#91 Authorized to enter into a contract with Southern NH University, Manchester, NH, to implement the Mathematics and Science Partnership Project entitled Science Literacy for 21st Century Learners by providing professional development activities for elementary science faculty to design, field test and implement high quality elementary science curricula in Manchester elementary schools, in an amount not to exceed $75,000. (2)Further authorized payment for services rendered in lieu of withholding 25% of the total value of the contract. Effective upon G&C approval through October 29, 2011. **100% Federal Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#92 Authorized to accept and place on file the Annual Report for the period of July 1, 2009 through June 30, 2010.

#93 Authorized the Division of Homeland Security and Emergency Management to enter into grant agreements with the sub-applicants as detailed in letter dated December 12, 2010, for a total amount of $161,708 for implementation of projects identified through the evaluation of natural hazards. Effective upon G&C approval through December 31, 2012. **100% Federal Funds.**

#94 Authorized to **retroactively** pay W.B Mason Company Inc., Brockton, MA, for office equipment purchased in SFY 2009 using SFY 2011 funds in the amount of $451.44. Effective upon G&C approval. **100% Highway Funds.**

#95 Authorized to reclassify position #16147 Technical Support Specialist V, LG 29, to Administrator II, LG 29. **30% Federal, 59% Private, 11% Agency Income Funds.**

#96 Authorized the Division of Emergency Services to enter into a five year contract for lease of tower space with Hightower North Inc., Sanbornton, NH, for $63,119.40, to install two microwave antennas. Effective February 1, 2011 through February 1, 2016.

#97 Authorized the Division of Motor Vehicles to enter into a contract with NHTI – Concord's Community College, Concord, NH, to provide parking area space and classroom for the Motorcycle Rider Education Program, in an amount not to exceed $14,875. Effective upon G&C approval through October 31, 2011. **100% Motorcycle Rider Education Program Funds.**

#98 Authorized the Division of Motor Vehicles to enter into a contract renewal with Pease Development Agency, Portsmouth, NH, to provide parking area for the Motorcycle Rider Education Program, in the amount not to exceed $3,452. Effective April 1, 2011 through October 31, 2011. **100% Motorcycle Rider Education Program Funds.**

#99 Authorized the Division of State Police to accept and expend $42,000 of federal funds from the NH Highway Safety Agency entitled NHSP Laser Radars for the purpose of purchasing twelve laser radars. Effective upon G&C approval through June 30, 2011. **100% Agency Income.**

#100 Authorized the Division of State Police to enter into a contract with TMDE Calibration Labs Inc., Richmond, ME, for the repair and maintenance of Stalker parts – defective Stalker speed control devices, for $30,000. Effective upon G&C approval through June 30, 2013.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#101 Authorized with Councilor Wieczorek voting **no,** to reclassify position #41679 Toll Supervisor, labor grade 13, to Program Specialist II, labor grade 21, in the Division of Operations.

#102 Authorized with Councilor Wheeler voting **no,** to reclassify position #21203 Civil Engineer III, labor grade 24, to Program Specialist II, labor grade 21, in the Bureau of Human Resources.

#103 Authorized with Councilor Sununu voting **no,** the Bureau of Finance & Contracts to enter into a **retroactive sole source** contract with OCE North America Inc., Chicago, IL, for equipment maintenance, in the amount of $28,190.64. (2)Further authorized to pay overage charges, if needed, at a rate of $.01635 per sq foot for usage in excess of 600,000 sq feet, the amount included in the base annual contract. Effective November 1, 2010 through October 31, 2011. **100% Highway Funds.**

#104 Authorized to accept and place on file the Monthly Equipment Acquisition Plan status report for the period ending November 30, 2010.

#105 Authorized to accept and place on file the Monthly Equipment Acquisition Plan status report for the period ending December 31, 2010.

#106 Authorized the Bureau of Right of Way to pay various owners $649,277.50 as documented in the Contemplated Awards List for amounts greater than $5,000 for the period extending from November 17, 2010 through December 30, 2010. Effective upon G&C approval.

#107 Authorized the Bureau of Right of Way to sell a 4,500 square foot parcel and quitclaim whatever interest the State may have in the Old US Route 3 Highway Easement as it abuts land owned by David Dixon located in the Town of Lincoln to David Dixon for $13,100 which includes a $1,100 Administrative Fee. Effective upon G&C approval.

#108 Authorized the Bureau of Highway Design to enter into an agreement with Fay, Spofford & Thorndike LLC, Burlington, MA, and Bedford, NH, for consulting design services to study improvements at three intersection locations along NH 101A in Amherst and Merrimack, in an amount not to exceed $312,738.92. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

#109 NOT USED

#110 Authorized the Bureau of Turnpikes to enter into a memorandum of agreement with the Town of Seabrook and DDR Seabrook LLC, a Delaware LLC located on Beachwood, OH, to effectuate improvements to NH 107, the bridge carrying NH 107 over the Blue Star Turnpike (I-95), and US 1 in Seabrook, NH. Effective upon G&C approval through December 31, 2015 or upon completion.

#111 Authorized the Bureau of Materials and Research to **retroactively** amend an agreement with the USDA Forest Services, San Dimas Technology and Development Center (previously approved by G&C on 5-21-08, item #127), to develop computer-modeling services that will aid in determining when to post and remove seasonal weight restrictions, by extending the completion date from December 31, 2010 to December 31, 2011. No New Funding.

#112 Authorized the Bureau of Bridge Design to amend a contract with HRV Conformance Verification Associates Inc., Pittsburgh, PA (previously approved by G&C on 3-5-08, item #100), for specialized consultant services essential to the Department's bridge construction program to provide quality assurance inspection for the fabrication of structural steel for bridges and ancillary steel bridge products on a statewide basis, by extending the completion date from January 31, 2011 to July 31, 2011. No New Funding.

#113 Authorized the Bureau of Bridge Design to amend the contracts with GPI/Greenman-Pedersen Inc., Nashua, NH, and KTA-Tator Inc., Pittsburgh, PA (previously approved by G&C on 2-13-08, item #80), for consulting and inspection services for bridge painting projects and assignments on a statewide basis, by extending the completion date from January 31, 2011 to July 31, 2011. No New Funding.

#114 Authorized the Bureau of Construction to enter into a contract with American Excavating Corporation, Derry, NH, for improvements at the intersection of West Road, Island Pond Road and NH Route 111, on the basis of a low bid of $635,625.11. (2)Further authorized a contingency in the amount of $63,562.51 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through September 16, 2011. **100% Federal Funds.**

#115 Authorized the Bureau of Construction to enter into a contract with Tri-State Painting Inc., Tilton, NH, for painting of two bridges along Route 1B over the Piscataqua Estuary in the city of Portsmouth and the town of New Castle, on the basis of a low bid of $2,732,831. (2)Further authorized a contingency in the amount of $191,298.17 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 28, 2011. **100% Federal Funds.**

#116 Authorized the Bureau of Construction to enter into a contract with Liddell Brothers Inc., Halifax, MA, for replacing three aluminum full traffic sign structures and replacing one aluminum cantilever traffic sign structure and associated signs on I-95 from just south of Exit 6 in Portsmouth to just over the NH/ME State border, on the basis of a low bid of $975,307.92. (2)Further authorized a contingency in the amount of $97,530.79 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 14, 2011. **100% Turnpike Funds.**

LATE ITEMS

DEPARTMENT OF TRANSPORTATION

A. The Governor and Council on motion of Councilor Burton, seconded by Councilor St. Hilaire, voted to approve the request of the Department to enter into a municipal agreement with the Town of Campton in the amount of $2,147,889 to provide funding and services necessary for completing the rehabilitation of the Blair Covered Bridge though the municipally-managed process, effective upon G&C approval though February 1, 2014. 2) Further authorize that a contingency in the amount of $225,386.10 be approved for payment of latent conditions which may appear during the design and construction of the project. **100% Federal Funds.**

DEPARTMENT OF SAFETY

B. The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton, voted to table this item; with Councilors Sununu, Wieczorek, and Wheeler voting no, the motion failed. After discussion, The Governor and Council on motion of Councilor Sununu, seconded by Councilor Wheeler, voted to **DENY** the request of the New Hampshire Gaming Regulatory Authority, an authority administratively attached to the Department of Safety, to enter into a contract with Spectrum Gaming Group, Linwood NJ in the amount of $40,000 for the purpose of assisting the Authority in conducting a thorough review of gaming regulatory structure and regulation in accordance with the scope of services outlined in the letter dated January 11, 2011. Effective upon G&C approval though December 31, 2011. **100% Lottery Funds**

DEPARTMENT OF SAFETY

C. The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton, voted to table this item; with Councilors Sununu, Wieczorek, and Wheeler voting no, the motion failed. After discussion, The Governor and Council on motion of Councilor Sununu, seconded by Councilor Wheeler, voted to **DENY** the request of the New Hampshire Gaming Regulatory Authority, an authority administratively attached to the Department of Safety, to enter into a contract, not to exceed $10,000 with Robert W. Stocker, II, Esq. for the purpose of assisting the Authority with legal and regulatory advice in connection with the Authority's oversight and assessment of gaming activities. Effective upon G&C approval though January 19, 2012. **100% Lottery Funds**

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The pardon hearing for Ward Bird is scheduled for February 1, 2011 from 1:00-3:00 p.m. Deliberations will be held on February 2, 2011 from 2:00-3:00 p.m.

The pardon hearing for Susan Marie (Riccio) Winter is scheduled for February 2, 2011 from 3:00-5:00 p.m.

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Next regular Governor and Executive Council meeting is scheduled for Wednesday, February 2, 2011, at the State House, Concord, NH.

The Honorable Board then Adjourned at 1:40 p.m.