

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
March 16, 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 Councilor Wieczorek.

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The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor St. Hilaire, accepted the minutes of February 16, 2011.

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The Governor and Executive Council, on motion of Councilor St. Hilaire, seconded by Councilor Sununu approved the appointment of several persons nominated for Civil Commissions from the February 16, 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:

Division for Children, Youth, and Families Advisory Board

(Sullivan County)

Keith Marsh, Nashua

Effective: March 16, 2011

Director of Aeronautics, Rail and Transit with the Department of Transportation

Jack W. Ferns, Loudon

Effective: April 1, 2011

Transportation Appeals Board

(Alternate/ General Public)

Roy W. Tilsley, Jr., Lyndeborough

Effective: March 16, 2011

CONFIRMATIONS

The Governor and Council confirmed the following:

Division for Children, Youth, and Families Advisory Board

(Merrimack County)

Debra M. Coe, Concord

Reappointment

Effective: March 16, 2011

Term: July 1, 2013

Community College System of New Hampshire Board of Trustees

(Law Enforcement)

Nicholas J. Halias, Pembroke

Reappointment

Effective: March 16, 2011

Term: June 30, 2015 (Per RSA 188-F)

Community College System of New Hampshire Board of Trustees

(Business/ Industry)

Paul J. Holloway, Rye

Reappointment

Effective: March 16, 2011

Term: June 30, 2014 (Per RSA 188-F)

Community College System of New Hampshire Board of Trustees

(Business/ Industry)

Ronald J. Rioux, Exeter

Reappointment

Effective: March 16, 2011

Term: June 30, 2015 (Per RSA 188-F)

Community College System of New Hampshire Board of Trustees

(Public Member)

Connie M. Roy-Czyzowski, Bedford

Reappointment

Effective: March 16, 2011

Term: June 30, 2015 (Per RSA 188-F)

Community College System of New Hampshire Board of Trustees

(Labor)

Kim M. Trisciani, Manchester

Reappointment

Effective: March 16, 2011

Term: June 30, 2015 (Per RSA 188-F)

Compensation Appeals Board

(Labor)

Anne C. Eaton, Concord

Reappointment

Effective: March 16, 2011

Term: February 13, 2014

Compensation Appeals Board

(Employer/ Insurer)

Dennis Teravainen, Hooksett

Reappointment

Effective: March 16, 2011

Term: February 13, 2014

Board of Licensure of Interpreters for the Deaf and Hard of Hearing

(Recommended by N.H. Registry of Interpreters for the Deaf)

Luce Aubry, Portsmouth

Succeeding: Karen Phillips, Londonderry (resigned)

Effective: March 16, 2011

Term: October 10, 2013

Board of Licensed Dietitians

Audrey L. Kanik, New Boston

Succeeding: Marilyn Mills, Manchester

Effective: March 16, 2011

Term: December 6, 2013

Board of Home Inspectors

Robert J. Gray, Derry

Reappointment

Effective: March 16, 2011

Term: December 18, 2015

Joint Promotional Program Screening Committee

(Chambers of Commerce)

Timothy G. Sink, Concord

Reappointment

Effective: March 16, 2011

Term: July 13, 2013

Judicial Council

(Attorney)

Philip H. Utter, Exeter

Reappointment

Effective: March 16, 2011

Term: October 18, 2013

Liquor Commission: Commissioner

Michael R. Milligan, Merrimack

Succeeding: Earl Sweeney, Belmont (Acting Commissioner)

Salary: Grade GG, Step 4, \$86,131

Effective: March 16, 2011

Term: July 1, 2015

Medical Review Subcommittee

Nominated by the Board of Medicine

Teresa Ponn, Manchester

Reappointment

Effective: March 16, 2011

Term: January 1, 2014

Board of Medicine

Amy Feitelson, Rye

Reappointment

Effective: April 21, 2011

Term: April 21, 2016

NH Motor Vehicle Industry Board

Lloyd H. Freese, Manchester

Reappointment

Effective: March 16, 2011

Term: January 9, 2015

NOMINATIONS

The Governor placed into nomination the following:

Deputy Adjutant General

Carolyn J. Protzmann, South Berwick

Succeeding: Stephen C. Burritt, Henniker

Salary: Grade GG; Step Maximum \$90,606

Effective: Upon confirmation

Term: July 15, 2014

Deputy Attorney General

Nominated by the Attorney General

Richard W. Head, Concord

Succeeding: Orville B. Fitch, II, Concord

Salary: Grade JJ; Step 3, \$99,143

Effective: March 31, 2011

Term: March 31, 2015

State Board of Auctioneers

Russell R. Abbott, Bow

Succeeding: Devin Moisan, Durham

Effective: Upon confirmation

Term: March 1, 2016

Division of Children, Youth, and Families Advisory Board

(Hillsborough County)

Nominated by the Commissioner of Health and Human Services

Keith A. Marsh, Nashua

Succeeding: Sandra D. Hogan, Nashua (resigned)

Effective: Upon confirmation

Term: July 1, 2012

Compensation Appeals Board

(Employers/ Insurers)

Nominated by the Commissioner of Labor

David F. Foster, New London

Reappointment

Effective: Upon confirmation

Term: February 9, 2014

Compensation Appeals Board

(Labor)

Nominated by the Commissioner of Labor

Mark S. MacKenzie, Manchester

Reappointment

Effective: Upon confirmation

Term: February 9, 2014

Judicial Council

(NH Bar Assoc. Member)

Joseph M. McDonough, Manchester

Reappointment

Effective: Upon confirmation

Term: October 18, 2012

Judicial Council

(Lay Person)

Richard F. Winters, Meriden

Reappointment

Effective: Upon confirmation

Term: January 1, 2014

Rivers Management Advisory Committee

(Rep. Conservationists)

Nominated by the NH Assoc. of Conservation Commissions

Larry T. Spencer, Holderness

Reappointment

Effective: Upon confirmation

Term: October 12, 2013

Department of Safety, Division of Fire Standards and Training and Emergency Medical Services Director

Nominated by the Commissioner of Safety after consultation with the Fire Standards and Training Commission and the Emergency Medical Trauma Services Coordinating Board

Perry E. Plummer, Dover

Succeeding: Richard A. Mason, Portsmouth (resigned)

Salary: Grade GG; Step Maximum \$90,606

Effective: Upon confirmation

Term: March 31, 2013

Chief Justice of the Superior Court

Tina L. Nadeau, Lee

Succeeding: Robert J. Lynn, Windham

Effective: Upon confirmation

Term: Five years from date of confirmation

Telecommunications Planning and Development Advisory Committee

(Industry)

Nominated by the Commissioner of Resources and Economic Development

Maura M. Weston, Concord

Reappointment

Effective: Upon confirmation

Term: September 19, 2013

Department of Transportation, Director of Project Development

Nominated by the Commissioner of Transportation

William J. Cass, Laconia

Reappointment

Salary: Grade II; Step Maximum \$104,364

Effective: Upon confirmation

Term: February 18, 2015

Volunteer New Hampshire Board of Directors

(Postsecondary Education)

Paula J. Gregory, Milford

Reappointment

Effective: Upon confirmation

Term: October 10, 2013

#1 **CONSENT CALENDAR - DONATIONS:**

ADJUTANT GENERAL

- A. Authorized to accept and expend a monetary contribution in the amount of \$50, to be used for the betterment of the cemetery.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

- B. Authorized the Division of Parks and Recreation to accept a **retroactive** in-kind donation in the form of labor and equipment valued at \$4,739.75 from Dennis Thompson of Northern New England Field Services LLC, Stewartstown, NH, for services provided at Umbagog Lake State Park Cambridge, NH.

DEPARTMENT OF SAFETY

- C. Authorized the Division of State Police to accept the donation of two 13 month old Bloodhounds from Edward McKay, valued at \$800 each and meet the criteria for single purpose tracking. (2)Further authorized to accept the donation of the 149th Bloodhound Training class conducted February 28, 2011 – March 18, 2011, and valued at \$5,700 for two troopers to attend with the canines. Effective **retroactive** to February 28, 2011.

BUSINESS FINANCE AUTHORITY

#2 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor St. Hilaire and further on a roll call vote as follows: Councilor Burton – yes, Councilor St. Hilaire – yes, Councilor Sununu – yes, Councilor Wieczorek – absent for vote, and Councilor Wheeler – yes, authorized to hold a Public Hearing with respect to the financing of a loan to North Country Council, Inc., for a project located in Bethlehem, NH. 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 MARCH 16, 2011
COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE**

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At approximately 10:45 a.m., the Governor announced that the next matter to be considered would be loan made by the Business Finance Authority to North Country Council, Inc., to finance a line of credit for expansion and retention of businesses 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. Michael Donahue, Senior Credit Officer 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 Burton introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDDING A LOAN UNDER RSA 162-A:7 FROM THE BUSINESS FINANCE AUTHORITY TO NORTH COUNTRY COUNCIL, INC." and moved its adoption, which was seconded by Councilor St. Hilaire. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor St. Hilaire, Councilor Sununu, Councilor Wieczorek, and Councilor Wheeler; those abstaining were Councilor (s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-A:18 AWARDDING A LOAN
UNDER RSA 162-A:7 FROM THE BUSINESS FINANCE AUTHORITY OF
THE STATE OF NEW HAMPSHIRE TO NORTH COUNTRY COUNCIL, 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 a loan by the Authority to North Country Council, Inc. (the "Borrower") in the original principal amount of up to \$250,000 to provide working capital to support the expansion and retention of businesses (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 March 16, 2011.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#3 Authorized to enter into an agreement with the Town of Pittsburg, NH, in the amount of \$500,000 to correct health and safety deficiencies in the town's water supply infrastructure reported by the Department of Environmental Services. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#4 Authorized to award a grant to the Town of Hudson, in the amount of \$450,000 to provide a working capital loan to assist in business expansion activities for Enertrac Inc. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#5 Authorized to award a grant to the City of Claremont, in the amount of \$12,000 for the purpose of conducting a study to determine the feasibility of completing renovations to the third floor of the historic Farwell Block building to create microenterprise incubator space. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#6 Authorized to award a grant to the City of Concord in the amount of \$12,000 for the purpose of conducting a study to identify and assess the needs of the Concord Community for arts incubator space. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#7 Authorized to award a grant to the County of Cheshire, Keene, NH, in the amount of \$500,000 for the purpose of assisting a business, EFL Keene LLC, to renovate the EF Lane Hotel and retain 25 full time equivalent jobs. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#8 Authorized to award a grant to the Town of Colebrook, in the amount of \$240,000 to assist in emergency flood mitigation and prevention improvements on the Connecticut River adjacent to the Colebrook Industrial Park. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#9 Authorized to award a grant to the Town of Bristol, in the amount of \$12,000 for the purpose of conducting a feasibility study to examine the condition of service lines for the water and sewer systems and completion of paving at Bristol Freedom Cooperative. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#10 Authorized to award a grant to the Town of Newport, in the amount of \$200,000 to rehabilitate twelve or more substandard housing units and remove lead-based paint hazards. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

HIGHWAY SAFETY AGENCY

#11 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor St. Hilaire, with Councilor Wheeler voting **no**, authorized the request to enter into a **sole source** contractual agreement with the NH Fisher Cats Baseball Team, Manchester, NH, to coordinate a highway-safety related advertisement campaign during the 2011 season home games, in the amount of \$42,000. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#12 **FAILED** – The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton, and with Councilors Sununu, Wieczorek, and Wheeler voting **no**, the request to provide a grant to Clean Air Cool Planet Inc., A Northeast Alliance, Portsmouth, NH, for support of the Local Energy Solutions conference, as part of the ARRA – State Energy Programs – Program Support, in the amount of \$10,000 **failed**. Effective upon G&C approval through September 30, 2011. **100% Federal (ARRA-SEP) Funds.**

#13 Authorized to amend a **retroactive sole source** contract with Strafford County Community Action Committee Inc., Dover, NH, (previously approved by G&C on 9-22-10, item #12), for the Fuel Assistance Program, by increasing the amount by \$1,766,550 from \$2,279,625 to \$4,046,175. Effective February 22, 2011 through September 30, 2011. **100% Federal Funds.**

#14 Authorized to amend a **retroactive sole source** contract with Southern NH Services Inc., Manchester, NH, (previously approved by G&C on 9-22-10, item #15), for the Fuel Assistance Program, by increasing the amount by \$3,526,021 from \$7,538,433 to \$11,064,454. Effective February 22, 2011 through September 30, 2011. **100% Federal Funds.**

#15 Authorized to amend a **retroactive sole source** contract with Tri-County Community Action Program Inc., Berlin, NH, (previously approved by G&C on 9-22-10, item #14), for the Fuel Assistance Program, by increasing the amount by \$2,916,351 from \$4,415,229 to \$7,331,580. Effective February 22, 2011 through September 30, 2011. **100% Federal Funds.**

#16 Authorized to amend a **retroactive sole source** contract with Belknap-Merrimack Community Action Committee Inc., Concord, NH, (previously approved by G&C on 9-22-10, item #17), for the Fuel Assistance Program, by increasing the amount by \$1,956,940 from \$4,095,089 to \$6,052,029. Effective February 22, 2011 through September 30, 2011. **100% Federal Funds.**

#17 Authorized to amend a **retroactive sole source** contract with Rockingham County Community Action Program Inc., Portsmouth, NH, (previously approved by G&C on 9-22-10, item #16), for the Fuel Assistance Program, by increasing the amount by \$1,483,281 from \$3,054,970 to \$4,538,251. Effective February 22, 2011 through September 30, 2011. **100% Federal Funds.**

#18 Authorized to amend a **retroactive sole source** contract with Southwestern Community Services Inc., Keene, NH, (previously approved by G&C on 9-22-10, item #13), for the Fuel Assistance Program, by increasing the amount by \$1,321,828 from \$2,971,782 to \$4,293,610. Effective February 22, 2011 through September 30, 2011. **100% Federal Funds.**

#18A Authorized to enter into a memorandum of agreement with the NH Department of Resources and Economic Development, the NH Department of Transportation, the NH Fish and Game Department, and the NH Department of Environmental Services, to provide \$25,000 for the purposes of maintaining and improving the existing GRANIT web site, archiving and distributing agency data through the GRANIT database and providing technical support services for the development of GIS data and applications. Effective upon G&C approval through June 30, 2011. **100% Other Funds-Forest Management and Protection (DRED); 100% Federal Funds (DOT); 50% Federal, 50% Other Funds-Conservation License Plate and Game Management (NH F&G); 100% Other Funds-Publication Fee Funds (DES).** (2)Further authorized to amend a **sole source** contract with the University of NH, Durham, NH, (previously approved by G&C on 6-23-10, item #16), for the GRANIT project, by increasing the amount by \$25,000 from \$65,491 to \$90,491. Effective upon G&C approval through June 30, 2011. **100% Other Funds (20% DRED, 40% DOT, 20% F&G, 20% DES).**

#18B Authorized to enter into a contract with Meredith Burgess Advertising and Marketing, Portland, ME, for work to be accomplished as part of the ARRA – State Energy Programs – Program Support, in the amount of \$50,000. Effective upon G&C approval through September 30, 2011. **100% Federal Funds (ARRA-SEP).**

DEPARTMENT OF INFORMATION TECHNOLOGY

The Governor and Council acted as follows:

#19 Authorized Bill (Roger) Poulin, Technical Support Specialist V, to accept a complimentary admission in the amount of \$500, to attend the IBM Northeast Users Group Conference to be held April 11, 2011 through April 13, 2011 in Framingham, MA. Effective upon G&C approval.

#20 Authorized Leslie T. Mason, Information Technology Manager IV, to accept complimentary admission and expenses in the amount of \$1,370 to attend the National Association of State Purchasing Officials Conference to be held April 4, 2011 and April 5, 2011 in Boston, MA. Effective upon G&C approval.

#21 Authorized, on behalf of the NH State Liquor Commission, to enter into a contract with Berry, Dunn, McNeil and Parker LLC, Portland, ME, to conduct a comprehensive business requirements analysis, document current and future business requirements for a state-of-the-art integrated retail enterprise system and create and RFP for election of the retail enterprise System, in the amount of \$198,787. Effective upon G&C approval through March 16, 2012, with the option to renew for up to one additional year. **100% Other (Agency Class 27) funds: the Agency Class 27 funds used by the NHSLC to reimburse DoIT for this work are 100% Liquor Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#22 Authorized that Jeanne B. Jones, Laconia, NH, be confirmed to the rank of Colonel, NH Army National Guard.

#23 Authorized that Michael J. Pelletier, Goffstown, NH, be confirmed to the rank of Lieutenant Colonel, NH Army National Guard.

#24 Authorized that Shawn M. O'Brien, Fremont, NH, be confirmed to the rank of Colonel, NH Army National Guard.

#25 Authorized that Lezli G. Clark, Pembroke, NH, be confirmed to the rank of Major, NH Army National Guard.

#26 Authorized that Jared P. Boucher, Lebanon, ME, be confirmed to the rank of Major, NH Army National Guard.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#27 Authorized a working capital warrant in the amount of \$435,000,000 to cover expenditures for the month of April.

#28 Authorized to accept and place on file the Report and Findings of Councilor Christopher Sununu with regard to the financing of certain construction, renovation and equipment and the refinancing of certain outstanding indebtedness in connection with Wentworth-Douglas Hospital, Dover, NH.

#29 Authorized the Bureau of Public Works Design and Construction to enter into a contract with Turnstone Construction Corporation, Milford, NH, for ARRA – Veterans Home Life Safety Infrastructure Upgrades, Tilton, NH, as part of the ARRA 2009, Life Safety Infrastructure Upgrades, for a total price not to exceed \$3,909,822. (2)Further authorized a contingency in the amount of \$200,000 to provide for utility connection fees, and any unanticipated expenses associated with the upgrades, bringing the total to \$4,109,822. (3)Further authorized the amount of \$155,000 for payment to the Department of Administration Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$4,264,822. Effective upon G&C approval through January 31, 2013. **65% Federal/Capital, 35% General Funds. ARRA Funds.**

#30 **TABLED** – The Governor and Council on motion of Councilor Sununu, seconded by Councilor Wheeler, voted to **table** the request of the Bureau of Public Works Design and Construction to enter into a contract with Meridian Construction Corp., Gilford, NH, for renovations to the State Library, Concord, NH, for a total price not to exceed \$847,777. (2)Further authorized a contingency in the amount of \$85,000 to provide for additional unanticipated expenses, bringing the total to \$932,777. Effective upon G&C approval through September 8, 2011. **100% General-Capital Funds.**

#31 **TABLED** – The Governor and Council on motion of Councilor Sununu, seconded by Councilor Wheeler, voted to **table** the request of the Bureau of Public Works Design and Construction to enter into a contract with Gerard A. Laflamme Inc., Londonderry, NH, for lighting modifications and additions for the NHARNG Hangar, Concord, NH, for a total price not to exceed \$83,100. (2)Further authorized a contingency in the amount of \$10,000 for code-compliant wiring modifications and other unanticipated expenses, bringing the total to \$93,100. Effective upon G&C approval through October 28, 2011. **100% Capital-General Funds.**

#32 **TABLED** – The Governor and Council on motion of Councilor Sununu, seconded by Councilor Wheeler, voted to **table** the request of the Bureau of Public Works Design and Construction to enter into a contract with Century Mechanical Inc., Concord, NH, for the installation of Kitchen Hood Fire Suppression – Three Locations, Concord, for a total price not to exceed \$79,665. (2)Further authorized a contingency in the amount of \$9,000 for unanticipated expenses, bringing the total to \$88,665. (3)Further authorized the amount of \$3,800 for payment to the Department of Administration Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$92,465. Effective upon G&C approval through March 31, 2011. **53% Capital-General, 47% Transfer (DHHS Bldg – 42% Federal, 31% Agency Fees, 27% General) Funds.**

#33 Authorized the Bureau of Public Works Design and Construction to enter into a contract with Trumbull-Nelson Construction Co., Hanover, NH, for ARRA – Central Shipping and Multi-purpose Operations Center, Veterans Home, Tilton, NH, as part of the ARRA 2009 Grant, for a total price not to exceed \$1,406,277. **65% Federal/Capital, 35% General Funds.** (2)Further authorized a contingency in the amount of \$77,740 for unanticipated expenses, bringing the total to \$1,484,017. **100% General Funds.** (3)Further authorized the amount of \$30,000 for payment to the Department of Administration Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$1,514,017. Effective upon G&C approval through December 31, 2011. **65% Federal/Capital, 35% General Funds.**

#34 **TABLED** – The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton, voted to **table** the request of the Bureau of Public Works Design and Construction to enter into a contract with Pellowe Construction LLC, Alton, NH, to mothball Huntress House, Concord, NH, for a total price not to exceed \$56,950. Effective upon G&C approval through 60 days from notice to proceed. **100% General Funds.**

#34A Authorized a new chapter of the Manual of Procedures (“DAS MOP”), DAS MOP 1600 (“Purchasing Requirements”). Effective upon G&C approval.

DIVISION OF PERSONNEL

The Governor and Council acted as follows:

#35 Authorized the State Suggestion and Extraordinary Service Award Evaluation Committee to award non-monetary recognition to Sue Tirrell, of the Department of Resource and Economic Development. Effective upon G&C approval.

#36 Authorized to accept and place on file the Sixtieth Annual Report.

STATE TREASURY

The Governor and Council acted as follows:

#37 Authorized to amend a contract with Bank of New York Mellon Trust Company, Boston, MA, (previously approved by G&C on 9-22-10, item #54), by increasing the five-year contract amount by \$75,000 from \$125,000 to \$200,000 in total to add bond arbitrage rebate compliance services on or before April 1, 2011 through October 30, 2015, with two optional extensions of two years each at the sole discretion of the State Treasurer with G&C approval.

#38 Authorized to issue a warrant from funds not otherwise appropriated in the amount of \$151,835 and the State Treasurer to issue checks in the amount of \$151,834.60 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF REVENUE ADMINISTRATION

#39 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton authorized the request to accept and place on file the annual report for the fiscal year ending June 30, 2010.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#40 Authorized with Councilors Sununu and Wheeler voting **no**, the Division of Arts to award grants through the ARRA totaling \$13,100, to the organizations as detailed in letter dated January 19, 2011. Effective upon G&C approval through June 30, 2011. **100% Federal ARRA Funds.**

#41 Authorized the Division of Historical Resources to award a federally funded Certified Local Government Grant to the Town of Newington, for the project “Goat Island/Piscataqua Bridge Preliminary Research” in the amount of \$1,500. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

#42 Authorized with Councilors Sununu and Wheeler voting **no**, the Division of the Arts to enter into service agreements, with the artists as detailed in letter dated February 24, 2011, in an amount not to exceed \$5,164, to create and acquire various works of art for the NH National Guard Project. Effective upon G&C approval through December 31, 2011. **100% Percent for the Arts Funds.**

#43 Authorized to amend a two year operating grant awarded to the Palace Theatre Trust (previously approved by G&C on 4-28-10, item #24), by reducing the amount of \$644 from \$9,200 to \$8,556. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#44 Authorized to amend a two year operating grant awarded to the Apple Hill Chamber Players, Sullivan (previously approved by G&C on 1-13-10, item #33), by reducing the amount of \$861 from \$12,300 to \$11,439. Effective upon G&C approval through June 30, 2011. **100% General Funds.**

ATTORNEY GENERAL

The Governor and Council acted as follows:

#45 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton authorized sections 1 and 2, with Councilor Wheeler voting **no**, to establish a consultant within budget class 046 (Consultants) in the Environmental Bureau for work to be accomplished as part of the ARRA – Energy Assurance Program for legal authority research. (2)Further authorized to accept and expend \$25,000 from the Office of Energy and Planning as agreed upon under the memorandum of agreement approved by G&C on 11-17-10, item #14, for the work to be accomplished as part of the ARRA – Energy Assurance Program for legal authority research. (3) **WITHDRAWN** – The Agency **withdrew** section three of this item, to enter into a contract with Barbara G.H. Stewart, Esquire of Concord to provide legal authority research. Effective upon G&C approval through August 30, 2011. **100% Transfer from other agencies (Federal Funds at origin). ARRA Funds (100% Federal). Fiscal Committee approved.**

#46 Authorized with Councilor Wheeler voting **no**, to accept and expend a federal grant in the amount of \$100,000 received from the Federal Bureau of Justice Assistance, federal fiscal year 2010 John R. Justice grant program, to be utilized to provide student loan financial assistance to public defenders and prosecutors in NH. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#47 Authorized nomination of Teresa S. Knight, to serve on the NH Victim’s Assistance Commission. Effective for three years upon G&C approval.

#48 Authorized to enter into a new sub grant with Emerge Family Advocates Visitation Center in the amount of \$9,925.36 from the 2006 Safe Havens: Supervised Visitation and Safe Exchange grant program for the purpose of providing services for women and children in NH who are victims of violent crimes. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

#48A Authorized to amend a **sole source** License for Use Premises Agreement with Capital Region Health Care Development Corporation, Concord, NH, (previously amended by G&C on 3-24-10, item #38), for the use of 2,150 square feet of morgue and autopsy lab space at the Concord Hospital to be used by the Chief Medical Examiner, by increasing the price by \$69,502.80 from \$370,925.40 to \$440,428.20, and by extending the end date from March 31, 2011 to September 30, 2011. Effective April 1, 2011.

#48B Authorized to conduct two one-day regional trainings on Stalking Investigation Protocol at a total cost not to exceed \$14,571. **41% Agency Income, 59% Federal Funds.** (2)Further authorized to accept and expend registration fees for the regional trainings, for a total amount not to exceed \$6,000 to help defray the cost of the conferences and facility expenses. **100% Agency Income.** (3)Further authorized to enter into agreements with the facilities as detailed in letter dated March 3, 2011, for the purpose of providing the venue and meals for the trainings on Stalking Investigation Protocol. **43% Agency Income, 57% Federal Funds.** Effective upon G&C approval through May 30, 2011.

NEW HAMPSHIRE LIQUOR COMMISSION

The Governor and Council acted as follows:

#49 Authorized to accept and expend funds entitled "NH Liquor Commission Preliminary Breath Testing Device" totaling \$64,140.80 from the NH Highway Safety Agency through the National Highway Traffic Safety Administration. Effective upon G&C approval through June 30, 2011. **100% Agency Income (Highway Safety) (Federal Funds at origin). Fiscal Committee approved.**

#50 Authorized to accept and expend NH Liquor Commission Pacific Institute for Research and Evaluation funds totaling \$30,000 from the Pacific Institute for Research and Evaluation. Effective upon G&C approval through February 29, 2012. **100% Agency Income (Pacific Institute for Research and Evaluation).**

#51 Authorized to accept and expend NH Liquor Commission "Last Drink Survey" funds totaling \$26,416.30 from the NH Highway Safety Agency through the National Highway Traffic Safety Administration. Effective upon G&C approval through September 15, 2011. **100% Agency Income (NH Highway Safety) Federal Funds at origin.**

PUBLIC UTILITIES COMMISSION

The Governor and Council acted as follows:

#52 Authorized to amend the existing allocation of \$783,538 ARRA funds from the US Department of Energy, National Energy Technology Laboratory (previously amended by G&C on 5-15-10, item #46), for the Regulatory Assistance Program, by bringing forward in class the amount of \$7,227 from SFY 2010 to SFY 2011, decreasing SFY 2011 from \$329,609 to \$307,515, increasing SFY 2012 from \$261,781 to \$315,924 and decreasing SFY 2013 from \$81,289 to \$49,240. Effective upon G&C approval through December 31, 2012. **100% Federal ARRA Funds. Contingent upon Fiscal Committee approval on March 25, 2011.**

#53 Authorized to continue membership and participation in the National Association of Regulatory Utility Commissioners, for an amount of \$9,053. Effective **retroactive** to July 1, 2010 through June 30, 2011. **100% Other (Utilities Assessments) Funds.**

#54 Authorized to continue membership and participation in the National Regulatory Research Institute, for an amount of \$17,250. Effective **retroactive** to July 1, 2010 through June 30, 2011. **100% Other (Utilities Assessments) Funds.**

OFFICE OF THE CONSUMER ADVOCATE

#55 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton authorized the request to amend a **sole source** contract with Scott J. Rubin (previously approved by G&C on 6-22-10, item #95), to provide expert testimony and related services to assist in the NH Public Utilities Commission docket concerning the proposed acquisition by the City of Nashua of Pennichuck Corporation and its subsidiaries, including Pennichuck Water Works and Pittsfield Aqueduct Company, by increasing the amount by \$8,000 from \$19,800 to \$27,800. Effective upon G&C approval through December 31, 2011. **100% Public Utility Assessment Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#56 Authorized to enter into a memorandum of agreement with the NH Department of Transportation, the NH Adjutant General, the NH Department of Safety, and NH Public Broadcasting Inc., for the purpose of grant administration and project collaboration. Effective upon G&C approval through June 30, 2013, or until such time that the shared asset is retired or replaced. **ARRA Project – no funds expended.**

#57 Authorized the Division of Economic Development to enter into a grant with the Plymouth Area Renewable Energy Initiative, Plymouth, NH, of up to \$100,000 to develop and implement energy efficiency training programs. Effective upon G&C approval through June 30, 2013. **100% Greenhouse Gas Emissions Reduction Fund (HGGERF).**

#58 Authorized with Councilor Sununu being recused, the Division of Parks and Recreation, Cannon Mountain Ski Area to enter into a **retroactive sole source** contract with Doppelmayr, CTEC, Inc., Salt Lake City, UT, for training on the Aerial Tramway in the amount of \$6,795. Effective February 29, 2011 through March 1, 2011. **100% Ski Area Funds.**

#59 Authorized the Office of Workforce Opportunity to enter into a **sole source** contract with Safety & Health of Northern New England, Concord, NH, for the delivery of training to meet the federal Mine Safety and Health Administration safety training requirements in NH, in the amount of \$74,368. Effective **retroactive** to October 1, 2010 through September 30, 2012. **100% Federal Funds.**

#60 Authorized with Councilor Sununu being recused, the Division of Parks and Recreation, Cannon Mountain to enter into a **retroactive** contract with Robertson Transit Inc., Campton, NH, for the transport of groups to Cannon Mountain Ski Area for daily skiing, in the amount of \$10,665. Effective December 11, 2010 through April 10, 2011. **100% Ski Area Funds.**

#61 Authorized the Division of Economic Development to enter into a memorandum of agreement with Lakes Region Community College, Laconia, NH, to develop and implement energy efficiency training programs, in the amount of up to \$256,000. Effective upon G&C approval through June 30, 2013. **100% Greenhouse Gas Emissions Reduction Fund (GHGERF).**

#62 Authorized the Bureau of Trails to amend contracts with the snowmobile clubs as detailed in letter dated March 1, 2011, (previously approved by G&C on 12-8-10, ietm #78), for winter trail grooming and plowing, by increasing the amount by \$327,885.58 from \$1,472,603.49 to \$1,800,489.07. Effective upon G&C approval through May 1, 2011. **100% OHRV and Snowmobile Fund.**

#62A Authorized the Office of Workforce Opportunity to amend a **sole source** contract with Hewlett-Packard State & Local Enterprise Services Inc., Vancouver, WA, for administration, maintenance and support of the Customer's NH Workforce Investment Act Small State Reporting System, by increasing the amount to \$746,275, and increase of \$14,875. Effective upon G&C approval through June 30, 2011. **98% Federal Workforce Investment Act (WIA), 2% Federal (WIA) ARRA OJT NEG Funds.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#63 Authorized to enter into a contract with Axiom Corporation d/b/a Axiom of Virginia, Atlanta, GA, for the purpose of providing development, maintenance and hosting of an Internet based Department licensing and migratory bird Harvest Information Program website, in the amount of \$50,000. Effective upon G&C approval through June 30, 2015. **100% Fish and Game Funds.**

#64 Authorized to enter into a contract with the Wisconsin Veterinary Diagnostic Laboratory to perform immunohistochemical testing of obex or retropharyngeal lymph node tissue from free-ranging cervids, including white-tailed deer or moose, for the presence of chronic wasting disease, in an amount not to exceed \$19,125. Effective upon G&C approval through June 30, 2012. **47% Federal, 53% Game Management Funds.**

#65 Authorized to hold a Hunter Education Volunteer Recognition and Training Seminar on March 20, 2011 in the amount of \$11,867.50. (2)Further authorized to purchase volunteer recognition awards for a cost not to exceed \$1,000 to be presented to volunteer instructors at this event. (3)Further authorized to pay the Courtyard by Marriott of Concord d/b/a Capital Hotel Company I LLC, to provide facilities, refreshments and a lunch buffet for the Hunter Education Volunteer Recognition Banquet and Seminar, in the amount of \$10,867.50. **100% Federal Funds.**

#66 Authorized to enter into a contract with Tseranos Construction LLC, Auburn, NH, for the construction of an Owl Brook Hunter Education Center Garage, in the amount of \$80,000. Effective upon G&C approval through September 30, 2011. **75% Federal, 25% Other Funds (Wildlife Heritage Foundation).**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#67 Authorized to accept and expend \$170,170 from the Environmental Protection Agency to be used as grants for the purchase of diesel retro-fit pollution control equipment. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#68 Authorized to reclassify position #19868 Sanitary Engineer II, labor grade 28, to Environmental Program Manager, labor grade 27. **100% Federal Funds.**

#69 Authorized with Councilor Wiezcorek voting **no**, to reclassify position #42177 Planning Analyst (Data Systems), labor grade 24 to Environmentalist IV, labor grade 27. **100% Federal Funds.**

#70 Authorized to pay 2011 membership dues to the Association of State and Interstate Water Pollution Control Administrators, Washington, DC, in the amount of \$8,302. Effective upon G&C approval. **100% Federal Funds.**

#71 NOT USED

#72 Authorized to amend a **sole source** contract with Sanborn, Head and Associates Inc., Concord, NH (previously amended by G&C on 3-24-10, item #61), to provide remedial response services at hazardous waste sites throughout the state, by increasing the value by \$18,000 from \$3,069,662 to \$3,249,662. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#73 Authorized to amend an existing **sole source** memorandum of agreement with the NH Fish and Game Department (previously approved by G&C on 1-13-10, item #72), for offshore lobster tomalley field sampling for red tide toxins, by extending the agreement to January 31, 2012 from June 30, 2011. No Additional Funding. **100% Federal Funds.**

#74 Authorized to enter into a memorandum of agreement with the NH Fish and Game Department to protect 366.1 acres of land in Milton, in the amount of \$29,300. Effective upon G&C approval through December 31, 2011. **100% ARM (Aquatic Resource Mitigation) Funds.**

#75 Authorized to enter into an agreement with P&H Senesac Inc., Milton, VT, for sludge removal and cleaning of Secondary Digester Tank #2 at the Franklin wastewater treatment plant, in the amount of \$52,000. Effective upon G&C approval through June 30, 2011. **100% WRBP (Winnepesaukee River Basin) Funds.**

#76 Authorized to enter into a **sole source** contract with the Northeast Waste Management Officials' Association, Boston, MA, to provide funding for the Northeast Regional Pollution Prevention Information Center, in the amount of \$99,900. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

#77 Authorized to enter into an agreement with Target New England, Wolfeboro, NH, for industrial painting services, in the amount of \$19,460. Effective upon G&C approval through July 30, 2011. **100% WRBP Funds.**

#78 Authorized to enter into an agreement with Target New England, Wolfeboro, NH, for industrial painting services, in the amount of \$21,760. Effective upon G&C approval through June 30, 2011. **100% WRBP Funds.**

#79 Authorized to enter into a grant agreement with Great Bay Marine Inc., Newington, NH, to pay for operation and maintenance costs for the boat sewage pumpout station, in the amount of \$1,500. Effective upon G&C approval through January 31, 2012. **100% Federal Funds.**

#80 Authorized to enter into a grant agreement with the Androscoggin Valley Regional Refuse Disposal District to fund a Household Hazardous Waste collection project totaling \$3,412. Effective upon G&C approval through June 30, 2011. **100% Hazardous Waste Funds.**

#81 Authorized to enter into **retroactive** grant agreements with the entities as detailed in letter dated February 14, 2011, to fund Household Hazardous Waste collection projects, totaling \$12,000. Effective July 1, 2010 through June 30, 2011. **100% Hazardous Waste Funds.**

#82 Authorized a Supplemental Loan Agreement with the Town of Jaffrey, in the amount of \$945,157.05 to finance the water system improvements project. Effective upon G&C approval. **100% DWSRF Loan Repayment Funds.**

#83 Authorized a Supplemental Loan Agreement with the Milton Water District, in the amount of \$1,922,886.67 to finance the water system improvements project. Effective upon G&C approval. **83% Federal, 17% DWSRF State Match.**

#84 Authorized to enter into a grant agreement with the Lake Opechee Preservation Association, Laconia, NH, for the purpose of milfoil control activities in Lake Opechee, Laconia, NH, in the amount of \$3,295. Effective upon G&C approval through December 31, 2011. **100% Lake Restoration Funds.**

#85 Authorized to award a grant in the amount of \$2,500 to the Town of Weare for the purpose of used oil collection. Effective upon G&C approval through January 12, 2012. **100% Hazardous Waste Cleanup Funds.**

#86 Authorized to award a Local Source Water Protection grant to the NH Lakes Association Inc., Concord, NH, to complete a project to protect public drinking water systems, in the amount of \$19,600. Effective upon G&C approval through December 1, 2012. **100% Federal Funds.**

#87 Authorized to amend a Local Source Water Protection grant to the Southern NH Planning Commission, Manchester, NH, (previously amended by G&C on 8-11-10, item #33), to complete a project to better protect drinking water from contamination, by extending the date to September 30, 2011 from March 31, 2011. No Additional Funding. **100% Federal Funds.**

#88 Authorized to award a Local Source Water Protection grant to the Southern NH Planning Commission, Manchester, NH, to complete a project to protect public drinking water systems, in the amount of \$10,000. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

#89 Authorized to award a Local Source Water Protection grant to the Lower Bartlett Water Precinct, Bartlett, NH, to complete a project to protect public drinking water systems, in the amount of \$19,935. Effective upon G&C approval through May 31, 2012. **100% Federal Funds.**

#90 Authorized to award a Local Source Water Protection grant to the University of NH, Office of Sponsored Research, Durham, NH, to complete a project to protect public drinking water systems, in the amount of \$19,992. Effective upon G&C approval through December 1, 2012. **100% Federal Funds.**

#91 Authorized to award a Local Source Water Protection grant to the Merrimack Village District, Merrimack, NH, to complete a project to protect public drinking water systems, in the amount of \$20,000. Effective upon G&C approval through May 31, 2012. **100% Federal Funds.**

#92 Authorized to enter into agreements with the six entities as detailed in letter dated February 3, 2011, to implement water quality planning and outreach programs, in the amount of \$82,400. Effective upon G&C approval through December 31, 2012. **100% Federal Funds.**

#93 Authorized Stephen Little's request to perform work at a property having an average of 222 ft of frontage on the Piscataqua River in Portsmouth, NH.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of the Commissioner

#94 Authorized General Fund transfers in the amount of \$299,863 and increase related revenue adjustments of \$126,424 in Federal Funds and decrease revenue adjustments of \$25,260 in Other Funds. Effective upon G&C approval through June 30, 2011. **Fiscal Committee approved.**

#95 Authorized General Fund transfers in the amount of \$11,081,697 and decrease related revenue adjustments of \$2,413,133 in Federal Funds and decrease revenue adjustments of \$28,950 in Other Funds. Effective upon G&C approval through June 30, 2011. **Fiscal Committee approved.**

#96 Authorized General Fund transfers in the amount of \$2,119,014 and decrease related revenue adjustments of \$183,184 in Federal Funds and increase revenue adjustments of \$15,716 in Other Funds. Effective upon G&C approval through June 30, 2011. **Fiscal Committee approved.**

Bureau of Human Resource Management

#97 Authorized to make a one-time payment from SFY 2011 funds to Toby Archer, Juvenile Probation & Parole Officer IV, Division of Juvenile Justice Services, in the amount of \$609.24 to compensate for wages that were not paid in SFY 2010. **67.2% General, 33.8% Federal Funds.**

Office of Minority Health and Refugee Affairs

#98 Authorized to accept and expend federal funds in the amount of \$98,880 from the US Department of Health and Human Services, Administration for Children and Families, Office of Refugee Resettlement. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

Office of Medicaid Business and Policy

#99 Authorized to accept and expend additional Title XIX Medicaid federal funds from the Centers for Medicare and Medicaid Services in the amount of \$220,613.39 and decrease General Funds in the amount of \$220,393. (2) Further authorized to accept and expend additional Title XIX Medicaid federal funds from the Centers for Medicare and Medicaid Services in the amount of \$1,476,412.94 and decrease General Funds in the amount of \$1,474,938. Effective **retroactive** to July 1, 2010 through June 30, 2011. **Fiscal Committee approved.**

#100 Authorized to accept and expend ARRA 2009 Title XIX Medicaid federal funds from the Centers for Medicare and Medicaid Services in the amount of \$8,239,135.91 and decrease general funds in the amount of \$8,230,905. (2) Further authorized to accept and expend additional ARRA 2009 Title XIX Medicaid federal funds from the Centers for Medicare and Medicaid Services in the amount of \$28,375,469.12 and decrease general funds in the amount of \$28,347,122. Effective **retroactive** to July 1, 2010 through June 30, 2011. **ARRA Funds. Fiscal Committee approved.**

Bureau of Homeless and Housing Services

#101 Authorized to enter into an agreement with Families in Transition, Manchester, NH, to provide services to homeless individuals in an amount not to exceed \$184,500. Effective **retroactive** to November 22, 2010 through November 21, 2012. **100% Federal Funds.**

Division of Public Health Services

#102 Authorized the Bureau of Laboratory Services, Healthcare Associated Infections Program to enter into an agreement with JSI Research and Training Institute Inc., d/b/a Community Health Institute, Bow, NH, to visit each acute care hospital in NH to validate and confirm healthcare-associated infections data reported to DPHS through the Centers for Disease Control and Prevention's National Healthcare Safety Network, in an amount not to exceed \$70,000. Effective upon G&C approval through December 31, 2011. **100% Federal Funds.**

#103 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 \$188,882 from Centers for Disease Control and Prevention to fund the Cancer Prevention and Control Program. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#104 Authorized the Bureau of Prevention Services to enter into a memorandum of agreement with the Department of Education for the purpose of defining the terms of collaboration in administering the Youth Risk Behavior Survey. Effective upon G&C approval through June 30, 2015.

#105 Authorized the Bureau of Community Health Services, Community Public Health Development Section to amend a **sole source** agreement with the Manchester Health Department, (previously amended by G&C on 6-23-10, item #98), to improve public health emergency response plans, by increasing the price by \$44,110 from \$1,655,741 to \$1,699,851. **100% Federal Funds.**

#106 Authorized the Bureau of Population Health and Community Services, Maternal and Child Health Section to amend an agreement with Mary Jane Sullivan, Hampton, NH (previously approved by G&C on 1-27-10, item #62), to provide audiologic services, by increasing the price by \$5,000 from \$40,000 to \$45,000. **100% Federal Funds.**

#107 Authorized the Bureau of Population Health and Community Services, Healthy Eating and Physical Activity, Special Supplemental Nutrition Program for Women, Infants, and Children, to amend an agreement with Community Action Program of Belknap and Merrimack Counties Inc., Concord, NH (previously amended by G&C on 8-11-10, item #42), to provide financial support of training expenses for two local agency directors to attend the Commodity Supplemental Food Program Association Conference, National WIC Association Annual Conference, and to assess nutrition and physical activity policies and environments in child care settings, by increasing the price by \$13,324 from \$3,384,709 to \$3,398,033. Effective March 30, 2011 or upon G&C approval, whichever is later. **100% Federal Funds.**

BOARD OF LICENSING FOR ALCOHOL AND OTHER DRUG USE PROFESSIONALS

#108 The Governor and Council on motion of Councilor Burton, seconded by Councilor Sununu authorized the request to expend examination fees not otherwise appropriated in the amount of \$935. Effective upon G&C approval through June 30, 2011. **100% General Funds.**

NEW HAMPSHIRE BOARD OF MEDICINE

#109 The Governor and Council on motion of Councilor Burton, seconded by Councilor St. Hilaire authorized the request with the Board of Dental Examiners and office of Allied Health Professionals, to enter into a **sole source** holdover amendment for up to twelve months with McCarthy Properties, West Wareham, MA, for an amount not to exceed \$37,625.04 for office space housing the six boards as detailed in letter dated February 16, 2011, comprised of 3,500 square feet located at 2 Industrial Park Drive, Suite 8, Concord, NH. Effective July 1, 2011 through June 30, 2012. (2)Further authorized to amend the price to increase by \$37,625.04 from \$221,375.28 to \$259,000.32. **99% General, 1% Impaired Physician Program and Agency Income from Xeroxing Costs.**

NEW HAMPSHIRE VETERANS HOME

#110 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Wheeler authorized the request to exercise a contract renewal with Quality Behavior Solutions Inc., Holliston, MA, (previously approved by G&C on 12-18-08, item #68), for the sole purpose of providing quarterly on-site behavior skills training to the employees of the Home, by increasing the amount by \$21,437.30 from \$32,330.70 to \$53,768. Effective May 1, 2011 through April 30, 2013. **33% Federal, 40% Agency, 27% General Funds.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#111 Authorized to enter into a **sole source** contract with Measured Progress Inc., Dover, NH, to design and deliver a new online tool that will determine what students need to best access online assessments as part of the Student Accessibility Assessment System Project that is grant funded through the USED Enhanced Assessment Grant Program, in an amount not to exceed \$1,900,379.65. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#112 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 collaborate on the film project Education Revolution: The Inclusion of Students with Emotional/Behavioral Challenges, in an amount not to exceed \$50,000. (2)Further authorized payment for services rendered in lieu of withholding 25% of the total value of the agreement. Effective upon G&C approval through December 31, 2012. **100% Federal Funds.**

POLICE STANDARDS AND TRAINING COUNCIL

The Governor and Council acted as follows:

#113 Authorized to enter into a service agreement with Forensic Consulting Associates of New England to provide technical law enforcements training, at a cost of \$4,200. Effective upon G&C approval through June 30, 2011. **100% Penalty Assessment Funds.**

#114 Authorized to enter into a service agreement with Interstate Electrical Services, to provide installation of fire safety equipment at NH PSTC, Concord, NH, at a cost of \$8,920. Effective upon G&C approval through June 30, 2011. **100% Penalty Assessment Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#115 Authorized the Division of State Police to accept and expend an additional \$68,789 of federal pass-through funds from the NH Department of Justice for the purpose of reimbursing the cost for equipment and continuing training requirements needed by the Forensic Lab. Effective upon G&C approval through June 30, 2011. **100% Agency Income (These are federal pass-through funds received from the NH Department of Justice). Fiscal Committee approved.**

#116 Authorized the Division of State Police to accept and expend \$57,944 of federal funds from the NH Department of Justice entitled Crime Data on the Internet for the purpose of purchasing a web-based statistical reporting tool that will work with the National Incident Based Reporting System repository data. Effective upon G&C approval through June 30, 2011. **100% Agency Income (These are federal pass-through funds received from the NH Department of Justice). Fiscal Committee approved.**

#117 Authorized the Division of State Police to accept and expend \$77,000 of federal funds from the NH Highway Safety Agency entitled NHSP Aggressive Driving Unit Equipment for the purpose of purchasing ten in-cruiser video systems and ten lap-top computers. Effective upon G&C approval through June 30, 2011. **100% Agency Income (Federal Funds at origin).**

#118 **WITHDRAWN** – The Agency withdrew the request of the Division of Safety Services to exercise a contract renewal option with Kalkomey Enterprises Inc., Dallas, TX, d/b/a Boat Ed, for the second half of FY12 and all of FY13, by adding \$60,000 which will be offset by \$20,000 as a result of a negotiated reduction of the FY12 amount, and by extending the date through June 30, 2013. (2)Further authorized to upgrade and maintain the timer feature of the 14 Day Temporary Certification test. (3)Further authorized to upgrade the Online Boater Certification contract to add an Event Management function, paid for by fees charged to users of the function. **100% Revolving Funds.**

#119 Authorized the Division of State Police to **retroactively** pay an invoice in the amount of \$5,082 to the American Society of Crime Lab Directors Laboratory Accreditation Board, Garner, NC, for the annual fee to continue the Forensic Laboratory's accreditation certificate program. Effective January 1, 2011 through December 31, 2011. **100% Agency Income (Federal Funds at origin).**

#120 Authorized the Division of Safety Services and the Division of State Police to exercise a renewal option with NHMTA Services Inc., (previously approved by G&C on 9-9-09, item #112A), for the provision of pre-employment physical exams and/or drug screens of law enforcement personnel, by increasing the amount from \$17,690 to \$35,910, an amount not to exceed \$18,220. Effective upon G&C approval through June 30, 2013. **11.8% Highway, 2.8% Turnpike, 2.2% Transfers from Other Agencies, 83.2% Navigational Safety Funds.**

#121 Authorized the Division of State Police to exercise a renewal option with L&B Tailoring (previously approved by G&C on 6-17-09, item #296D), for the provision of alterations to law enforcement uniforms and detective clothing, by increasing the amount from \$24,000 to \$49,000, an amount not to exceed \$25,000. Effective July 1, 2011 through June 30, 2013. **83% Highway, 9% Turnpike, 8% Agency Income Funds.**

#122 Authorized the Division of Homeland Security and Emergency Management to **retroactively** amend local grant agreements with the Towns of Dublin and Exeter, (previously approved by G&C on 8-11-10, item # 57 & # 59), by changing the completion date from September 30, 2010 to September 30, 2011. **100% Federal Funds.**

#123 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Rollinsford to purchase equipment for the town's emergency operation center and update their emergency operation plan for a total amount of \$5,000. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

#124 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Salem, for updating their local hazard mitigation plan, for a total amount of \$5,000. Effective upon G&C approval through July 10, 2012. **100% Federal Funds.**

#125 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Ashland, to purchase a generator for the town's emergency operations center, for a total of \$15,562.19. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

#126 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Chesterfield, to purchase a generator for the office of Emergency Management, Police Station and Town Office, in the amount of \$14,438.50. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

#127 Authorized the Division of Homeland Security and Emergency Management to enter into grant agreements with the governmental entities as detailed in letter dated January 26, 2011, for emergency management capabilities enhancements, for a total amount of \$179,557.97. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

#128 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Kingston, for implementation of projects identified through the evaluation of natural hazards, for the amount of \$307,950. Effective upon G&C approval through December 31, 2012. **100% Federal Funds.**

#129 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Hampton, for emergency preparedness capabilities enhancements, for a total amount of \$21,200. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

#130 Authorized the Division of Homeland Security and Emergency Management to enter into grant agreements with the governmental entities as detailed in letter dated January 28, 2011, for emergency management capabilities enhancements, for a total amount of \$65,292. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

#131 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with Lower Bartlett Water Precinct, to purchase two pump house generators, for a total amount of \$131,000. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

#132 Authorized the application of Pine Hill Community Association located on Lake Winnepesaukee in Meredith, NH, for a congregate mooring field renewal of 11 moorings.

#133 Authorized the application of Newbury Station Boat Club located on Sunapee Lake in Newbury, NH, for a congregate mooring field renewal of 10 moorings.

#134 Authorized the application of Merrimack Valley YMCA – Camp Lawrence located on Lake Winnepesaukee in Meredith, NH, for a congregate mooring field renewal of 6 moorings.

#135 Authorized the application of Boulderwood Trust located on Squam Lake in Holderness, NH, for a congregate mooring field renewal of 9 moorings.

#136 Authorized the application of The Cowern Family Trust – Hillplace Association located on Newfound Lake in Hebron, NH, for a congregate mooring field renewal of 7 moorings.

#137 Authorized the application of the Overlook at Winnepesaukee Association located on Lake Winnepesaukee in Laconia, NH, for a congregate mooring field renewal of 10 moorings.

#138 Authorized the application of Lake Forest Property Owners Association located on Squam Lake in Holderness, NH, for a congregate mooring field renewal of 16 moorings.

#139 Authorized the application of Leeward Shores Association located on Lake Winnepesaukee in Moultonborough, NH, for a congregate mooring field renewal of 5 moorings.

#139A Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with Volunteer NH! for emergency preparedness capabilities enhancements for a total amount of \$12,300. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#140 Authorized the Bureau of Traffic to accept and expend a Plymouth State University Subaward Grant, awarded from the US Department of Commerce, National Oceanic and Atmospheric Administration for the New England Weather Technology and Research Initiative in the amount of \$100,000. Effective upon G&C approval through June 30, 2011. **100% Other Funds (Originally Federal Funds). Fiscal Committee approved.**

#141 Authorized to accept and place on file the Monthly Equipment Acquisition Plan status report for the period ending January 31, 2011.

#142 Authorized the Bureau of Rail and Transit to budget and expend revenue in the amount of \$536,490.54 from the Special Railroad Fund for maintenance and repair of active State-owned railroad lines. (2)Further authorized to expend an amount not to exceed \$536,490.54 for maintenance and repairs to active state-owned railroad lines. Effective upon G&C approval through June 30, 2011. **100% Other Funds (Special Railroad Funds). Fiscal Committee approved.**

#143 Authorized the Bureau of Finance and Contracts to pay Small Claims for individual amounts less than \$600. Effective April 1, 2011 through June 30, 2011. **100% Highway Funds.**

#144 Authorized the Bureau of Highway Maintenance to enter into a contract with Dragin Geothermal Well Drilling Inc., Meredith, NH, for a 6-inch drilled well and pump on the property of Nancy Achenbach, Freedom, NH, in the amount of \$20,800. Effective upon G&C approval through May 20, 2011. **100% Highway Funds.**

#145 Authorized the Bureau of Highway Design to amend a contract with Edwards and Kelcey Inc., Manchester, NH, (previously amended by G&C on 5-26-10, item #100), for on-call engineering and/or technical services and support for Intelligent Transportation Systems initiatives being undertaken by the Department throughout the State, by extending the date from March 22, 2011 to December 1, 2011. No Additional Funding.

#146 Authorized the Bureau of Bridge Design to enter into an agreement with the State of Maine for the replacement of the Memorial Bridge, the Rehabilitation of the Sarah Mildred Long Bridge, and coordination of future work on the I-95 High Level bridge between Portsmouth, NH and Kittery, ME. Effective upon G&C approval.

#147 Authorized the Bureau of Planning and Community Assistance to enter into an agreement with the City of Manchester to provide funding and services under the High Priority Project Program through a municipally-managed process to improve infrastructure and pedestrian amenities consisting of the design and construction of roadway, sidewalk, street lighting, and other aesthetic improvements in the City's "Gaslight District", in the amount of \$999,829. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#148 Authorized the Bureau of Environment to enter into a qualifications-based contract with Pathways Consultants LLC, Lebanon, NH, to undertake certain environmental engineering and technical services for transportation purposes, in the amount not to exceed \$300,000. Effective upon G&C approval, from the date of Notice to Proceed through January 31, 2014.

#149 Authorized the Bureau of Right of Way to appoint a Commission for the Petition for a hearing on alteration to NH 28 Intersection with Stockbridge Corner Road in the Town of Alton, and if the necessity is found, to layout the new highway, with a suggestion budget of \$4,224.

#150 Authorized to accept and place on file the Bureau of Right of Way's Contemplate Award List for amounts less than \$5,000, for the sum total of \$62,488.87, for the period extending from October 1, 2010 through December 31, 2010.

#151 Authorized the Bureau of Aeronautics to enter into a contract with Sealcoating Inc., Hingham, MA, to seal and repair pavement cracks at Dean Memorial Airport, as part of a statewide pavement maintenance program, in the amount not to exceed \$68,282.60. Effective upon G&C approval through March 31, 2014. **95% Federal, 5% General Funds.**

#152 Authorized the Bureau of Aeronautics to enter into an agreement with Jacobs Engineering Group Inc., Manchester, NH, for on-call aviation planning, engineering, and technical support services for various aviation projects statewide, for an amount not to exceed \$500,000. Effective upon G&C approval through April 30, 2014.

#153 Authorized the Bureau of Highway Design to enter into an agreement with CLD Consulting Engineers Inc., Manchester, NH, for the final design for the replacement of one bridge and rehabilitation of four bridges in the area of Exit 4, Queen City Avenue, on I-293 (the FE Everett Turnpike) in the City of Manchester, in the amount not to exceed \$2,032,545. Effective upon G&C approval through March 31, 2013. **100% Turnpike Funds.**

#154 Authorized the Bureau of Human Resources to enter into a **sole source** agreement with Federal Highway Administration Finance Division, National Highway Institute, Washington, DC, for training, in an amount not to exceed \$75,780. Effective upon G&C approval through September 30, 2011. **80% Federal, 20% Highway Funds.**

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Sununu, seconded by Councilor St. Hilaire, voted to remove item #16- which was tabled at the 2-16-11 Meeting

DEPARTMENT OF CULTURAL RESOURCES

#16 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton, with Councilors Sununu and Wheeler voting **no**, voted to approve the request of the Division of the Arts to enter into a service agreement with the artists as detailed in letter dated December 23, 2010, to create and acquire various works of art for the Merrimack Courthouse Project, in an amount not to exceed \$8,050. Effective upon G&C approval through June 30, 2011. **100% Percent for the Arts Funds.**

LATE ITEMS

EMPLOYMENT SECURITY

- A. Authorized pursuant to RSA 21-I:54 to continue the following positions; (1) one Program Specialist II, position #9T159, salary grade 21, ending 04/21/11; (1) one Chairman, UC Appeals I position #9T136 , salary grade 22, ending 03/16/11 in a temporary status for one year from each respective ending date. Estimated cost of \$26,290. **100% Federal Funds.**

CULTURAL RESOURCES

- B. Authorized to award a federally funded Certified Local Government Grant to the Town of Wakefield, for the, "Archaeological Sensitivity Assessment" in the amount of \$20,000 from G&C approval through September 30, 2011. **100% Federal Funds.**

*

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Sununu, voted to approve payment of the invoice from Molloy Sound & Video Contractors, Manchester, NH, for the Ward Bird audio and visual recordings of the hearing conducted on February 1, 2011.

*

The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton, voted to **deny** the appeal for defense and indemnification under RSA 99-D in connection with Michael Saulnier v. Jeffrey Bettez, United States District Court, No. 10-CV-423. State Corrections Officer Jeffrey Bettez had previously filed the appeal with the Attorney General's Office, which was denied.

The Governor concurred.

*

The Governor talked about setting up a committee to look at contracts with contingencies for clarification purposes. Councilors Sununu and Wheeler agreed to be part of the committee. Commissioner Hodgdon was asked to reach out to some of the Commissioner's to join in a meeting.

*

Next regular Governor and Executive Council meeting is scheduled for Wednesday, March 30, 2011, at the State House, Concord, NH.

The Honorable Board then Adjourned at 12:30 p.m.