

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
May 11, 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 St. Hilaire offered the prayer and led the Pledge of Allegiance.

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The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor St. Hilaire, accepted the minutes of April 27, 2011.

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The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor St. Hilaire, approved the appointment of several persons nominated for Civil Commissions from the April 27, 2011 meeting.

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

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The Governor and Council, on motion of Councilor Sununu, seconded by Councilor Wieczorek, voted to set the date for a *special election for State Representative, Hillsborough County, District 3*.

The filing period will begin on May 16, 2011 and end on May 20, 2011. The primary election will be July 19, 2011. The special election will be September 30, 2011.

RESIGNATIONS

The Governor and Council accepted the following resignation:

Justice of the Salem District Court

John A. Korbey, Salem

Effective: May 31, 2011

Justice of the Goffstown District Court

Paul H. Lawrence, Goffstown

Effective: June 30, 2011

Board of Mental Health Practice

(Marriage and Family Therapist)

Joan Staigers Haley, New Boston

Effective: May 11, 2011

CONFIRMATIONS

The Governor and Council confirmed the following:

Agricultural Advisory Board

(Grafton County)

Denis Ward, Monroe

Effective: May 11, 2011

Succeeding: Jesse Laflamme, Monroe (term limited)

Term: January 31, 2016

Commissioner of the Department of Banking – Councilor Wheeler voted **no**.

Ronald A. Wilbur, Concord

Effective: May 11, 2011

Succeeding: Peter Hildreth, Concord (resigned)

Term: January 1, 2013

Salary: Grade II; step max - \$104,364

Department of Environmental Services, Director of the Waste Management Division

Nominate by the Commissioner of the Department of Environmental Services

after consultation with the Waste Management Council

Michael J. Wimsatt, Concord

Effective: May 13, 2011

Reappointment

Term: May 13, 2015

Salary: Group HH, step max - \$98,691

Medical Review Subcommittee

(Represents the Board of Medicine)

Nominated by the Board of Medicine

Robert P. Cervenka, Jaffrey

Effective: May 11, 2011

Succeeding: Amy Feitelson, Rye

Term: December 3, 2013

Board of Natural Scientists

(Soil Scientist)

Nancy B. Rendall, Gilmanton

Effective: May 11, 2011

Reappointment

Term: June 30, 2015

Penalty Appeal Board

(Management)

Gayle E. Troy, Dunbarton

Effective: May 11, 2011

Reappointment

Term: April 11, 2014

University System of New Hampshire Board of Trustees

William F. J. Ardinger, Concord

Effective: June 30, 2011

Reappointment

Term: June 30, 2015

University System of New Hampshire Board of Trustees

John W. Small, New Castle

Effective: June 30, 2011

Reappointment

Term: June 30, 2015

Board of Veterinary Medicine

Nominated by the NH Veterinary Medical Association

Robert A. Brust, Henniker

Succeeding: Jennifer Sula, Salisbury

Effective: May 11, 2011

Term: March 5, 2016

Water Management Planning Area Advisory Committee for the Lamprey River

(Community citizen from a town or city in WMPA)

Nominated by the Commissioner of the Department of Environmental Services

Brian A. Giles, Lee

Succeeding: James DuPrie, Lee (resigned)

Effective: May 11, 2011

Term: Completion of Lamprey River Plan

Water Management Planning Area Advisory Committee for the Lamprey River

(Representative of Conservation Interest in the WMPA)

Nominated by the Commissioner of the Department of Environmental Services

Douglas A. Bechtel, Penacook

Vacancy

Effective: May 11, 2011

Term: Completion of Lamprey River Plan

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor St. Hilaire , voted to remove the following confirmation - which was tabled at the 4-27-11 Meeting:

CONFIRMATION

The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton, and with Councilors Wieczorek and Wheeler voting **no**, voted to confirm the following:

Board of Licensure for Alcohol and Other Drug Use Professionals

(MLADC)

Cheryl A. Wilkie, Concord

Succeeding: Eileen M. Fiori, Nashua (term limited)

Effective: April 27, 2011

Term: January 28, 2014

NOMINATIONS

The Governor placed into nomination the following:

Community College System of New Hampshire Board of Trustees

(General Public)

Ned Densmore, Franconia

Reappointment

Effective: June 30, 2011

Term: June 30, 2012 (per RSA 188-F)

Community College System of New Hampshire Board of Trustees

(General Public)

Robert L. Mallat, Jr., Keene

Reappointment

Effective: June 30, 2011

Term: June 30, 2015

Compensation Appeals Board

(Labor)

Denis W. Parker, Hooksett

Reappointment

Effective: Upon confirmation

Term: February 9, 2014

Department of Education

(District 4)

John R. Rist, Manchester

Succeeding: Stephen R. L'Huereux, Hooksett (resigned)

Effective: Upon confirmation

Term: January 31, 2013

Executive Branch Ethics Committee

(Nominated by the State Treasurer)

Alan W. Johnson, (r), Penacook

Reappointment

Effective: June 30, 2011

Term: June 30, 2014

New Hampshire Health and Education Facilities Authority

Jill A. Duncan, Meredith

Succeeding: Michael K. Massey, Bedford (resigned)

Effective: Upon confirmation

Term: June 30, 2013

Commissioner of the Department of Information Technology

S. William Rogers, Jr., Dover

(Was Acting Commissioner)

Salary: Grade LL - \$116,170

Effective: Upon confirmation

Term: Four years from date of confirmation

Non-Medical Director of the Division of Medical and Psychiatric Services

Nominated by the Commissioner of the Department of Corrections

Helen Hanks, Lochmere

(Was Acting Director)

Salare: Grade HH; step maximum - \$98,691

Effective: Upon confirmation

Term: Serves at Commissioners pleasure

Board of Mental Health Practice

(Marriage and Family Therapist)

Shawn J. Hassell, Epping

Succeeding: Joan Staigers Haley, New Boston (resigned)

Effective: Upon confirmation

Term: October 31, 2011

Volunteer of New Hampshire Board of Directors

(Rep. of National Service Program)

Deborah T. Scire, Windham

Reappointment

Effective: Upon confirmation

Term: May 4, 2014

#1 **CONSENT CALENDAR - DONATIONS:**

DEPARTMENT OF EDUCATION

- A. Authorized the Division of Career Technology and Adult Learning, Services for Blind and Visually Impaired, to accept a donation in the amount of \$35.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Operations Support

- B. Authorized to accept a donation from System Automation Corporation in the amount of \$2,300 for travel expenses for two employees to attend out of state training on System Automation Corporation's MyLicense software.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#2 Authorized to amend a grant with the County of Cheshire, Keene, NH, (originally approved by G&C on 5-10-10), in the amount of \$500,000, to help municipalities solve development problems, by extending the completion date to June 30,2012 from June 30, 2011. No Additional Funding. **100% Federal Funds.**

#3 Authorized to amend a grant agreement with the Town of Walole, NH, (originally approved by G&C on 9-17-08, item #1), in the amount of \$180,000, to help municipalities solve development problems, by extending the date to June 30, 2012 from June 30, 2011. No Additional Funding. **100% Federal Funds.**

#4 Authorized to amend a grant agreement with the Town of Colebrook, NH, (originally approved by G&C on 3-16-11, item #8), in the amount of \$240,000, by changing the grant type from emergency economic development to emergency public facility and revising the grant type contract documents. No Additional Funding. **100% Federal Funds.**

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#5 Authorized to amend item #5, approved by G&C on 10-6-10, by reallocating ARRA funding for Energy Assurance Planning program between expenditure classes in the amount of \$3,000. Effective upon G&C approval through August 14, 2012. **100% Federal Funds (ARRA Energy Assurance Planning). Fiscal Committee approved.**

#6 Authorized to amend item #10, approved by G&C on 1-13-10, by reallocating ARRA funding for Appliance Rebate Program between expenditure classes in the amount of \$235. Effective upon G&C approval through February 17, 2012. **100% Federal Funds (ARRA Appliance Rebate Program). Fiscal Committee approved.**

#7 Authorized to enter into a contract with TRC Environmental Corporation, Boston, MA, & Portsmouth, NH, for work to be accomplished as part of the ARRA – State Energy Program – Municipal Energy Planning Program, in the amount of \$299,991. Effective upon G&C approval through April 30, 2012. **100% Federal ARRA Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#8 Authorized confirmation of William P. Lemaire, Rochester, NH, to the rank of Lieutenant Colonel, NH Army National Guard.

#9 Authorized confirmation of Roy P. Hunter IV, Londonderry, NH, to the rank of Lieutenant Colonel, NH Army National Guard.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#10 Authorized the Bureau of Graphic Services, to enter into a two-year contract with McIntire Business Products, Concord, NH, for a repair service and maintenance contract for bindery equipment, in an amount not to exceed \$8,414. Effective July 1, 2011 through June 30, 2013. **100% Agency Fees.**

#11 Authorized the Bureau of Public Works Design and Construction to enter into a contract with Knowles Industrial Services Corp, Gorham, ME, to repair and re-caulk the Brown Building Parking Garage, State Office Park South, Concord, NH, in an amount not to exceed \$209,975. (2)Further authorized the amount of \$5,600 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$215,575. Effective upon G&C approval through September 30, 2011. **60.5% General, 39.5% Federal Funds.**

#11A **WITHDRAWN** – The Agency withdrew the request for the Bureau of Public Works Design and Construction to enter into a contract with Eckhardt & Johnson Inc., Concord, NH, to design/build six Solar Domestic Hot Water Systems, Readiness Center, Statewide, in an amount not to exceed \$144,206. (2)Further authorized the amount of \$3,000 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$147,206. Effective upon G&C approval through June 29, 2012. **50% Federal, 50% Capital – General Funds.**

#11B Authorized to enter into a one year Cooperative Project Agreement with the University of NH Institute for Health Policy and Practice, Durham, NH, for facilitation services and claim analytic services plus quarterly updates to Scorecards for members of the NH Purchasers Group on Health, in an amount not to exceed \$33,000. Effective upon G&C approval through June 30, 2012. **40% General, 16% Federal, 26% Enterprise, 18% Restricted Funds.**

#11C Authorized the Bureau of Public Works Design and Construction to enter into a contract with Eckhardt & Johnson Inc., Concord, NH, for boiler & cooling coil replacement, design/build alarm – Department of Corrections Warehouse, APS – Department of Revenue, Concord, NH, for a total price not to exceed \$266,451. **49% Capital – General, 51% Federal Funds.** . (2)Further authorized the amount of \$1,200 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$267,651. Effective upon G&C approval through February 20, 2012. **70% General, 30% Federal Funds.**

#11D Authorized the Working Capital Warrant in the amount of \$415,000,000 to cover payment of expenditures for the month of June.

TREASURY DEPARTMENT

#12 The Governor and Council on motion of Councilor Burton, seconded by Councilor St. Hilaire authorized the request to issue a warrant from funds not otherwise appropriated in the amount of \$84,403 and the State Treasurer to issue checks in the amount of \$84,402.79 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF CULTURAL RESOURCES

#13 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton authorized the request of the Division of Arts to enter into a contract with Covered Bridge Frame and Gallery Shop, Contoocook, NH, to repair and frame artwork in the State Cultural Collection, in an amount not to exceed \$3,650. Effective upon G&C approval through December 30, 2011. **100% Public Art and Conservation Funds.**

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

The Governor and Council acted as follows:

#14 Authorized to enter into a grant agreement with the Harvest New England Association Inc., to plan and conduct a regional marketing and education program to promote the use of the Harvest New England logo to growers and the public, in the amount of \$8,993. Effective upon G&C approval to June 30, 2011. **100% Federal Funds.**

#14A Authorized to enter into a **retroactive** agreement with Gary Saccomani, Feeding Hills, MA, to provide custodial and general maintenance work at the Eastern States Exposition NH Building, West Springfield, MA, in the amount of \$6,500. Effective April 1, 2011 through March 31, 2012. **100% Other Funds – Big E Building.**

#14B Authorized to enter into a Cooperative Project Agreement, with the University of NH, Office of Sponsored Research, for the advancement of agricultural research in Hillsborough and Merrimack Counties and to assist in the promotion of Integrated Pest Management practices in NH, in the amount of \$39,879. Effective upon G&C approval through December 31, 2011. **100% Other Funds – Integrated Pest Management Fund.**

ATTORNEY GENERAL

#15 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton authorized the request for the nomination of Elizabeth Dunn, to serve on the NH Victim's Assistance Commission. Ms. Dunn's term will be for three years upon G&C approval.

INSURANCE DEPARTMENT

#16 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor St. Hilaire, and with Councilor Wheeler voting **no**, authorized the request to accept and expend federal grant funds in the amount of \$658,661 for FY 2011 from the US Department of Health and Human Services for the purpose of improving health insurance rate filing requirements, enhancing consumer protection standards related to health insurance premium rate filings, provide additional IT capacity for processing and reviewing health insurance premium rate filings, and for reporting to the US Secretary of Health and Human Services on health insurance premium rate increase patterns. (2)**NO ACTION TAKEN** – The Agency requested that the Governor and Executive Council not act on the request to establish a Program Specialist I position, a Grants and Contracts Technician position, and Consultants. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#17 Authorized to continue seven Certifying Officer III, salary grade 20, positions; two Interviewer I, salary grade 16, positions; and one Business Systems Analyst II, salary grade 30, positions for one year, for an estimated amount of \$415,673. **100% Federal Funds.**

#18 Authorized to enter into a contract with Gemini Electric Inc., Auburn, NH, to purchase and install a commercial generator at NHES's Laconia office building, in the amount of \$58,700. Effective upon G&C approval through November 30, 2011. **100% Federal Funds.**

#19 Authorized to enter into a contract with Capital Appraisal Associates Inc., Concord, NH, to provide commercial real estate assessment services for four NHES's offices, in the amount of \$7,500. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

#20 Authorized to enter into a contract with Signet Electronic Systems Inc., Norwell, MA, to purchase and install building security cameras at NHES's offices statewide, in the amount of \$116,537. Effective upon G&C approval through November 30, 2011. **100% Federal Funds.**

#20A Authorized to enter into a contract with Richardson Electrical Company Inc., Seabrook, NH, to purchase and install a commercial generator at NHES's Somersworth office building, in the amount of \$47,940. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

DEPARTMENT OF LABOR

#21 The Governor and Council on motion of Councilor Burton, seconded by Councilor Sununu authorized the request to offer the 25% salary enhancement approved for a two year period for five positions: Chief Boiler Inspector, LG 25; Boiler Inspector, LG 23; Chief Elevator Inspector, LG 23; and two Elevator Inspectors, LG 21. Effective upon G&C approval through June 30, 2013. **100% Agency Income (Inspection Fees & Certificates/Licensees).**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#22 Authorized a renewal option to contract with W.R. Bevans Fire Alarms Inc., Boscawen, NH, (originally approved by G&C on 5-6-09, item #41A), for the provision of fire protection equipment maintenance, testing, parts and repair services, by increasing the amount by \$154,580 from \$155,913 to \$310,493. Effective July 1, 2011 through June 30, 2013. **100% General Funds.**

#22A Authorized to renew a lease agreement with Robat Holdings LLC, Manchester, NH, for the purpose of probation/parole district office space, in an amount not to exceed \$235,259.28. Effective June 1, 2011 through May 31, 2014. **100% General Funds.**

NEW HAMPSHIRE COMMISSION FOR HUMAN RIGHTS

#23 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to budget and expend federal funds carried forward from FY 2010, in the amount of \$11,908 to fulfill required budget reductions. Effective upon G&C approval through June 30, 2011.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#24 Authorized the Bureau of Trails to purchase a recreational trail easement in an amount not to exceed \$2,000 from Lorraine and Junior Potter, North Stratford, NH. **100% Snowmobile and OHRV Funds.**

#25 Authorized with Councilor Wheeler voting **no**, the Division of Travel and Tourism to enter into a **sole source** contract with Granite State Ambassadors Inc., Manchester, NH, for tourism related training and volunteer coordination, in the amount of \$125,000. Effective July 1, 2011 through June 30, 2013. **100% General Funds.**

#25A Authorized to accept and expend a Homeland Security sub-grant from the NH Department of Safety, for radio reprogramming in the amount of \$15,000. Effective upon G&C approval through June 30, 2011. **100% Federal.**

#25B Authorized with Councilor Sununu recusing himself, the Division of Parks and Recreation, Cannon Mountain Aerial Tramway and Ski Area to enter into a seasonal contract with Sunri LLC, d/b/a Sport Thomas, Lincoln, NH, for all-terrain bicycle rental and return shuttle service during summer operations at Cannon Mountain Aerial Tramway. (2)Further authorized to accept a monthly commission payment of 20% to be made by Sport Thoma. Effective upon G&C approval through October 31, 2012. No State Funding.

#25C Authorized the Division of Parks and Recreation to amend a lease agreement with the White Mountain Attractions Association (originally approved by G&C on 11-19-08, item #81), to allow WMAA to request of the State, six months to 31 months prior to the end of the current agreement term, their intent to exercise their additional five-year option to renew the lease. (2)Further authorized a lease agreement renewal option with WMAA for the period of December 1, 2013 through November 30, 2018, in order to perform \$275,000 in building improvements. No State Funding.

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

#26 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton authorized the request to enter into a **sole source** contract with Daniel and Melissa Hayward d/b/a TERNS LLC, to continue ongoing endangered seabird restoration on the Isles of Shoals, in the amount of \$48,000. Effective upon G&C approval through March 31, 2012. **50% Federal, 50% Conservation License Plate Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#27 Authorized to budget and expend prior year carry forward funds from Water Users in the amount of \$6,200 to cover projected shortfalls in certain expenditure classes. Effective upon G&C approval through June 30, 2011. **100% Sugar River Project Funds.**

#28 Authorized to budget and expend prior year carry forward funds from Water users in the amount of \$4,000 to cover projected shortfalls in certain expenditure classes. Effective upon G&C approval through June 30, 2011. **100% Squam Project Funds.**

#29 Authorized to budget and expend prior year carry forward funds from Water users in the amount of \$9,000 to cover projected shortfalls in certain expenditure classes. Effective upon G&C approval through June 30, 2011. **100% Newfound Project Funds.**

#30 Authorized to budget and expend prior year carry forward funds from Water users in the amount of \$6,500 to cover projected shortfalls in certain expenditure classes. Effective upon G&C approval through June 30, 2011. **100% Piscataquog River Project Funds.**

- #31 Authorized to budget and expend prior year carry forward funds from Water users in the amount of \$30,000 to cover projected shortfalls in certain expenditure classes. Effective upon G&C approval through June 30, 2011. **100% Mascoma Project Funds.**
- #32 Authorized to budget and expend prior year carry forward funds from Water users in the amount of \$9,000 to cover projected shortfalls in certain expenditure classes. Effective upon G&C approval through June 30, 2011. **100% Connecticut-Coos Project Funds.**
- #33 Authorized to budget and expend prior year carry forward funds from Water users in the amount of \$25,000 to cover projected shortfalls in certain expenditure classes. Effective upon G&C approval through June 30, 2011. **100% Winnepesaukee Project Funds.**
- #34 Authorized to enter into a **sole source** Cooperative Project Agreement with the University of NH – Sponsored Programs Administration, Durham, NH, for the DES/UNH Pollution Prevention Internship Program, in the amount of \$7,500. Effective upon G&C approval through December 31, 2011. **100% Federal Funds.**
- #35 Authorized to amend a CWSRF loan agreement with the Town of Winchester (originally approved by G&C on 6-17-09, late item A), to reallocate the funding sources as follows: increase the ARRA 2009 funding by \$25,000 from \$1,700,000 to \$1,950,000, and decrease the Federal and State Match funding by \$250,000 from \$2,200,000 to \$1,950,000. Effective upon G&C approval. **100% Federal ARRA Funds.**
- #36 Authorized to approve a loan agreement with the Town of Winchester to finance a wastewater treatment plant upgrade project in the amount of \$245,500. Effective upon G&C approval. **100% Clean Water State Revolving Fund Program Repayment Funds.**
- #37 Authorized to complete repairs to Souhegan River Flood Control Site #33 dam in Wilton, NH, in an amount not to exceed \$111,800. Effective upon G&C approval through June 30, 2012. **100% Dam Maintenance Program Funds.**
- #38 Authorized to enter into an agreement with The Green Mountain Conservation Group, Effingham, NH, to complete the Ossipee Lake Watershed Management Plan Phase I: Alternatives Analysis Project, in the amount of \$15,000. Effective upon G&C approval through December 31, 2012. **100% Federal Funds.**
- #39 Authorized South Down Boat Club Association’s request to perform work on a major docking facility on frontage along Lake Winnepesaukee in Laconia.
- #40 Authorized NH Fish & Game Department’s request to excavate bank and river bed to upgrade an existing boat launch by constructing a concrete boat ramp with a retaining wall along the upstream edge, on the Connecticut River, in Orford.
- #41 Authorized Trustees of Dartmouth College’s request to perform work on the Connecticut River in Hanover.
- #42 Authorized Sprague Energy Corporation’s request to perform work on property on the shoreline of the Piscataqua River in Newington.
- #42A Authorized to amend G&C item #66, approved 6-3-09, federal US EPA LUST Stimulus funds (ARRA 2009) for investigation, cleanup and closure of leaking underground storage tanks by re-allocating \$79,862 for better utilization of funds. Effective upon G&C approval through September 30, 2011. **100% Federal ARRA Funds. Fiscal Committee approved.**
- #42B Authorized to budget and expend \$450,000 in Pass-Thru Federal FEMA funds from the Department of Safety, Division of Homeland Security and Emergency Management, for the purposes of design and permitting of river stabilization structures near the Suncook River avulsion site. Effective upon G&C approval through June 30, 2011. **100% Pass Thru Federal Funds – Other Agency Funds. Fiscal Committee approved.**

#42C Authorized to enter into a lease with Airport Road 90 Realty LLC, Alton Bay, NH, for storage space, in the amount of \$34,848. Effective May 11, 2011 through June 30, 2014. **25% Hazardous Waste Cleanup, 75% Oil Pollution Control Funds.**

#42D Authorized to transfer FY 2011 appropriations in the amount of \$129,963, for the Surface Water Quality PPG program. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Human Resource Management

#43 Authorized compensation for Tiffany Crowell, a Nurse Specialist at NH Hospital, who sustained an injury in the line of duty. Effective upon G&C approval.

Office of the Commissioner

#43A Authorized the Division for Children, Youth and Families and the Division for Community Based Services and the Department of Education to exercise a contract renewal option with the Early Education and Intervention Network, Concord, NH, (originally approved by G&C on 8-22-07, item #232, in the amount of \$33,000), for the provision of professional development to teachers, child care providers, and other professionals specializing in early childhood activities, by increasing the price by \$28,000 from \$132,000 to \$160,000, and by extending the completion date from June 30, 2011 to June 30, 2012. **100% Federal Funds.**

Division of Public Health Services

#44 Authorized with Councilor Wheeler voting **no**, the Bureau of Population Health and Community Services, Health Eating and Physical Activity Section, Special Supplemental Nutrition Program for Women, Infants and Children, to amend an agreement with CQuest America Inc., (originally approved by G&C on 6-27-07, item #237, in the amount of \$1,946,505), for modifications to the NH Program's integrated benefits management system called StarLINC, by increasing the price by \$51,415 from \$2,138,221 to \$2,189,636. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#44A Authorized the Bureau of Laboratory Services, Public Health Laboratories to accept and expend Federal funds in the amount of \$213,411 from the Food and Drug Administration to fund the NH Food Emergency Response Network – FDA FERN Microbiological Program. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#44B Authorized the Bureau of Laboratory Services, Public Health Laboratories to accept and expend Federal funds in the amount of \$72,372 from the US Department of Agriculture, Food Safety and Inspection Service to fund the NH Food Emergency Response Network, and FSIS program. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

Bureau of Drug and Alcohol Services

#45 Authorized to make a **retroactive** one-time payment from SFY 2011 funds to Easter Seals, Manchester, NH, for services delivered during June 2010, in the amount of \$58,678.08. **100% Federal Funds.**

#46 Authorized to make a **retroactive** one-time payment from SFY 2011 funds to Southeastern NH Services, NH, for services delivered during June 2010, in the amount of \$42,465.96. **100% Federal Funds.**

Bureau of Developmental Services

#47 Authorized to enter into a **sole source retroactive** memorandum of agreement with the Community College System of NH, Concord, NH, to provide tuition assistance for the Health and Human Services Community Social Services Certificate Program, in the amount of \$74,890. Effective July 1, 2010 through June 30, 2011. **100% General Funds.**

Disability Determination Unit

#48 Authorized to amend an agreement with Peter B. Delfausse, MD, Waitsfield, VT, (originally approved by G&C on 6-17-09, item #188, in the amount of \$40,000), to function as a Medical Disability Determination Reviewer, by increasing the price by an amount not to exceed \$40,000 from \$80,000 to \$120,000, and by extending the completion date to June 30, 2012. **75% Federal, 25% General Funds.**

Bureau of Behavioral Health

#49 Authorized with Councilor St. Hilaire recusing himself, to amend an agreement with Attorney Steven P. Bunker, Concord, NH, (originally approved by G&C on 6-23-10, item #126, in the amount of \$16,493), to provide legal services, by increasing the price by an amount not to exceed \$3,200 from \$16,492 to \$19,692. Effective upon G&C approval through June 30, 2011. **100% General Funds.**

#49A Authorized to accept and expend Transformation Transfer Initiative federal funds from the Substance Abuse and Mental Health Services Administration in the amount of \$70,600. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#49B Authorized to accept and expend Title XIX Medicaid federal funds from the Centers for Medicare and Medicaid Services in the amount of \$250,250. Effective upon G&C approval. (2)Further authorized to accept and expend additional federal revenue in the amount of \$1,903, and accept and expend additional ARRA Title XIX Medicaid federal stimulus funds from the Centers for Medicare and Medicaid Services in the amount of \$1,901,509. Effective **retroactive** to July 1, 2010 through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

NEW HAMPSHIRE BOARD OF MEDICINE

#50 The Governor and Council on motion of Councilor Burton, seconded by Councilor Wieczorek authorized the request to enter into a **sole source** renewal contract with the NH Professionals Health Program, Bedford, NH, to manage and administer the Physician Health Program for FY12 and FY13, for an amount not to exceed \$300,000, from \$70,000 to \$370,000. Effective July 1, 2011 through June 30, 2013. **99% General, 1% Impaired Physician Program and Agency income from Xeroxing costs.**

NEW HAMPSHIRE VETERANS HOME

#51 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to accept the list of monies totaling \$19,226.53 received during the period of January 1, 2011 to March 31, 2011 as a result of fundraising drives from various organizations and from personal contributions.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#52 Authorized to pay the General Education Development Testing Service Annual Per Person Fees in the amount of \$20,130. Effective upon G&C approval through June 30, 2011. **100% General Funds.**

#53 Authorized Services for the Blind and Visually Impaired to renew an agreement with the NH Department of Transportation (originally approved by G&C on 1-14-09, item #86), to provide vending services at the Seabrook Welcome Center facility on Interstate 95, for a monthly fee of \$560. Effective upon G&C approval through a period of three years. **100% Vending Machine Revenue.**

#54 Authorized to exercise a renewal option on a grant to Evergreen Educational Consulting LLC, sole proprietor, Jericho, VT, (originally approved by G&C on 11-28-07, item #155), to conduct the evaluation of the NH-RESPONDS grant, in an amount not to exceed \$69,296. Effective July 1, 2011 through June 30, 2012. **100% Federal Funds.**

#55 Authorized to exercise a renewal option on a grant for the University of NH, Institute on Disability (originally approved by G&C on 11-28-07, item #146), to reform and improve pre-service personnel preparation and in-service professional development systems in the areas of literacy instruction, positive behavior interventions and supports, and secondary transition supports for students with emotional/behavior challenges, in an amount not to exceed \$250,000. Effective July 1, 2011 through June 30, 2012. **100% Federal Funds.**

#55A Authorized with Councilor Wheeler voting **no**, to accept, budget and expend grant funds in the amount of \$956,085 from the US Department of Education, Office of Elementary and Secondary Education, Washington, DC, under the Enhanced Assessment Instruments Grant Program, to help build more effective procedures and materials for the meaningful assessment of students; including students with limited English proficiency and students with disabilities. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#56 Authorized the Division of Fire Standards & Training and Emergency Medical Services to enter into an agreement with ADR Small Engine Repair LLC, Penacook, NH, for maintenance services, in an amount not to exceed \$42,000. Effective July 1, 2011 through June 30, 2014. **100% Fire and EMS Funds.**

#57 Authorized the Division of Homeland Security and Emergency Management to transfer funds in the amount of \$594,345 to re-align appropriations for the purpose of spending the federal funds awarded by the Federal Emergency Management Agency as intended for the grant's purpose. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#58 Authorized the Division of State Police and the Division of Motor Vehicles to transfer funds between Communications Section, Driver Licensing, Motor Vehicle Registration, and Credit Card Fees, in the amount of \$150,000 for anticipated shortages in telecommunication charges and credit card fees for the Fiscal Year 2011. Effective upon G&C approval through June 30, 2011. **100% Highway Funds. Fiscal Committee approved.**

#59 Authorized the transfer of funds from the Highway Surplus account to the Department of Safety for additional funds over budget estimates, in the amount of \$23,000, necessary for the proper functioning of the Department. Effective upon G&C approval through June 30, 2011. **100% Highway Funds. Fiscal Committee approved.**

#60 Authorized the Division of State Police to accept and expend an additional \$234,071 of federal funds from the NH Highway Safety Agency that will be used by the Division of State Police to purchase equipment that will convert the division from paper-based citations to electronic, conduct patrols known as "Operation Safe Commute", and to contract with a communications relations firm to conduct an education campaign. Effective upon G&C approval through June 30, 2011. **100% Agency Income. Fiscal Committee approved.**

#61 Authorized the Division of Homeland Security and Emergency Management to enter into grant agreements with the sub-applicants as detailed in letter dated April 8, 2011, for a total amount of \$1,976,250 for implementation of projects identified through the evaluation of natural hazards. Effective upon G&C approval through December 31, 2012. **75% Federal, 25% applicant soft-match Funds.**

#62 Authorized the Division of Homeland Security and Emergency Management to enter into grant agreements with the four Regional Planning Commissions as detailed in letter dated February 28, 2011, for a total amount of \$145,000, to provide technical assistance to local communities for the update of hazard mitigation plans. Effective upon G&C approval through September 9, 2013. **100% Federal Funds.**

#63 Authorized to enter into a memorandum of agreement with the NH Department of Justice for the State Homeland Security Program portion of the 2008 and 2009 Homeland Security grant program, in the amount of \$54,665. Effective upon G&C approval through July 31, 2012. **100% Federal Funds.**

#64 Authorized the Division of State Police to enter into a **sole source** contract with Northeast Scale Company Inc., Auburn, NH, for the purpose of providing preventative maintenance, certification and repair to the scale systems located at the weight station on Interstate 93 in Windham, in an amount not to exceed \$67,632. Effective July 1, 2011 through June 30, 2013. **100% Highway Funds.**

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

#66 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the NH Disaster Animal Response Team Inc., for emergency preparedness capabilities enhancements for a total amount of \$31,457. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#67 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreements with the Town of Acworth and the Town of Plymouth, for a total amount of \$290,910 for implementation of projects identified through the evaluation of natural hazards. Effective upon G&C approval through December 31, 2012. **75% Federal, 25% applicant soft-match Funds.**

#68 Authorized the Division of Homeland Security and Emergency Management to enter into grant agreements with the three Regional Planning Commissions as detailed in letter dated March 30, 2011, for a total amount of \$50,000, to provide technical assistance to local communities for the update of hazard mitigation plans. Effective upon G&C approval through September 9, 2013. **100% Federal Funds.**

#69 Authorized the permit application of Merrimack Valley YMCA – Camp Nokomis located on Lake Winnepesaukee in Meredith, NH, for a congregate mooring field addition of one mooring for a total of 9 moorings.

#70 Authorized the permit application of Lake Sunapee Yacht Club located on Sunapee Lake in Sunapee, NH, for a congregate mooring field renewal of 21 moorings.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#71 Authorized the Bureau of Rail and Transit to amend a contract with VNA at HCS Inc., Keene, NH, (originally approved by G&C on 8-19-09, item #222), for additional capital and operating expenses, by increasing the amount by \$46,000 from \$122,887 to \$168,887, and by extending the completion date from June 30, 2011 to December 31, 2011. **100% Federal Stimulus – ARRA Funds.**

#72 Authorized the Bureau of Rail and Transit to amend a contract with Community Action Programs Belknap-Merrimack Counties Inc., Concord, NH, (originally approved by G&C on 7-15-09, item #150), for additional capital and operating expenses, by increasing the price by \$138,000 from \$332,087 to \$470,087, and by extending the completion date from June 30, 2011 to December 31, 2011. **100% Federal Stimulus - ARRA Funds.**

#73 Authorized the Bureau of Rail and Transit to amend a contract with Advance Transit Inc., Wilder, VT (originally approved by G&C on 6-3-09, item #228), for additional operating expenses, by increasing the amount by \$27,000 from \$1,628,282 to \$1,655,282. Effective upon G&C approval through June 2, 2012. **100% Federal Stimulus – ARRA Funds.**

#74 Authorized the Bureau of Rail and Transit to amend a contract with Community Alliance of Human Services Inc., Claremont, NH, (originally approved by G&C on 6-3-09, item #225), for additional capital and operating expenses, by increasing the amount by \$43,240 from \$134,375 to \$177,615, and by extending the completion date from June 30, 2011 to December 31, 2011. **100% Federal Stimulus – ARRA Funds.**

#75 Authorized the Bureau of Right of Way to pay various owners \$585,023.93 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from April 5, 2011 through April 19, 2011. Effective upon G&C approval.

#76 Authorized to accept and place on file the Bureau of Right of Way's Contemplated Award List for amounts less than \$5,000, for the sum total of \$37,986.20 for the period extending from January 1, 2011 through March 31, 2011.

#77 Authorized the Bureau of Right of Way to transfer 1.41 acres of State owned land located off Route 9 in Chesterfield, to Peter A. Gerry and Nancy Gerry as Trustees of Tire Barns Realty Trust, in exchange for 1.41 acres of land, owned by Tire Barns Realty Trust located off Route 9 in Chesterfield, as part of the Chesterfield Welcome Center Project. Effective upon G&C approval.

#78 Authorized the Bureau of Highway Maintenance Well Section to enter into a contract with Wragg Brothers Well Drilling of Ascutney, VT, for a 6-inch drilled well and pump on the property of John Grove, Canaan, NH, in the amount of \$26,300. Effective upon G&C approval through June 24, 2011. **100% Highway Funds.**

#79 Authorized the Bureau of Construction to enter into a contract with Spears Brothers Building & Wrecking of Laconia, for removal of a one story wood frame building with a concrete foundation and one 1 ½ story wood frame building with a concrete foundation located at the NH Department of Transportation Highway Maintenance Patrol Shed 108 along Stag Hollow Road in Jefferson, on the basis of a low bid of \$11,870. Effective upon G&C approval through June 3, 2011. **100% Highway Funds.**

#80 Authorized with Councilor Wheeler voting **no**, the Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for roadway and bridge rehabilitation on approximately 4 miles of I-93 in Manchester between Exit 6 (Hanover Street) and the Merrimack River, on the basis of a low bid of \$6,358,730.25. (2)Further authorized a contingency in the amount of \$317,936.51 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through September 28, 2012. **100% Federal Funds.**

#81 Authorized the Bureau of Construction to enter into a contract with Brox Industries Inc., Dracut, MA, for pavement rehabilitation and bridge rehabilitation work on 7 bridges on approximately 4.5 miles of NH Route 101 in Milford and Amherst, on the basis of a low bid of \$6,060,344.30. (2)Further authorized a contingency in the amount of \$303,017.22 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through July 12, 2012. **100% Federal Funds.**

#82 **TABLED** – The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Wiczorek, voted to **table** the request of the Bureau of Rail and Transit to enter into an agreement with the Nashua Regional Planning Commission, Merrimack, NH, for coordinated transportation services for elderly persons and persons with disabilities, for an amount not to exceed \$101,638. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#83 Authorized the Bureau of Turnpikes to enter into a contract with Blow Bros., Inc., d/b/a Bestway Disposal Services., Epping, NH, for acceptance of rubbish delivered by Bureau of Turnpikes vehicles, in the amount of \$23,400. Effective July 1, 2011 through June 30, 2013, with the option to renew for an additional two-year period. **100% Turnpike Funds.**

#84 Authorized the Bureau of Turnpikes to enter into a contract with Eckhardt & Johnson Inc., Manchester, NH, for annual boiler & HVAC maintenance, in the amount of \$69,494. Effective July 1, 2011 through June 30, 2013, with the option to renew for an additional two-year period. **100% Turnpike Funds.**

#85 Authorized the Bureau of Turnpikes to renew a contract with Pro Controls Inc., Bow, NH, (originally approved by G&C on 5-6-09, item #16, in the amount of \$63,460), for HVAC conditioning, Energy Management and Control System Service, in the amount of \$63,460. Effective July 1, 2011 through June 30, 2013. **100% Turnpike Funds.**

#86 Authorized the Bureau of Traffic to accept and expend a grant awarded from the Federal Department of Homeland Security administered through the NH Department of Safety in the amount of \$56,082 to purchase radio interoperability equipment. Effective upon G&C approval through June 30, 2011. **100% Other Funds, Transfer to Other Agency. Fiscal Committee approved.**

#87 Authorized to transfer \$550,000 from Highway Surplus to fund increases in vehicle purchase. Effective upon G&C approval. **100% Highway Funds. Fiscal Committee approved.**

#88 Authorized the Bureau of Aeronautics to provide funding to the Town of Whitefield, to design and construct a snow removal equipment storage building at the Mt. Washington Regional Airport, Whitefield, NH, in the amount of \$347,446. Effective upon G&C approval through May 31, 2014. **95% Federal, 5% General Funds.**

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ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Wieczorek, and with Councilor Wheeler voting **no**, voted to remove item #34- which was tabled at the 4-13-11 Meeting

DEPARTMENT OF CORRECTIONS

#34 The Governor and Council on motion of Councilor Sununu, seconded by Councilor St. Hilaire, and with Councilor Wheeler voting **no**, voted to authorize the request to amend a contract with MHM Correctional Services Inc., Vienna, VA (previously amended by G&C on 5-20-09, item #39), for the provision of psychiatric services, by increasing the amount by \$9,196,033 from \$14,928,122 to \$24,124,155. Effective July 1, 2011 through June 30, 2013. **100% General Funds.**

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Next regular Governor and Executive Council meeting is scheduled for Wednesday, May 25, 2011, at the State House, Concord, NH.

The Honorable Board then Adjourned at 11:45 a.m.