GOVERNOR AND EXECUTIVE COUNCIL MINUTES

State House, Concord, New Hampshire

October 26, 2011, 10:00 a.m.

The Governor and Executive Council convened at 10:00 a.m. with all members present.

Pastor Jed Reardon of South Congregational Church, Concord, offered the prayer. The Pledge of Allegiance was led by the Governor.

The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor St. Hilaire, accepted the minutes of October 12, 2011.

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Sununu, approved the appointment of several persons nominated for Civil Commissions from the October 12, 2011 meeting.

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

RESIGNATIONS

The Governor and Council accepted the following resignation:

Associate Justice of the Superior Court

John P. Arnold, Concord Effective: December 1, 2011

CONFIRMATIONS

The Governor and Council confirmed the following:

Board of Acupuncture Licensing

(Acupuncturist)

Karla Renaud, Concord Effective: October 26, 2011 Reappointment Term: September 8, 2014

State Council on the Arts

Richard W. Ayers, Sanbornton Effective: October 26, 2011

Reappointment Term: November 10, 2012 (per RSA 4:4)

State Council on the Arts

Darryl Furtkamp, Andover Effective: October 26, 2011 Vacancy Term: October 28, 2016

State Council on the Arts

Sara W. Germain, Dublin Effective: November 23, 2011

Reappointment Term: November 23, 2014 (per RSA 4:4)

State Council on the Arts

Jacqueline R. Kahle, Wilton Effective: November 23, 2011 Reappointment Term: November 23, 2016

State Council on the Arts

Elizabeth A. Morgan, Amherst Effective: November 23, 2011

Reappointment Term: November 23, 2014 (per RSA 4:4) State Council on the Arts

Erle B. Pierce, Bow Effective: October 26, 2011

Succeeding: Grace L. Sullivan, Deerfield Term: October 14, 2014 (per RSA 4:4)

State Council on the Arts

Peter Warburton, Exeter Effective: October 26, 2011 Succeeding: Robert J. Begiebing, Newfields Term: October 14, 2016

Division for Children, Youth and Families Advisory Board

(Rockingham County)

Debra M. Coe, Northwood Effective: October 26, 2011

Vacancy Term: July 1, 2013

Enhanced 911 Commission

(Member of the Disabled Community)

Sandra Teti, East Rochester Effective: October 26, 2011 Succeeding: Scott C. Rice, Manchester Term: February 22, 2012

Equalization Standards Board

(Experienced with Equalization Process)

John W. McSorley, Nottingham Effective: October 26, 2011 Reappointment Term: October 10, 2014

Board of Mental Health Practice

(Public Member)

Kathleen Skinner Shulman, New London Effective: October 26, 2011 Succeeding: David J. Braiterman, Concord (resigned) Term: October 31, 2013

Board of Mental Health Practice

(Marriage and Family Therapist)

Shawn J. Hassell, Bow Effective: October 31, 2011 Reappointment Term: October 31, 2014

Mooring Appeals Board

John F. Bridges, Wolfeboro Effective: October 28, 2011 Reappointment Term: October 28, 2014

Nash Stream Forest Citizens Committee

(Representative of snowmobile club)

David Goulet, Stark Effective: October 26, 2011
Reappointment Term: October 5, 2014

New England Board of Higher Education

(Private College)

Jonathan P. DeFelice, Manchester Effective: October 26, 2011 Succeeding: Walter Peterson, Peterborough (deceased) Term: February 16, 2014

New Motor Vehicle Arbitration Board

(Rep. of Consumers)

Robert F. Hamel, Manchester Effective: October 26, 2011
Reappointment Term: October 16, 2014

Public Water Access Advisory Board

(Fishing)

Richard D. Smith, Hancock Effective: October 26, 2011 Succeeding: Ronald R. Poirier, Henniker Term: October 27, 2013 State Radiation Advisory Committee

(Physical Science)

James J. Cherniack, DerryEffective: October 26, 2011ReappointmentTerm: October 14, 2015

State Radiation Advisory Committee

(Medical)

Edward J. Farmlett, Laconia Effective: October 26, 2011 Reappointment Term: October 14, 2015

State Radiation Advisory Committee

(Industry)

Kenneth E. Mayo, Nashua Effective: October 26, 2011 Reappointment Term: October 14, 2015

Residential Ratepayers Advisory Board

(Represents interests of residents of low-income housing)

Otis E. Perry, Dover Effective: October 26, 2011
Reappointment Term: October 14, 2014

New Hampshire Water Well Board

(Water Well Contractor)

David R. Hunt, Washington Effective: October 26, 2011 Succeeding: Peter W. Caswell, Temple (term limited) Term: September 15, 2014

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ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Wheeler, voted to remove the confirmation – which was tabled at the October 12, 2011 Meeting

CONFIRMATION

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor St. Hilaire, voted to confirm the following:

Board of Dental Examiners, Dental Hygienists' Committee

(Dental Hygienist)

Nominated by the New Hampshire Dental Society

Carolyn M. Boisvert, Milford Effective: October 26, 2011 Vacancy (New committee established by 2011 HB 565, Chapter 172) Term: October 26, 2014

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NOMINATIONS

The Governor placed into nomination the following:

Advanced Manufacturing Education Advisory Board

(Superintendent)

Middleton K. McGoodwin, Claremont Effective: Upon confirmation Succeeding: Michael A. Morgan, Brentwood Term: December 18, 2013

Air Resources Council

(General Public)

Carmela C. Amato-Wierda, Durham Effective: Upon confirmation Vacancy Term: December 6, 2014

Assessing Standards Board

(Municipal official of town with population greater than 5,000)

Roger E. Coutu, Hudson Effective: Upon confirmation

Vacancy Term: July 14, 2012

Office of the Consumer Advocate

Nominated by the Residential Ratepayer's Advisory Board

Meredith A. Hatfield, Concord Effective: Upon confirmation Reappointment Term: November 5, 2015

<u>Director of the Division of Program Support in the Department of Education</u>

(Division of Program Support)

Nominated by the Commissioner of the Dept of Ed after consultation with the State Board of Education Judith Fillion, Concord

Reappointment

Effective: Upon confirmation Term: November 8, 2015

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

Electricians' Board

(Public Member)

Deborah A. Pendergast, Gilford Effective: Upon confirmation Reappointment Term: October 28, 2016

Family Mediator Certification Board

Nominated by the NH Conflict Resolution Association

Elizabeth A. Christensen, Belmont Effective: November 21, 2011 Reappointment Term: November 21, 2013

Fire Standards & Training Commission

(NH Permanent Fire Fighters' Association)

Nominated by the New Hampshire State Permanent Fire Fighters' Association

Richard P. McGahey, Hooksett Effective: Upon confirmation Succeeding: Joseph M. Butts, Allenstown Term: February 15, 2014

Lakes Management Advisory Committee

(Member representing Marine Trades Association)

John J. Irwin, Laconia Effective: Upon confirmation Vacancy Term: August 22, 2014

Lakes Management Advisory Committee

(Rep. NH Lakes Association)

David W. Packard, Goffstown
Vacancy

Effective: Upon confirmation
Term: August 1, 2012

New England Interstate Water Pollution Control Commission

Nominated by the Commissioner of Environmental Services

Frederick J. McNeill, Manchester Effective: Upon confirmation Reappointment Term: August 12, 2015

Pesticides Control Board

(NH Horticultural Society)

Jeffrey R. Huntington, Loudon
Reappointment
Effective: Upon confirmation
Term: November 6, 2014

Director of the Division of Ports and Harbors

Geno Marconi, Stratham Effective: Upon confirmation

Reappointment Term: July 1, 2016

Ports and Harbors Advisory Council

Bradley J. Cook, Hampton Effective: Upon confirmation Vacancy Term: December 16, 2015

Ports and Harbors Advisory Council

Christopher D. Snow, Rye Effective: December 16, 2011 Succeeding: Donald Stevens, Rye (resigned) Term: December 16, 2016

Waste Management Council

(Municipal Official)

Stephen R. Crean, Goffstown
Reappointment
Effective: Upon confirmation
Term: September 7, 2015

#1 CONSENT CALENDAR - DONATIONS:

DEPARTMENT OF THE ADJUTANT GENERAL

A. Authorized to accept donations of computer service, coffee, brick and monument engraving and landscape treatment in the amount of \$7,808.90 for the NH State Veterans Cemetery.

NEW HAMSPHIRE FISH AND GAME DEPARTMENT

B. Authorized to accept a \$16,265 donation from the Lamprey River Watershed Association to be deposited into the Brood Atlantic Salmon Program Account.

#2 TRAVEL REQUEST:

DEPARTMENT OF EDUCATION

A. Authorized with Councilor Wheeler voting **no**, to pre-pay \$1,316.75 for hotel costs for Kenneth Relihan to attend the Council of State Supervisors of Social Studies and The National Council for the Social Studies conferences to be held in Washington, DC, November 29, 2011 through December 4, 2011. **100% Federal Funds.**

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

- #3 Authorized to amend a grant agreement with the County of Coos, Stewartstown, NH, (originally approved by G&C on 7-14-10, item #4), in the amount of \$497,500, to allow for finalization of infrastructure work to be completed at Deanbrook Village Cooperative, Northumberland, NH, by extending the completion date to December 31, 2012 from December 31, 2011. **100% Federal Funds.**
- Authorized to amend a grant agreement with the City of Berlin, NH, (originally approved by G&C on 3-10-10, item #5), in the amount of \$500,000, to allow for finalization of rehabilitation work to be completed on 35 homes throughout the City, by extending the completion date to December 31, 2012 from December 31, 2011. **100% Federal Funds.**
- Authorized to amend a grant agreement with the Town of Wolfeboro, NH, (originally approved by G&C on 6-9-10, item #3), in the amount of \$500,000, to allow for substantial completion and occupancy to be completed by the subrecipient, Lakes Region Housing Coalition for the Harriman Hill affordable housing project, by extending the completion date to June 30, 2012 from December 31, 2011. **100% Federal Funds.**
- Authorized to amend a grant agreement with the City of Concord, NH, (originally approved by G&C on 6-23-10, item #6), in the amount of \$450,000 to allow for finalization of construction and lease-up of CATCH's Theatre Street Housing project, by extending the completion date to June 30, 2012 from December 31, 2011. **100% Federal Funds.**

#7 Authorized to award an Emergency grant to the Town of Greenville, NH, for the purpose of repairing a landslide along High Street and to prevent further erosion of the slope, in the amount of \$208,766. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

OFFICE OF THE ADJUTANT GENERAL

#8 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor St. Hilaire authorized the request to nominate Captain Nicholas J. Scola, Ocoee, FL, for promotion to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

DEPARTMENT OF ADMINISTRATIVE SERVICES

#9 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Sununu authorized the request to accept and place on file the Report and Findings of Councilor Daniel St. Hilaire with regard to the financing of certain construction, renovation and equipment and the refinancing of certain outstanding indebtedness in connection with New Hampshire Odd Fellow' Home d/b/a Presidential Oaks in Concord, NH.

STATE TREASURY

#10 The Governor and Council on motion of Councilor Burton, seconded by Councilor Sununu authorized the request to issue a warrant from funds not otherwise appropriated in the amount of \$95,632 and the State Treasurer to issue checks in the amount of \$95,631.23 to the rightful owners of abandoned or unclaimed funds.

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

- #11 Authorized with Councilor Wheeler voting **no**, to accept and expend federal grant funds in the amount of \$95,646 from the US Department of Energy for the State Energy Programs grant. Effective upon G&C approval through June 30, 2012. (2)Further authorized to accept and expend federal grant funds in the amount of \$305,405 from the US Department of Energy for the competitive State Energy Programs Energy Efficiency Resource Standard grant. Effective upon G&C approval through September 29, 2012. **100% Federal Funds. Contingent upon Fiscal Committee approval on October 28, 2011.**
- #12 Authorized with Councilor Wheeler voting **no**, to amend item #5, approved by G&C on November 4, 2009, by reallocating ARRA fundings for the Energy Efficiency and Conservation Block Grant between expenditure classes in the amount of \$4,865. Effective upon G&C approval through September 9, 2012. **100% Federal ARRA Funds. Contingent upon Fiscal Committee approval on October 28, 2011.**
- #13 Authorized with Councilor Wheeler voting **no**, to accept and expend rebate funds from NationalGrid relating to energy efficient equipment installed in state buildings, using ARRA funds from the US Department of Energy, in the amount of \$90,000. Effective upon G&C approval through June 30, 2012. **100% Other Funds ARRA Private/Local. Contingent upon Fiscal Committee approval on October 28, 2011.**
- #14 Authorized to accept and expend grant funds in the amount of \$70,204 from the Federal Emergency Management Act for the Cooperating Technical Partners Program/Map Modernization Management Support. Effective upon G&C approval through September 13, 2012. **100% Federal Funds.**

ATTORNEY GENERAL – DEPARTMENT OF JUSTICE

#14A The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu authorized the request to enter into a contract with National Medical Services, Willow Grove, PA, to provide toxicology testing services for the Office of the Medical Examiner, in the amount of \$280,000. Effective November 1, 2011 through June 30, 2013. **100% General Funds.**

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

#15 **TABLED** - The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Sununu voted to **table** the request the Division of Plant Industry to enter into a contract with Laura Beard, Farmington, NH, to provide coordination services for the Forest Pest Outreach and Survey projects, in the amount of \$20,000. Effective upon G&C approval through August 31, 2012. **100% Federal Funds.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

The Governor and Council acted as follows:

- #16 Authorized to enter into a new lease agreement with David and Cindy Hicks, for rental of 545 sq ft of office space, Colebrook, NH, in the amount of \$20,160. Effective November 1, 2011 through October 31, 2014, with the option to renew for an additional two year period. (2)Further authorized the request for a waiver from Clean Indoor Air testing for the rental premises. **100% Federal Funds.**
- Authorized with Councilor Wheeler voting **no**, to amend the ARRA federal fund grant from the US Department of Labor, Bureau of Labor Statistics through the State of VT, (originally approved by G&C on 5-12-10, item #41), by extending the date **retroactively** from June 1, 2011 through December 31, 2011. (2)Further authorized to accept and expend an additional \$58,000 in ARRA federal funds from the US Department of Labor, Bureau of Labor Statistics through the State of VT, for the purpose of continuing to develop improved labor market information, and to enhance the labor exchange infrastructure for careers within the energy efficiency and renewable energy industries. Effective upon G&C approval through December 31, 2011. (3)Further authorized to amend item #41, approved by G&C on 5-12-10, for two full-time temporary positions and two existing positions to continue to provide services. Effective **retroactive** to June 1, 2011 through December 31, 2011. (4)Further authorized to amend item #41, approved by G&C on 5-12-10, by reallocating \$33,396 of ARRA federal funds from the US Department of Labor, Bureau of Labor Statistics through the State of VT, to continue to develop improved labor market information, and to enhance the labor exchange infrastructure for careers within the energy efficiency and renewable energy industries. Effective upon G&C approval through December 31, 2011. **100% ARRA Funds. Contingent upon Fiscal Committee approval on October 28, 2011.**
- #18 Authorized to enter into a **sole source** contract with Upton & Hatfield LLP, Portsmouth, NH, for legal services, in an amount not to exceed \$5,000. Effective upon GC approval through June 30, 2012. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

#19 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton authorized the request to make a one-time **retroactive** payment of salary and benefits to Technical/Institute Assistant Professor, Shirley Daynard, in the amount of \$253.65. Effective April 27, 2011 through June 2, 2011 with current State fiscal year funds. **100% General Funds.**

NEW HAMPSHIRE COMMISSION FOR HUMAN RIGHTS

#20 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor St. Hilaire authorized the request to **retroactively** accept and expend federal revenues, received from the US Equal Employment Opportunity Commission, in the amount of \$1,600. Effective July 1, 2011 through June 30, 2012. (2)Further authorized to make a **retroactive** reimbursement to the Executive Director Joni N. Esperian, in the amount of \$267.88 for travel to the annual EEOC/FEPA Conference, held in Chicago, IL, during the period of May 17-19, 2011. **100% Federal Funds.**

NEW HAMPSHIRE LIQUOR COMMISSION

- #21 Authorized to utilize the banking services of TD Bank, Concord, NH, as the depository of funds for the Enforcement Division.
- #22 Authorized with Councilor Wheeler voting **no**, to accept funds entitled "FDA Tobacco Grant" totaling \$399,168 from the US Department of Health and Human Services, FDA through the FDA/HHS. (2)Further authorized to create two positions; one full-time Grants Program Coordinator and one part-time Secretary II position within the Division of Enforcement to oversee the FDA Tobacco Compliance Grant. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Contingent upon Fiscal Committee approval on October 28, 2011.**

PUBLIC UTILITIES COMMISSION

The Governor and Council acted as follows:

- #23 Authorized to accept and expend \$115,204 in federal funds from the US Department of Transportation, Pipeline and Hazardous Materials Safety Administration for the purpose of providing oversight and regulatory enforcement of pipeline safety programs. Effective upon G&C approval through July 31, 2012. 100% Federal Funds. Contingent upon Fiscal Committee approval on October 28, 2011.
- #24 Authorized with Councilors Sununu and Wheeler voting **no**, to award grant funds in the amount of \$500,000 to Carbon Harvest Energy LLC, to design, build, own, and operate a 1.6 megawatt landfill gas-to-energy combined heat and power plant with heat distribution capabilities at the City of Lebanon Landfill. Effective upon G&C approval through December 31, 2013. **100% Renewable Energy Fund.**
- #25 NOT USED

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

- #26 Authorized with Councilor Wheeler voting **no**, the Division of Travel and Tourism Development to award grants to the organizations as detailed in letter dated September 30, 2011, in the total amount of \$292,194.31 for their 2011/2012 in-state and out-of-state marketing projects under the Joint Promotional Program. Effective upon G&C approval through dates indicated in letter. **100% General Funds.**
- #27 Authorized with Councilor Wheeler voting **no**, the Bureau of Trails to accept and budget \$394,902 from the NH Fish and Game Department for a proportion of excess snowmobile registration fees collected during FY11. Effective upon G&C approval through June 30, 2012. **100% Transfer from Other Agencies (Snowmobile Registration Fees). Contingent upon Fiscal Committee approval on October 28, 2011.**
- #28 Authorized the Division of Forests and Lands to enter into an "Assignment of License Agreement" with The Nature Conservancy (request to accept 178.6 acres from the TNC originally approved by G&C on 4-13-11, item #46), for the transfer of a right-of-way license agreement at Cape Horn State Forest, Northumberland, NH. Effective upon G&C approval through March 29, 2014. No Additional Funding.
- #29 Authorized the Division of Economic Development to fund an Energy Audit Rebate Program by entering into individuals rebate grant agreements for a total of \$164,000 with NH businesses that will be reimbursed for energy audits of their businesses by way of rebate amounts of over \$2,500. Effective upon G&C approval through June 30, 2012. 100% Transfer from Other Agency ARRA.
- #30 Authorized to amend a contract with the Community Action Program Belknap-Merrimack Inc., (originally approved by G&C on 9-14-11, item #53), for Senior Community Service Employment Program services, by increasing the contract by \$16,000 from \$1,738,728 to \$1,754,728. Effective upon G&C approval. **100% Federal Funds.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

- #31 Authorized to accept a 10,000 Conservation License Plate Grant from the NH Division of Historic Resources to conduct an archaeological assessment of the Bellamy River Wildlife Management Area, Dover, NH. (2)Further authorized to enter into a contract with New England Archaeology Company LLC, Newton, NH, to complete an archaeological assessment at the Bellamy River Wildlife Management Area, for an amount not to exceed \$10,000. Effective upon G&C approval through January 31, 2013. **100% Other (CLP) Funds.**
- Authorized to enter into a contract with Tseranos Construction LLC, Auburn, NH, for the improvements to Q-1 Residence, Berlin Fish Hatchery, Berlin, NH, in the amount of \$129,200. Effective upon G&C approval through June 29, 2012. **100% Fish and Game Funds.**

#33 Authorized to enter into a grant agreement with the Trust for Public Land, for administrative costs associated with the Gardner Mountain Conservation Easement Project in Lyman, NH, in the amount of \$13,750. Effective upon G&C approval through March 31, 2012. **100% Federal Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

- Authorized with Councilor Wheeler voting **no**, to **retroactively** pay membership dues to the Association of State and Interstate Water Pollution Control Administrators, Washington, DC, for the period of October 1, 2011 through September 30, 2012, in the amount of \$8,551. Effective upon G&C approval. **100% Federal Funds.**
- Authorized with Councilor Wheeler voting **no**, to **retroactively** pay the NELAC Institute, Weatherford, TX, in the amount of \$6,000 for the 2011 National Environmental Laboratory Accreditation Program Annual Accreditation Body annual membership fee. Effective July 1, 2011 to June 30, 2012. **100% Lab Accreditation Fee Funds.**
- #36 Authorized with Councilor Wheeler voting **no**, to **retroactively** pay the 2012 membership dues to The Environmental Council of the States, Washington, DC, in the amount of \$11,000, for the period of October 1, 2011 through September 30, 2012. Effective upon G&C approval. **100% Federal Funds.**
- #37 Authorized with Councilor Wheeler voting **no**, to **retroactively** pay FY 2012 membership dues to the New England Interstate Water Pollution Control Commission, Lowell, MA, in the amount of \$13,399, for the period of July 1, 2011 through June 30, 2012. Effective upon G&C approval. **16% Federal, 84% Clean Water State Revolving Funds.**
- Authorized a Supplemental Loan Agreement with the City of Portsmouth, in the amount of \$219,042.70, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. 83% Federal, 17% Drinking Water State Revolving Fund State Match.
- #39 Authorized to enter into an agreement with the Lamprey Suburban Septic Inc, Moultonboro, NH, for grease removal and disposal services, in the amount of \$17,144. Effective upon G&C approval through June 30, 2013. **100% Winnipesaukee River Basin Program Funds.**
- #40 Authorized to accept and place on file the annual report of the Oil Fund Disbursement Board.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Licensing & Certification

Authorized to **retroactively** continue an increase in hourly rate by 30% for recruitment and retention purposes for the Licensing & Evaluation Coordinator positions and their immediate supervisors currently assigned to the Health Facility Licensing Unit and Health Facility Certification Unit as approved by G&C on 8-19-09, item #116. (2)Further authorized to continue an increase in hourly rate by 30% for recruitment and retention purposes for the Licensing & Evaluation Coordinator positions and their immediate supervisors, as approved by G&C on 8-19-09, item #116. Effective **retroactive** to June 29, 2011 through August 9, 2013. **69.3% Federal, 30.7% General Funds.**

Division of Public Health Services

#42 Authorized the Bureau of Populations Health and Community Services, Maternal and Child Health Section to accept and expend Federal funds in the amount of \$5,248 from DHHS, Administration on Children and Families to fund the Leadership in Abstinence Education Program. Effective July 1, 2012 through June 30, 2013. **100% Federal Funds.**

Division for Children, Youth and Families

- Authorized with Councilor Wheeler voting **no**, to enter into a contract with Southern New Hampshire Services Inc., Manchester, NH, for the provision of Child Care Resource and Referral services for the Southern District Office catchment area, in the amount of \$223,684.50. Effective January 1, 2012 through June 30, 2013. **100% Federal Funds.**
- 444 Authorized with Juvenile Justices Services to amend a contract with Familystrength, an Affiliate of Goodwill Industries of Northern New England, Concord, NH (originally approved by G&C on 12-8-10, item #125), for the provision of family assessment and inclusive reunification program services, by increasing the price by \$50,000 from \$624,999 to \$674,999. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

Division for Juvenile Justice Services

- #44A Authorized to enter into a contract with Doctor Robert B. Duhaime, DMD, Peterborough, NH, to provide dental services to the adjudicated youth at the John H. Sununu Youth Services Center in an amount not to exceed \$51,000. Effective **retroactive** to August 10, 2011 to June 30, 2013.
- #44B Authorized to enter into a contract with Jane McMahon, Registered Dental Hygienist, Concord, NH, to provide dental hygienist services to the adjudicated youth at the John H. Sununu Youth Services Center in an amount not to exceed \$31,200. Effective **retroactive** to August 10, 2011 to June 30, 2013.
- #44C Authorized to enter into a contract with R. Raymond Gauthier Jr., Boscawen, NH, to provide spiritual services to the detained and adjudicated youth at the John H. Sununu Youth Services Center in an amount not to exceed \$33,967.50. Effective **retroactive** to August 10, 2011 to September 30, 2012.

Bureau of Behavioral Health

- Authorized to accept and expend Transformation Transfer Initiative federal funds from the Substance Abuse and Mental Health Services Administration in the amount of \$18,000. Effective upon GT&C approval through June 30, 2012. **100% Federal Funds.**
- Authorized to enter into a **sole source** agreement with The Bristol Observatory Ltd., Bristol, VT, to provide statistical analysis and consulting services on the number of persons in the mental health system that are also served by other government agencies in an amount not to exceed \$10,000. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**
- #47 Authorized the Bureau of Developmental Services and the Office of Client and Legal Services to enter into an agreement with Christine MacDonald, Ossipee, NH, to provide Complaint Investigator services to conduct investigations of abuse, neglect, exploitations, and rights violations, in an amount not to exceed \$29,400. Effective upon G&C approval through June 30, 2012. **100% Other Funds from Area Agencies.**

Bureau of Drug and Alcohol Services

448 Authorized to amend an agreement with Concord Hospital Inc., Concord, NH, (originally approved by G&C on 6-23-10, item #134), to provide substance abuse treatment services, by decreasing the price by \$14,735 from \$178,282 to \$163,547. **49% Federal, 51% General Funds.**

New Hampshire Hospital

#49 **TABLED** – The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Wheeler, voted to **table** the request to enter into an agreement with ECOLAB Inc., Dedham, MA, for the preventive maintenance and repair of food services equipment used in the Acute Psychiatric Services building and Brown building, in the amount not to exceed \$33,048. Effective upon G&C approval through June 30, 2013. **69% General, 31% Federal Funds.**

BOARD OF LICENSED DIETITIANS

#50 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Sununu authorized the request to pay Audrey Kanik, Board Member, \$20.91 from current year funds for prior year expenses of travel incurred to attend the monthly Board meeting on May 12, 2011. **100% General Funds.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

- #51 Authorized with Councilor Wheeler voting **no**, to secure the services of Cynthia Currier, Sole Proprietor, of Georges Mills, NH, to provide assistance with the implementation of the Initiative for School Empowerment and Excellence (i4see) Follow the Child Assistance Center and the Educator Information System in the amount of \$23,010. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**
- #52 Authorized with Councilor Wheeler voting **no**, the Division of Instruction to contract with Karen Laba, Ph.D., Dover, NH, to provide improvement support and technical assistance to NH schools and districts as part of the Statewide System of Support to improve student achievement, in an amount not to exceed \$50,000. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**
- #53 Authorized with Councilor Wheeler voting **no**, to accept and expend carry-forward grant funds in the amount of \$589,511 from the US Department of Education to increase aspirations and access to postsecondary education for NH students. (2)Further authorized to continue a full-time, temporary Program Specialist III position (originally approved by G&C on 7-28-10, item #49), **retroactive** to July 1, 2011. Effective upon G&C approval through June 30, 2012. **100% Federal Funds. Contingent upon Fiscal Committee approval on October 28, 2011.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

- #54 Authorized the Division of State Police to accept and expend an additional \$86,605 of federal funds from the NH Highway Safety Agency that will be used to conduct patrols known as "Operation Safe Commute". Effective upon G&C approval through September 15, 2012. 100% Agency Income. Contingent upon Fiscal Committee approval on October 28, 2011.
- Authorized the Division of State Police, Marine Patrol Bureau to **retroactively** pay Cheryl Keenan, for an increment in the amount of \$68.38 for both salaries and benefits using SFY12 funds, for services provided in SFY11. Effective upon G&C approval. **100% Revolving Funds.**
- #56 Authorized the Division of State Police, Marine Patrol Bureau to **retroactively** pay Kyle Difruscio, for an increment in the amount of \$94.73 for both salaries and benefits using SFY12 funds, for services provided in SFY11. Effective upon G&C approval. **100% Revolving Funds.**
- #57 Authorized the Division of State Police, Marine Patrol Bureau to **retroactively** pay Richard Griffin, for an increment in the amount of \$436.84 for both salaries and benefits using SFY12 funds, for services provided in SFY11. Effective upon G&C approval. **100% Revolving Funds.**
- #58 NOT USED

DEPARTMENT OF TRANSPORATION

- #59 Authorized to **retroactively** pay Kathy M. Chiasson, prior fiscal year shift differential wages in the amount of \$211.91 that were not processed from April 22, 2011 through June 2, 2011. Effective upon G&C approval. **100% Turnpike Funds.**
- Authorized the Bureau of Planning and Community Assistance to enter into an agreement with the City of Keene, to provide funding and services under the Federal Highway Safety Improvement Program through a local project administration process, totaling \$600,000. Effective upon G&C approval, for fiscal years 2012 and 2013. **100% Federal Funds.**
- #61 Authorized the Bureau of Right of Way's Contemplated Award List for amounts less than \$5,000, for the sum total of \$66,445.96 for the period extending from July 1, 2011 through September 30, 2011.

- #62 Authorized the Bureau of Right of Way's request to pay various owners \$56,088.76 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from September 22, 2011 through October 6, 2011. Effective upon G&C approval.
- Authorized the Bureau of Human Resources to enter into a **sole source** agreement with Federal Highway Administration Finance Division, National Highway Institute, Arlington, VA, for an amount not to exceed \$71,400 for training. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**
- #64 **TABLED** The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor St. Hilaire, and with Councilors Sununu and Wheeler voting **no**, voted to **table** the request of the Bureau of Aeronautics to award a grant to the City of Manchester, for AIP-89, to design and install a solar photovoltaic facility at the Manchester Boston Regional Airport, in the amount of \$3,429,526. Effective upon G&C approval through October 31, 2014. **97.44% Federal, 2.56% General Funds.**
- Authorized the Bureau of Highway Maintenance, Well Section, to enter into a contract with Kriester Artesian Well Company Inc., Henniker, NH, for a 6-inch drilled well and pump on the property of Richard Leavitt, Francestown, NH, in the amount of \$21,660. Effective upon G&C approval through December 15, 2011. **100% Highway Funds.**
- 466 Authorized with Councilor Wheeler voting **no**, the Bureau or Rail & Transit to enter into an agreement with the County of Hillsborough, Goffstown, NH, for coordinated transportation services, for an amount not to exceed \$36,040. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**
- #67 Authorized with Councilor Wheeler voting **no**, the Bureau of Rail & Transit to enter into agreements with the entities as detailed in letter dated October 3, 2011, for the purchase of vehicles and equipment through the Elderly Individuals and Individuals with Disabilities Program, in an amount not to exceed \$600,000. Effective upon G&C approval. **80% Federal**, **10% Private/Local**, **10% State (General) Capital Budget Funds**.
- #68 Authorized the Bureau of Rail & Transit to enter into a **retroactive** lease agreement with Arthur's Memorials LLC, for a parcel of land 5,600 sq ft in size in Conway for twenty years for \$38,000, and a one-time administrative fee of \$1,100, with a provision to negotiate a new rate after 10 years. Effective October 1, 2011 through September 30, 2021.
- #69 Authorized the Bureau of Bridge Design to enter into an agreement with Hoyle, Tanner & Associates Inc., Manchester, NH, for the preliminary design for the rehabilitation of the Red List bridge carrying US Route 202 and NH Route 101 over the Contoocook River in the Town of Peterborough, in the amount of \$269,870.62. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**
- #70 Authorized the Bureau of Construction to enter into a contract with Visi-Flash Rentals Eastern Inc., West Bridgewater, MA, for installation of warning signs and upgrading existing warning signs located on rural State and local roadways, on the basis of a low bid of \$191,001.56. Effective upon G&C approval through June 1, 2012. **100% Federal Funds.**
- #71 Authorized the Bureau of Construction to enter into a contract with Alvin J. Coleman & Son Inc., Conway, NH, for rehabilitation work on Bridge Street over the Androscoggin River in the Town of Milan, on the basis of a low bid of \$990,702.58. (2)Further authorized a contingency in the amount of \$99,070.26 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 26, 2012. 100% Federal Funds.
- #72 Authorized with Councilor Wheeler voting **no**, the Bureau of Traffic to amend a contract with Green Mountain Communications Inc., Pembroke, NH, (originally approved by G&C on 11-18-09, item #82), for additional services and designs associated with construction of Dynamic Message Signs and Closed Circuit Camera, by increasing the amount by \$169,499.20 from \$4,149,960.28 to \$4,319,459.48. Effective upon G&C approval. **33% Federal**, **67% Turnpike Funds**.

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu, voted to remove item #31- which was tabled at the September 28, 2011 Meeting

DEPARTMENT OF CULTURAL RESOURCES

#31 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu, voted to approve the request to enter into a contract with ConsultEcon Inc., Cambridge, MA, for an assessment of the economic viability and community benefits of various interpretation/reuse options for the Old State House, in the amount of \$28,975. Effective upon G&C approval through May 18, 2012. **100% Federal Funds.**

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ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu, voted to remove item #32- which was tabled at the September 28, 2011 Meeting

DEPARTMENT OF CULTURAL RESOURCES

#32 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu, voted to approve the request to enter into a **sole source** contract with TMS Architects, Portsmouth, NH, for continued participation in tasks related to the Old State House EDI grant project, in the amount of \$3,950. Effective upon G&C approval through May 18, 2012. **100% Federal Funds.**

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ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu, voted to remove item #33- which was tabled at the September 28, 2011 Meeting

DEPARTMENT OF CULTURAL RESOURCES

#33 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu, voted to approve the request to enter into a **sole source** contract with Cultural Heritage Research Services Inc., North Wales PA, for continued participation in tasks related to the Old State House EDI grant project, in the amount of \$3,902.35. Effective upon G&C approval through May 18, 2012. **100% Federal Funds.**

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ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Sununu, voted to remove item #36- which was tabled at the October 12, 2011 Meeting

DEPARTMENT OF HEALTH AND HUMAN SERVICES Office of Minority Health and Refugee Affairs

#36 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Wheeler, voted to approve the request to accept and expend \$18,024 of Federal Funds for the State Partnership Grant to Improve Minority Health. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

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ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Wheeler, voted to remove the confirmation – which was tabled at the October 12, 2011 Meeting

CONFIRMATION

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor St. Hilaire, voted to confirm the following:

Board of Dental Examiners, Dental Hygienists' Committee

(Dental Hygienist)

Nominated by the New Hampshire Dental Society

Carolyn M. Boisvert, Milford

Vacancy (New committee established by 2011 HB 565, Chapter 172) Term: October 12, 2014

Effective: Upon confirmation Term: October 12, 2014

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LATE ITEMS

DEPARTMENT OF ENVIRONMENTAL SERVICES

A. Authorized the Department to enter into a contract with American Excavating Corp., Derry, NH for construction of a water main extension in Raymond for a not-to-exceed contract value of \$2,304,274.44 effective upon G&C approval through December 31, 2012. 2) Further authorize to establish a 10% contingency in the amount of \$230,427 to cover unforeseen work that may be required during construction of the water main extension. 90% Federal Funds, 10% Capital (General) funds.

DEPARTMENT OF HEALTH AND HUMAN SERVICES Office of Information System

B. Authorized to enter into a sole source contract amendment to an existing contract with HP Enterprise Services, LLC, Plano TX (formerly Electronic Data Systems, LLC) to enable system modification to NH's legacy Medicaid Management Information System by increasing the price limitation by \$675,000 from \$152,752,457 to an amount not to exceed \$153,427,457 effective upon G&C approval through December 31, 2011. **75% Federal funds, 25% General.**

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Next regular Governor and Executive Council meeting is scheduled for Wednesday, November 9, 2011, at the State House, Concord, NH.

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