

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
April 14, 2010 10:00 a.m.

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

*

The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Hollingworth, accepted the minutes of March 24, 2010.

*

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Hollingworth approved the appointment of several persons nominated for Civil Commissions from the March 24, 2010 meeting.

*

RESIGNATIONS

The Governor and Council, with regret, accepted the following resignations:

Business Finance Authority

Katherine Williams Kane, Portsmouth

Effective: March 31, 2010

Associate Justice of the District Court
(Concord District)

Susan B. Carbon, Chichester

Effective: April 2, 2010

Lottery Commission

Richard J. Campbell, Jr., New Boston

Effective: May 1, 2010

McAuliffe-Shepard Discovery Center

Richard Ashooh, Bedford

Effective: April 14, 2010

CONFIRMATIONS

The Governor and Council confirmed the following:

Adult Parole Board

Mark E. Furlone, Chesterfield
Reappointment

Effective: April 14, 2010
Term: March 15, 2015

Athletic Trainers Governing Board
(Physician/Practice of Sports Medicine)

Douglas J. Moran, Concord
Reappointment

Effective: April 14, 2010
Term: March 18, 2013

Aviation Users Advisory Board

(General Aviation)

Heath H. Marsden, Newport
Succeeding: Joseph R. Brigham, Bow (term limited)

Effective: April 23, 2010
Term: April 23, 2014

State Conservation Committee

(Coos/Grafton)

Christopher R. Hawkins, Lancaster
Succeeding: Calvin J. Perkins, Rumney (deceased)

Effective: April 14, 2010
Term: August 1, 2011

Department of Education, Deputy Commissioner

Paul K. Leather, Concord
Succeeding: Mary Heath, Manchester (resigned)
Salary: II, Step 3: \$94,039

Effective: April 14, 2010
Term: October 21, 2013

State Board of Fire Control
 (Chief of Municipal Fire Department)
 Daniel L. Andrus, Bow
 Succeeding: Thomas S. Lambert, North Hampton (resigned)
 Effective: April 14, 2010
 Term: July 8, 2010

Fire Standards and Training Commission
 (Insurance Services Office Recommendation)
 John Hogle, Nashua
 Reappointment
 Effective: April 14, 2010
 Term: April 14, 2013

Fish and Game Commission
 (Belknap County)
 John W. McGonagle
 Succeeding: Patricia I. Costa, Center Barnstead (resigned)
 Effective: April 14, 2010
 Term: June 29, 2011

Health Services Planning and Review Board
 (Consumer)
 Debra S. Grabowski, Raymond
 Reappointment
 Effective: April 19, 2010
 Term: April 19, 2013

New Hampshire Commission for Human Rights
 Catherine Hackett, Manchester
 Succeeding: Griffin Dalianis, Nashua
 Effective: April 14, 2010
 Term: November 1, 2014

Board of Medicine
 Nick P. Perencevich, Concord
 Reappointment
 Effective: April 21, 2010
 Term: April 21, 2015

Board of Nursing – Councilor Burton voted **no**.
 (ARNP)
 Kathleen M. Kidder, Andover
 Reappointment
 Effective: May 10, 2010
 Term: May 10, 2013

Real Estate Appraisers Board
 (Public Member)
 Kevin A. McCue, Manchester
 Reappointment
 Effective: May 13, 2010
 Term: May 13, 2013

Department of Safety, Director, Division of Motor Vehicles
 Nominated by the Commissioner of the Department of Safety
 Richard C. Bailey, Jr., Bow
 Succeeding: Virginia C. Beecher, Bow
 Salary: II max: \$104,364
 Effective: April 14, 2010
 Term: March 31, 2014

Advisory Council on Unemployment Compensation
 (Employers)
 Carolyn H. Benthien, Goffstown
 Reappointment
 Effective: April 14, 2010
 Term: March 26, 2013

NOMINATIONS

The Governor placed into nomination the following:

State Committee on Aging
 (Belknap County)
 Russell A. Armstrong, (i), Gilford
 Reappointment
 Effective: June 24, 2010
 Term: June 24, 2013

State Committee on Aging

(Hillsborough County)

Barbara A. Salvatore, (d), Bedford

Reappointment

Effective: June 24, 2010

Term: June 24, 2013

Board of Licensing for Alcohol and Other Drug Use Professionals

(Representing the Office of Alcohol and Drug Abuse Prevention)

Joseph P. Harding, Chester

Reappointment

Effective: Upon confirmation

Term: January 28, 2013

Department of Environmental Services: Commissioner

Thomas S. Burack, Hopkinton

Reappointment

Salary: KK max. \$112,861

Effective: July 7, 2010

Term: July 7, 2014

Department of Environmental Services Director of the Division of Water

Nominated by the Commissioner of the Department of Environmental Services

Harry T. Stewart, Londonderry

Reappointment

Salary: HH max, \$98,691

Effective: May 23, 2010

Term: May 23, 2014

Department of Information Technology: Acting Commissioner

Peter C. Hastings, Derry

Vacancy

Salary: \$104,500

Effective: Upon confirmation

Term: 6 mo. / until a successor is confirmed

Medical Review Subcommittee

(Public Member)

Linda Tatarczuch, Durham

Reappointment

Effective: June 27, 2010

Term: June 27, 2013

Railroad Appeal Board

(Legal Profession)

Francis X. Quinn, Jr., Rye

Reappointment

Effective: Upon confirmation

Term: April 23, 2013

Advisory Council on Worker's Compensation

(Labor)

William J. McQuillen, Portsmouth

Succeeding: Denis R. Beaudoin, Pittsfield (resigned)

Effective: Upon confirmation

Term: June 13, 2012

BUSINESS FINANCE AUTHORITY

The Governor and Council acted as follows:

#1 The Governor and Executive Council on motion of Councilor Hollingworth, seconded by Councilor Wieczorek and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing with respect to the financing of a commercial facility by the Business Finance Authority for The Sanel Block Investment Fund, LLC and The Duprey Center, LLC located in Concord, New Hampshire. Action will Authorized a Resolution under RSA 162-I:9 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 APRIL 14, 2010
IN THE COUNCIL CHAMBER, STATE HOUSE, CONCORD**

* * * * *

At 10:35 a.m., the Governor announced that the next matter to be considered would be the financing of a commercial facility project by the Business Finance Authority ("Authority") for The Sanel Block Investment Fund, LLC and The Duprey Center, LLC and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received the written recommendation of the Authority and other documentation and information with respect to the project. The Governor said that the meeting would then hear anyone wishing to speak on the subject. Jack Donovan, Executive Director of the Authority, briefly explained the project and emphasized that the credit of the State was not involved. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; [there being none], Councilor Shea introduced a resolution entitled "A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE ISSUANCE OF UP TO \$12,955,000 REVENUE BONDS (TO BE DENOMINATED RECOVERY ZONE FACILITY BONDS) BY THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE TO FINANCE THE ACQUISITION OF LAND AND THE CONSTRUCTION OF AN OFFICE BUILDING FOR THE DUPREY CENTER, LLC, IN CONCORD, NEW HAMPSHIRE" and moved its adoption, which was seconded by Councilor Hollingworth. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Burton, Councilor Shea, Councilor Hollingworth, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

* * * * *

**A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE ISSUANCE OF
UP TO \$12,955,000 REVENUE BONDS (TO BE DENOMINATED RECOVERY ZONE FACILITY
BONDS) BY THE BUSINESS FINANCE AUTHORITY
OF THE STATE OF NEW HAMPSHIRE TO FINANCE THE ACQUISITION OF LAND AND THE
CONSTRUCTION OF AN OFFICE BUILDING
FOR THE DUPREY CENTER, LLC
IN CONCORD, NEW HAMPSHIRE**

WHEREAS, the Governor and Council 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 a determination under RSA 162-I:9 with respect to the financing of the acquisition of land and the construction and equipping of an office building and associated parking facilities in Concord, New Hampshire, by the Authority's issuance of up to \$12,955,000 aggregate amount of revenue bonds (the "Bonds") under RSA 162-I:1 et seq. (the "Act") and allocating to the Bonds up to \$12,955,000 of the Authority's \$135,000,000 recovery zone facility bond limit pursuant to Section 1400 U-3 of the Internal Revenue Code of 1986, as amended; and

WHEREAS, Mascoma Savings Bank is the proposed purchaser of the Bonds and the proceeds of the Bonds will be loaned to Sanel Block Investment Fund, LLC (the "Borrower") which proceeds will be used by the Borrower to make a capital contribution to each of MHIC NE CDE II Subsidiary 1 LLC and NHBFA Sub-CDE I, LLC, which will in turn make loans to The Duprey Center, LLC (the "End Borrower") to acquire, construct and equip the Project (defined below); and

WHEREAS, the Governor and Council have received all of the documentation and information with respect to the proposed transaction that they have requested; and

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

NOW, THEREFORE, in consideration of the foregoing, IT IS HEREBY RESOLVED THAT:

Section 1. Findings. On the basis of the Authority's recommendation and the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

- (1) The project to be financed with the proceeds of the Bonds consists of the following: (i) financing the acquisition of approximately 1.1 acres of land located at 45-49 South Main Street in Concord, New Hampshire (the "Property"); (ii) financing the End Borrower's construction of an office building containing approximately 83,457 square feet of office and retail space to be located on the Property (iii) financing the End Borrower's acquisition and improvement of approximately 1.3 acres of land at 6 Theater Street in the City for parking; and (iv) paying related architectural, engineering, legal, administrative, issuance, and other expenses associated with the foregoing (collectively, the "Facility" or the "Project"). The Facility is within the definition of "Commercial Facility" in RSA 162-I:2 and may be financed under the Act.

- (2) The establishment and operation of the Facility will create or preserve employment opportunities directly or indirectly within the State of New Hampshire (the "State") and will likely be of general benefit to the community as a whole.

The Facility is in a Recovery Zone designated by the Authority and the Authority has properly allocated to the Bonds up to \$12,955,000 of the Authority's \$135,000,000 recovery zone facility bond limit pursuant to Section 1400 U-3 of the Internal Revenue Code of 1986, as amended, and RSA 162-M, provided that such allocation shall automatically expire on the last day of December, 2010, unless on or before such date (i) the Agreements are executed and delivered or (ii) an extension is granted by further action of the Authority.

(b) General Findings.

- (1) The Project and the proposed financing of the Project are feasible.

- (2) The End Borrower has the skills and financial resources necessary operate the Facility successfully.

- (3) Mascoma Savings Bank, the proposed purchaser of the Bonds, is qualified to serve as Disbursing Agent under the terms of the Agreement and the Escrow Agreement, to the extent any approval is required in order for Mascoma Savings Bank to serve as escrow and disbursing agent under each of the Agreement and Escrow Agreement, which is a precondition to the bank making its loan

- (4) The Loan and Security Agreement and the other documents to be executed in connection with the issuance of the Bonds, including an Escrow Agreement and Disbursing Agreement and a Bond Purchase Agreement (collectively, the “Financing Documents”), contain provisions so that under no circumstances will the Authority be obligated, directly or indirectly, to pay Project costs, debt service or expenses of operation, maintenance and upkeep of the Facility except from proceeds of the Bonds or from funds received under the Financing Documents, exclusive of funds received under the Financing Documents by the Authority for its own use.
- (5) The Financing Documents do not purport to create any debt of the State with respect to the Facility, other than a special obligation of the Authority acting on behalf of the State under the Act.
- (6) The proposed financing of the Project by the Authority and the proposed operation and use of the Facility will serve one or more needs and implement one or more purposes set forth in RSA 162-I:1, will preserve or increase the social 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.

Section 2. Ultimate Finding and Determination. The Governor and Council find that the proposed financing, operation and use of the Facility will serve a public use and provide a public benefit and determine that the Authority’s financing of the Project will be within the policy of, and the authority conferred by, the Act.

Section 3. Approval. The Governor and Council hereby approve the Authority’s taking such further action under the Act with respect to the transaction involving the Facility, the Project and the Bonds as may be required.

Section 4. Effective Date. This Resolution shall take effect upon its passage.

Passed and Agreed to: April 14, 2010

#2 The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing with respect to the financing of a loan to The Duprey Center, LLC or nominee for a project located in Concord, 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 APRIL 14, 2010
COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE**

* * * * *

At approximately 10:35 a.m., the Governor announced that the next matter to be considered would be loan made by the Business Finance Authority to The Duprey Center, LLC or its nominee to finance construction of an 83,000 square foot office building in Concord, NH and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loan. The Governor then said that the meeting would hear anyone wishing to speak on the subject. Jack Donovan, Executive Director of the Authority, briefly explained the project. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Wieczorek introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDDING A LOAN UNDER RSA 162-A:18 FROM THE BUSINESS FINANCE AUTHORITY TO THE DUPREY CENTER, LLC OR NOMINEE" and moved its adoption, which was seconded by Councilor Shea. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Shea, Councilor Hollingworth, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor (s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

* * * * *

**A RESOLUTION UNDER RSA 162-A:18 AWARDDING A LOAN
UNDER RSA 162-A:9 FROM THE BUSINESS FINANCE AUTHORITY OF
THE STATE OF NEW HAMPSHIRE TO THE DUPREY CENTER, LLC OR NOMINEE**

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 The Duprey Center, LLC or nominee (the "Borrower") in the original principal amount of up to \$630,000 to provide financing towards the construction of an 83,000 square foot office building in Concord, New Hampshire (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 April 14, 2010.

#3 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Shea and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing with respect to the contract (“Capital Access Program: Lender Participation Agreement”) with The Provident Bank. Action will Authorized Resolutions under RSA 162-A:18 to determine the contract will serve a public use, provide public benefit, the proposed participating bank is qualified to participate, appropriate measures have been taken to ensure CAP loans will be made under the requirements of the Act, the contract complies with RSA 162-A:12, and reasonable precautions have been made to minimize loss, all within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON APRIL 14, 2010
COUNCIL CHAMBER, CONCORD, NEW**

* * * * *

At approximately 10:40 a.m., the Governor announced that the next matter to be considered would be the proposed contract entitled "Capital Access Program: Lender Participation Agreement" with the following bank: The Provident Bank 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 execution of the agreement. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Jack Donovan, Executive Director of the Authority who briefly explained the proposed contract. 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 APPROVING THE EXECUTION OF THE STANDARD CONTRACT ENTITLED 'CAPITAL ACCESS PROGRAM : LENDER PARTICIPATION AGREEMENT' OF THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE BY THE PROVIDENT BANK" and moved its adoption, which was seconded by Councilor Wiczorek. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Shea, Councilor Hollingworth, Councilor Wiczorek, and Councilor Pignatelli; those abstaining were Councilor (s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

* * * * *

**A RESOLUTION UNDER RSA 162-A:18
APPROVING THE EXECUTION OF THE STANDARD CONTRACT ENTITLED
"CAPITAL ACCESS PROGRAM: LENDER PARTICIPATION AGREEMENT"
OF THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE
BY THE PROVIDENT BANK**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have previously, upon recommendation of the Business Finance Authority of the State of New Hampshire (the "Authority"), approved the Authority's standard contract entitled "CAPITAL ACCESS PROGRAM: LENDER PARTICIPATION AGREEMENT" (the "Standard Contract") by resolution dated September 2, 1992 (the "Approving Resolution"); and

WHEREAS, at the time of such approval of the Standard Contract, the Governor and Council made, upon recommendation of the Authority, certain findings and determinations pursuant to RSA 162-A:18 with respect to the approval of the Standard Contract, which findings and determinations are stated in the Approving Resolution;

WHEREAS, in the Approving Resolution, the Governor and Council authorized the Authority to take necessary and appropriate steps to cause the execution of the Standard Contract with qualifying State banking institutions; and

WHEREAS, acting pursuant to the direction of the Authority, the Executive Director of the Authority has received interest from The Provident Bank (the "Specific Bank") to execute the Standard Contract and participate in the Authority's Capital Access Program through such execution; and

WHEREAS, the Executive Director of the Authority has examined such information as he has deemed necessary and appropriate and has determined that the Specific Bank is a duly organized bank or trust company authorized to make loans and accept deposits in the State of New Hampshire and accordingly is qualified to execute the Standard Contract and participate in the Capital Access Program;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed execution of the Standard Contract which they have requested;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and assuming (1) the execution of the Standard Contract as approved by the Governor and Council on September 2, 1992, by the Authority and an authorized officer of the Specific Bank, and (2) review and acceptance of the executed Standard Contract by an appropriate official of the Office of Attorney General upon receipt of a certificate of registration of the Specific Bank and a resolution of the board of directors of the Specific Bank authorizing execution of the Standard Contract, the Governor and Council hereby find:

(a) The proposed execution of the Standard Contract and the actions of the Authority and parties executing such Standard Contract taken pursuant to the terms of such Contract will serve a public use and provide a public benefit.

(b) The proposed execution of the Standard Contract and the actions of the Authority and parties executing such Standard Contract taken pursuant to the terms of such Contract is within the policy of, and the authority conferred by RSA Chapter 162-A.

(c) The proposed execution of the Standard Contract and the actions of the Authority and parties executing such Standard Contract taken pursuant to the terms of such Contract 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.

(d) The proposed execution of the Standard Contract and the actions of the Authority and parties executing such Standard Contract taken pursuant to the terms of such Contract will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

(e) Appropriate measures have been taken to ensure that a the Specific Bank participating under the terms of such Standard Contract makes only loans which meet the requirements of RSA 162-A:12, IV.

(f) The Standard Contract complies with RSA 162-A:12, III.

(g) Reasonable precautions have been taken to minimize the risk of loss to any reserve fund which is established under the terms of the proposed Standard Contract.

(h) The Specific Bank is qualified to execute the Standard Contract and to participate under the terms of such Standard Contract and the applicable provisions of RSA Chapter 162-A.

2. Approval. Subject to (1) the execution of the Standard Contract as approved by the Governor and Council on September 2, 1992, by the Authority and an authorized officer of the Specific Bank, and (2) review and acceptance of the executed Standard Contract by an appropriate official of the Office of Attorney General upon receipt of a certificate of registration of the Specific Bank and a resolution of the board of directors of the Specific Bank authorizing execution of the Standard Contract, the Governor and Council approve the proposed execution of the Standard Contract by the Authority and authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

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

Passed and Agreed to April 14, 2010.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#4 Authorized to award a grant to the Town of Hinsdale for the purpose of providing a loan via Monadnock Economic Development Corp. to a business, Tristate Firearms LLC, in order to purchase equipment to expand the business activities in the amount of \$320,000. Effective upon G&C approval through December 31, 2011. **100% Federal Funds.**

#5 Authorized to award a grant to the City of Lebanon, for the construction and fit up to 3,000 square feet of additional incubator space at the Dartmouth Regional Technology Center in the amount of \$500,000. Effective upon G&C approval through December 30, 2011. **100% Federal Funds.**

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#6 Authorized to enter into a **sole source** memorandum of agreement with the NH Department of Transportation, the NH Department of Resources and Economic Development, and the NH Department of Environmental Services, Concord, NH to provide \$20,000 for the purposes of 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, 2010. **100% Federal Funds (DOT), 100% Other Funds (DES), 100% Other Funds (DRED).** (2) Further authorized to amend a **sole source** contract with the University of NH, Durham, NH, by increasing the amount by \$20,000 from \$67,549 to \$87,549 for the GRANIT project. Effective upon G&C approval through June 30, 2010. **50% DOT, 25% DES, 25% DRED Funds.**

#7 Authorized to enter into a **sole source** memorandum of agreement with the NH Public Utilities Commission, Concord, NH, for a residential rebate program to be accomplished as part of the ARRA – Expanded Renewable Energy Program, in the amount of \$500,000. Effective upon G&C approval through April 1, 2012. **100% Federal ARRA-SEP Funds.**

HIGHWAY SAFETY AGENCY

#8 The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Wieczorek authorized the request to enter into a **sole source** agreement with the NH Operation Lifesaver Inc., Concord, NH, to conduct the "Operation Lifesaver" public relations and education campaign in the amount of \$17,500. Effective upon G&C approval through September 15, 2010. **100% Federal Funds.**

DEPARTMENT OF INFORMATION TECHNOLOGY

#8A The Governor and Council on motion of Councilor Burton, seconded by Councilor Hollingworth and with Councilor Wieczorek voting **no**, authorized the request to reclassify position #21563 Administrative Secretary, labor grade 14 (\$28,645.50) to Technical Support Specialist I, labor grade 17 (\$32,233.50). **38.9% General, 23% Federal, 21.4% Highway, 16.7% Agency Fees and Other Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#9 Authorized Matthew G. Levin, Amherst, NH, to be confirmed to the rank of Lieutenant Colonel, NH Army National Guard.

#10 Authorized Rodney T. Freeman, York, ME, to be confirmed to the rank of Lieutenant Colonel, NH Army National Guard.

#11 Authorized Major Jennifer K. Jusseaume, Stratham, NH, to be confirmed for appointment to the rank of Major, NH Air National Guard.

#12 Authorized Thomas F. Spencer, York, ME, to be confirmed to the rank of Colonel, NH Army National Guard.

#13 Authorized to accept donations of a tree care contract, kiosk computer, computer services, and committal platform in the amount of \$3,185.19 for the NH State Veterans Cemetery.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#14 Authorized Bureau of Court Facilities to accept a nonmonetary gift from the Nashua Bar Association for food and invitations for the dedication of the new Merrimack Courthouse.

#15 Authorized Bureau of Public Works Design and Construction to enter into a contract with Granite State Plumbing and Heating LLC, Weare, NH, for ARRA – HVAC Project Phase I, Statewide, as part of the US Department of Energy, for a total price not to exceed \$1,061,300. Effective upon G&C approval through October 31, 2010. **100% ARRA – Federal Funds.**

#16 Authorized Bureau of Public Works Design and Construction to enter into a contract with Daniels Electric Corporation, Gilford, NH, for lighting retrofit for various State facilities in DOT – District One, Statewide, for a price not to exceed \$216,857. Effective upon G&C approval through October 1, 2010. **100% General-Capital Funds.**

#17 Authorized Bureau of Public Works Design and Construction to enter into a contract with Daniels Electric Corporation, Gilford, NH, for lighting retrofit for various State facilities in DOT – District Five, Statewide, for a price not to exceed \$198,526. Effective upon G&C approval through October 1, 2010. **100% General-Capital Funds.**

#18 Authorized Bureau of Public Works Design and Construction to enter into a contract with TLT Construction Corp, Wakefield, MA, for renovation of Hillsborough County Court House North, for a total price not to exceed \$11,530,700. Effective upon G&C approval through June 1, 2011. (2)Further authorized a contingency in the amount of \$1,153,070 to provide for additional unanticipated expenses for the Renovation of Hillsborough County Court House North. (3)Further authorized to transfer to the Department of Cultural Resources, State Art Fund, the amount of \$57,653 for the sole purpose of purchasing art for the renovation of Hillsborough County Court House North, bringing the total project to \$12,741,423. **100% General – Capital Funds.**

#18A Authorized sections of the Department of Administrative Services Manual of Procedures relating to G&C actions as detailed in letter dated April 7, 2010. Effective upon G&C approval.

STATE TREASURY

#19 The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Burton authorized the request to issue a warrant from funds not otherwise appropriated in the amount of \$141,283 and the State Treasurer to issue checks in the amount of \$141,282.17 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#20 Authorized Division of the Arts to amend the membership with the National Assembly of State Arts Agencies, Washington, DC, by increasing the amount of \$6,000 from \$7,245 to \$13,245. Effective **retroactive** to October 1, 2009 through September 30, 2010. **100% Federal Funds.**

#21 Authorized Division of Libraries to **retroactively** pay a FY09 invoice to NH College University Council, Concord, NH, in the amount of \$3,880.31 from FY10 funds for the Library Truck Assessment for the Fiscal Year ending June 30, 2009. **100% Federal Funds.**

#22 NOT USED

#23 NOT USED

#24 Authorized to award a Partnership Initiative Grant in the amount of \$15,000 to Arts Alliance of Northern NH. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

DEPARTMENT OF REVENUE ADMINISTRATION

#25 The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Burton authorized the request to enter into a **sole source** agreement with the University of NH Technology Transfer Center through the University of NH's Office of Sponsored Research, Durham, NH, to develop a sustainable statewide mosaic parcel map for a fee not to exceed \$823,452. Effective upon G&C approval through October 2, 2012. **100% Capital - General Funds.**

COUNCIL ON DEVELOPMENTAL DISABILITIES

#26 The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Burton authorized the request to enter into a **sole source** agreement with the University of NH, Institute on Disability, c/o UNH Office of Sponsored Research, Durham, NH, to continue the Council's support of the UNH's Leadership Series, by providing partial funding for this series in the amount of \$68,950. Effective upon G&C approval through June 30, 2011. **100% General Funds.**

NH DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

The Governor and Council acted as follows:

#27 Authorized to enter into an agreement with the Cheshire County Conservation District to conduct a series of educational workshops entitled "Extending the Season and Preserving the Harvest with Energy Efficient Technology" in the amount of \$19,195. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

#28 Authorized to enter into an agreement with the Kearsarge Beekeepers Association to conduct a “Sustainable Beekeeping Project” featuring educational workshops and field research in the amount of \$18,860. Effective upon G&C approval through March 1, 2011. **100% Federal Funds.**

#29 Authorized to enter into an agreement with the Society for the Protection of NH Forests, to create and market an interactive exhibit about the NH maple industry in the amount of \$19,400. Effective upon G&C approval through March 30, 2011. **100% Federal Funds.**

#30 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 \$29,978. Effective upon G&C approval through December 31, 2010. **100% Other – Integrated Pest Management Funds.**

ATTORNEY GENERAL

The Governor and Council acted as follows:

#31 Authorized to enter into a contract with Nonni’s CHI LLC, Concord, NH, to provide space and refreshments for the 2010 Municipal Trustees Seminars to be held over a two and a half-day period scheduled for June 3, 7, and 9 2010 in an amount not to exceed \$3,000. Effective upon G&C approval through June 10, 2010. **100% Fees.**

#32 Authorized to amend the subgrant with the Nashua Police Department (previously approved by G&C on 12-9-09, item #35), to support a victim’s advocate and Master Patrolman who both work with the Domestic Violence Unit, by extending the end date only, from April 30, 2010 to April 30, 2011. No New Funding. **100% Federal Funds.**

#33 Authorized to enter into subgrants with the Manchester Police Department in the amount of \$96,826 from the 2009 ARRA, Violence Against Women Formula Grant, to assist with the staffing in their Domestic Violence Unit. Effective upon G&C approval through April 30, 2011. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

#34 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea and with Councilor Wieczorek voting **no**, authorized the request to reclassify seven unfunded positions. Six positions to be Correctional Counselors/Case Managers, and one position as a Senior Management Analyst; as detailed in letter dated March 31, 2010. Effective upon G&C approval. **100% General Funds.**

NEW HAMPSHIRE LIQUOR COMMISSION

#35 **WITHDRAWN** – The Agency withdrew the request to accept and expend funds in the amount of \$10,184.04 to create a part-time DRE Program Assistant position within the Division of Enforcement to assist the Drug Recognition Expert Program. Effective upon G&C approval through September 30, 2010. **100% Agency Income – Highway Safety Funds. Contingent upon Fiscal Committee approval on April 12, 2010.**

PUBLIC UTILITIES COMMISSION

#36 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to accept and expend \$516,000 from the Office of Energy and Planning for work to be accomplished as part of the ARRA – State Energy Efficient Appliance Rebate Program. Effective upon G&C approval through March 20, 2012. **100% Transfers from Other Agencies – ARRA SEEARP. Contingent upon Fiscal Committee approval on April 12, 2010.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#37 Authorized Bureau of Trails to amend a Recreational Trails Program reimbursement grant to the Twin Mountain Snowmobile Club, Twin Mountain, NH (previously approved by G&C on 7-15-09, item #38), by extending the end date from June 30, 2010 to December 31, 2010. No additional funding. **100% Federal Funds.**

#38 Authorized Division of Parks and Recreation to enter into a contract with the Town of Nottingham Police Department, Nottingham, NH, for security coverage and traffic control at Pawtuckaway State Park in the amount of \$7,800. Effective July 1, 2010 through June 30, 2011. **100% Park Account Funds.**

#39 Authorized Division of Parks and Recreation to enter into a **sole source** contract with Civil Solutions LLC, Bartlett, NH, for the wastewater disposal permitting at Cannon Mountain Ski Area in Franconia, in the amount of \$3,000. Effective upon G&C approval through May 31, 2010. **100% Ski Area Account Fund.**

#40 Authorized Bureau of Trails to amend a contract with the snowmobile clubs as detailed in letter dated March 17, 2010, (previously approved by G&C on 12-9-09, item #50), for winter trail grooming and plowing, by increasing the amount by \$48,169.50 from \$1,468,546.18 to \$1,516,715.68. Effective upon G&C approval through May 1, 2010. **100% Trails Bureau Funds.**

#41 Authorized Division of Travel and Tourism Development to amend a **sole source** contract with Rumbletree Inc., Portsmouth, NH (previously amended by G&C on 3-10-10, item #63), for advertising and promotion services, by increasing the amount by \$150,000 from \$8,247,000 to \$8,397,000. Effective upon G&C approval through June 30, 2011. **100% Travel and Tourism Revolving Funds.**

#42 Authorized Division of Parks and Recreation to enter into a contract with the Peterborough Police Department, Peterborough, NH, for security coverage and traffic control at Miller State Park in the amount of \$3,600. Effective September 1, 2010 through October 31, 2010. **100% Park Account Funds.**

#43 Authorized to transfer management responsibility for specific areas of state-owned land known as Franconia Notch State Park located in Lincoln and Franconia, NH to the NH Department of Transportation for drainage and associated improvements for I-93. (2)Further authorized to transfer management responsibility for specific areas of state-owned land known as Crawford Notch State Park located in Hart's Location, NH, to the NH Department of Transportation for slope, guardrail and associated improvements for NH Route 302. No Funding Required.

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

#44 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Shea and with Councilor Pignatelli voting **no**, authorized the request to accept and expend \$29,200 in grants from the Wildlife Heritage Foundation of NH for the purpose of supporting Department Projects. Effective upon G&C approval through June 30, 2011. **100% Agency Income – Wildlife Heritage Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#45 Authorized to enter into **sole source** contracts with the entities as detailed in letter dated April 1, 2010, for geologic mapping services in the amount of \$50,250. Effective upon G&C approval through September 15, 2010. **100% Federal Funds.**

#46 Authorized to budget and expend prior year carry forward funds from Water Users in the amount of \$28,750 to cover projected shortfalls in certain expenditure classes for the Connecticut-Coos Dam Project. Effective upon G&C approval through June 30, 2010. **100% Connecticut-Coos Project Funds.**

#47 Authorized to amend a loan agreement with the City of Portsmouth, (previously approved by G&C on 10-3-07, item #41), which increases the Original Loan Agreement by \$2,000,000 from \$4,000,000 to \$6,000,000 due to an increase in the scope of work for the Lincoln Area Sewer Separation project. Effective upon G&C approval. **83% Federal, 17% Capital – General Funds.**

#48 Authorized to approve a loan agreement with the Town of Farmington in the amount of \$4,619,000 to finance a wastewater improvements project. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#49 Authorized to enter into a grant agreement with the NH Lakes Association Inc., Concord, NH, for the purpose of milfoil prevention activities in the amount of \$136,667. (2) Further authorized to award an advance payment in the amount of \$65,000 to NH LAKES in accordance with the terms of the grant agreement. Effective upon G&C approval through December 31, 2010. **100% Lakes Restoration Program Funds.**

#50 Authorized to **retroactively** amend a contract with Portsmouth Harbor Towing LLC, Portsmouth, NH, (previously approved by G&C on 6-22-05, item #135), for the purpose of operation and maintenance of the coastal pumpout boat service, by increasing the contract price limitation by \$1,392.60 from \$175,000 to \$176,392.60. **100% Federal Funds.**

#51 Authorized to **retroactively** amend an agreement with the University System of NH – Plymouth State University, Plymouth, NH, (previously approved by G&C on 7-15-09, item #60), for the Enhancing North Country Volunteer Monitoring Programs project by extending the completion date to December 31, 2010 from February 28, 2010. No additional Funding. **100% Federal Funds.**

#52 Authorized to **retroactively** amend the Clean Water State Revolving Fund and Drinking Water State Revolving Fund finalized loan agreements with the entities as detailed in letter dated March 11, 2010, by modifying the interest charged to reflect a decrease in interest charges by 1% and an increase in administrative charges by 1%. Effective July 1, 2009. The change in rate allocation has no impact on the total amount paid by the entities.

#53 Authorized to enter into a **sole source** Cooperative Project Agreement with the University of NH – Office of Sponsored Research, Durham, NH, for the DES/UNH Pollution Prevention Internship Program in the amount of \$7,500. Effective upon G&C approval through December 31, 2010. **100% Federal Funds.**

#54 Authorized to amend a **sole source** contract with GZA GeoEnvironmental Inc., Manchester, NH, (previously amended by G&C on 3-24-10, item #58), to oversee remediation at contaminated sites, by increasing the contract by \$236,000 from \$2,653,740 to \$2,889,740. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#55 Authorized Dianna B. (Durling) McNabb Trust of 1999's request to conduct work on an average of 200 ft of frontage on Welch Island, on Lake Winnepesaukee.

#56 Authorized Newton & Anna Heston's request to conduct work on 725 ft of actual frontage on Eagle Island on Lake Winnepesaukee in Gilford.

#57 Authorized Leonard & Lisa D'Orlando's request to perform work on an average of 152 ft of frontage on Governor's Island, on Lake Winnepesaukee in Gilford.

#58 Authorized Town of Hollis' request to remove 2,155 cu yd of vegetative material and floating islands from approximately 51,600 sq ft of Flint Pond in Hollis.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Division of Family Assistance

#59 Authorized to reclassify position #12563 from Program Assistant I, salary grade 12 to Case Technician Trainee/I, salary grade 12/14. **100% Federal Funds.**

#60 Authorized to **retroactively** enter into a **sole source** memorandum of understanding with NH Employment Security for the purpose of obtaining wage, employer and unemployment compensation data, to provide staffing for employment and training services, and to co-locate the NH Employment Program and the Food Stamp Employment and Training Program in the NHES facilities, in an amount not to exceed \$1,713,226.91. Effective July 1, 2009 through June 30, 2010. **64% General, 36% Federal Funds.**

Division for Juvenile Justice Services

#61 Authorized to enter into an agreement with Norris Inc., Greenland, NH, to provide semi-annual testing of fire systems at the Sununu Youth Services Center in an amount not to exceed \$13,760. Effective upon G&C approval through December 31, 2011. **100% General Funds.**

Division of Public Health Services

#62 Authorized Bureau of Prevention Services, Tobacco Prevention and Control Programs to **retroactively** enter Christin H. D'Ovidio into an educational tuition agreement with Emory University, Atlanta, GA, for the course entitled Logic Model Essentials for the period of January 19, 2010 through February 12, 2010, and to pay said costs in the amount of \$300. **100% Federal Funds.**

#63 Authorized Bureau of Prevention Services, Tobacco Prevention and Control Program, to **retroactively** enter Teresa M. Brown into an educational tuition agreement with Emory University, Atlanta, GA, for the course entitled Fundamentals of Evaluation for the period of March 1, 2010 through May 21, 2010, and to pay said costs in the amount of \$500. **100% Federal Funds.**

#64 Authorized Bureau of Disease Control to enter into a **sole source** agreement with the University of NH, Durham, NH, to provide epidemiological and health data analysis expertise to eight health programs in an amount not to exceed \$116,491. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#65 Authorized Bureau of Community Health Services, Maternal & Child Health Section, Early Hearing Detection & Intervention Program to exercise to exercise a contract renew and amend option with NH Coalition for Citizens with Disabilities Inc., Concord, NH, (previously approved by G&C on 6-25-08, item #223), to provide education, advocacy, resources, and support for families with infants and children who have a suspected or confirmed hearing loss, by increasing the price by \$60,000 from \$60,000 to \$120,000, and by extending the end date to June 30, 2012. Effective July 1, 2010. **100% Federal Funds.**

#66 Authorized Bureau of Prevention Services, Tobacco Prevention and Control Program to enter into a **sole source** agreement with the City of Manchester Health Department, to provide a broad range of tobacco prevention and control initiatives in an amount not to exceed \$75,000. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

Disability Determination Unit

#67 Authorized to amend an agreement with Lori Rich, RN, Northfield, NH, (previously approved by G&C on 6-17-09, item #194), to function as a Disability Determination Reviewer, by increasing the price by an amount not to exceed \$26,000 from \$26,000 to \$52,000, and by extending the completion date to June 30, 2011. Effective July 1, 2010. **75% Federal, 25% General Funds.**

#68 Authorized to amend an agreement with Patricia I. Williams, Concord, NH (previously amended by G&C on 1-27-10, item #48), to function as a Medical Disability Determination Systems Development Specialist, by increasing the price by an amount not to exceed \$14,160 from \$24,800 to \$38,960, and by extending the completion date to June 30, 2011. Effective July 1, 2010. **50% Federal, 50% General Funds.**

Bureau of Drug and Alcohol Services

#69 Authorized to enter into an agreement with Greater Nashua Council on Alcoholism Inc., Nashua, NH, to provide comprehensive substance abuse treatment to pregnant and parenting women and their children, in an amount not to exceed \$637,500. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

Bureau of Homeless and Housing Services

#70 Authorized to enter into an agreement with Southwestern Community Services Inc., Keene, NH, to provide services to homeless individuals in the amount of \$110,262. Effective **retroactive** to November 1, 2009 through October 31, 2010. **100% Federal Funds.**

Bureau of Developmental Services

#71 Authorized to enter into an agreement with Granite State Independent Living, Concord, NH, to provide grant project services to the State of NH's Medicaid Infrastructure Grant in an amount not to exceed \$15,000. Effective upon G&C approval through December 31, 2010. **100% Federal Funds.**

New Hampshire Hospital

#72 Authorized to make a **retroactive** one-time payment to the National Association of State Mental Health Program Directors Research Institute Inc., Alexandria, VA, in the amount of \$6,950. Effective upon G&C approval through February 28, 2011. **70% General, 30% Federal Funds.**

#73 Authorized to enter into an agreement with Dr. Douglas L. Epperson, Moscow, ID, to conduct a training class in sexually violent predators current risk assessment methods in the amount of \$3,850. Effective upon G&C approval through September 30, 2010. **100% General Funds.**

#74 Authorized to enter into an agreement with Craig Drouin Construction LLC, Chester, NH, to provide remodeling services at Transitional Housing Services Yellow House in the amount of \$17,325. Effective upon G&C approval through June 30, 2010. **80% General, 17% Other – Board & Care, 3% Federal Funds.**

BOARD OF BARBERING, COSMETOLOGY, AND ESTHETICS

#75 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Hollingworth authorized the request to amend a lease with McCarthy Properties, Wareham, MA, (previously approved by G&C on 3-10-04, item #52), for rental of office and meeting space comprised of approximately 2,000 square feet, Concord, NH, for an amount not to exceed \$22,134. Effective June 30, 2010 through June 30, 2011. **100% General Funds.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#76 Authorized a renewal contract with Kim Stiles, Rumney, NH, (previously approved by G&C on 10-7-09, item #79), to provide targeted technical assistance services to school districts around the State of NH in an amount not to exceed \$50,000. (2)Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the budget. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#77 Authorized a renewal contract with Chris Anderson, Manchester, NH, (previously approved by G&C on 10-7-09, item #80B), to provide targeted technical assistance services to school districts around the State of NH in an amount not to exceed \$50,000. (2)Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the budget. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#78 Authorized a renewal contract with George Cunningham, Fryeburg, ME, (previously approved by G&C on 6-17-09, item #291K), to conduct impartial special education complaint investigations in an amount not to exceed \$25,000. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#79 Authorized a renewal contract with William J. Knorr, Dublin, NH, (previously approved by G&C on 9-9-09, item #110A), to conduct impartial special education complaint investigations in an amount not to exceed \$10,000. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#80 Authorized a renewal contract with Natalie H. Allen, Concord, NH, (previously approved by G&C on 9-9-09, item #110), to conduct impartial special education complaint investigations in an amount not to exceed \$10,000. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#81 Authorized a renewal contract with S. David Siff, (previously approved by G&C on 8-19-09, item #187), to conduct impartial special education complaint investigations in an amount not to exceed \$25,000. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#82 Authorized a renewal contract with Dennis J. Pope, Concord, NH, (previously approved by G&C on 8-19-09, item #187), to conduct impartial special education complaint investigations in an amount not to exceed \$10,000. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#83 Authorized a renewal contract with Russell C. Lowrey, Newmarket, NH, (previously approved by G&C on 8-19-09, item #186), to conduct impartial special education complaint investigations in an amount not to exceed \$5,000. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#84 Authorized a renewal contract with Ellen Hiebert, Keene, NH, (previously approved by G&C on 5-20-09, item #100), as a Regional Master Educational Surrogate Parent in an amount not to exceed \$10,000. (2)Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the budget. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#85 Authorized a renewal contract with Maureen Tracey, Merrimack, NH, (previously approved by G&C on 5-20-09, item #103), as a Regional Master Educational Surrogate Parent in an amount not to exceed \$10,000. (2)Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the budget. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#86 Authorized a renewal contract with Bruce Thielen, Keene, NH, (previously approved by G&C on 10-7-09, item #80A), to provide targeted technical assistance services to school districts around the State of NH in an amount not to exceed \$50,000. (2)Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the budget. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#87 Authorized a renewal contract with Allyson Vignola, Center Barnstead, NH, (previously approved by G&C on 5-9-09, item #101), as a Regional Master Educational Surrogate Parent in an amount not to exceed \$10,000. (2)Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the budget. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#88 Authorized renewal of a memorandum of agreement with the State Library, Family Resource Connection (previously approved by G&C on 11-19-08, item #153), to provide quality materials and resources in the areas of literacy, behavior, and secondary transition to support the NH RESPONDS grant in the amount of \$11,500. (2)Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the contract. Effective July 1, 2010 through June 30, 2012. **100% Federal Funds.**

#89 Authorized to enter into a contract with Advanced Language Services, Federal Way, Washington, to provide the NH Department of Education with translation services for the provision of special education documents to parents or guardians of English Language Learners, in an understandable and uniform format, and to the extent practicable, in language that the parent can understand in an amount not to exceed \$20,000. (2) Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the contract. Effective upon G&C approval through June 30, 2010 with the option to renew for up to one additional fiscal year. **100% Federal Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#90 Authorized Division of Fire Standards & Training and Emergency Medical Services to enter into an agreement with FGF Construction Network Services Inc., Epping, NH, to provide welding, installation and fabrication services in an amount not to exceed \$20,000. Effective July 1, 2010 through June 30, 2012. **100% Fire and EMS Funds.**

#91 Authorized Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Stratham for furnish and equip the town's Emergency Operations Center in the amount of \$25,363.85. **100% Federal Funds.**

#92 Authorized with Councilor Wieczorek voting **no**, the Division of Motor Vehicles to reclassify position #43404 from Data Control Clerk III, labor grade 12 to a Supervisor I, labor grade 19. **100% Highway Funds.**

#93 Authorized to **retroactively** pay W. B. Mason Company Inc., Brockton, MA, for office and computer supplies purchased in SFY2008 using SFY2010 funds in the amount of \$649.55. Effective upon G&C approval. **100% Agency Income.**

#94 Authorized a grant agreement between the Division of Homeland Security and Emergency Management and United Ways of NH and 211 NH for activities associated with enhancing all-hazard planning statewide for a total amount of \$50,000. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#95 Authorized Division of Fire Standards & Training and Emergency Medical Services to enter into an agreement with S. Camerota and Sons Inc., Enfield, CT, to provide repair service to a 1997 KME 100' Aerial Cat Quint in the amount of \$15,980. Effective upon G&C approval through June 30, 2010. **100% Fire and EMS Funds.**

#96 **TABLED** – The Governor and Council on motion of Councilor Burton, seconded by Councilor Wiczorek voted to **table** the request of the Division of Motor Vehicles to amend an existing contract with Gordon-Darby NHOST Services Inc., Louisville, KY, to support the OBD II electronic emissions and safety inspection program, by extending the end date through June 30, 2012. No additional Funding.

#97 Authorized Division of State Police to transfer funds in the amount of \$70,000 for existing and anticipated shortages in vehicle expenses for the FY 2010. Effective upon G&C approval through June 30, 2010. **81% Highway, 19% Turnpike Funds. Contingent upon Fiscal Committee approval on April 12, 2010.**

#98 Authorized Division of State Police and Division of Motor Vehicles and Division of Administration to transfer funds between Communications Section, Toxicology Lab, on Board Diagnostic Program, Driver Licensing, Motor Vehicle Registration, Road Toll Administration, Road Toll Audit, and Credit Card Fees, as detailed in letter dated March 25, 2010, in the amount of \$162,200, for existing and anticipated shortages in telecommunication charges, credit card fees, regular officer and employees, and personal services – temporary for the Fiscal Year 2010. Effective upon G&C approval through June 30, 2010. **100% Highway Funds. Contingent upon Fiscal Committee approval on April 12, 2010.**

#99 Authorized Division of State Police to transfer \$350,000 within the account entitled J-One Earmark 09 to re-align appropriated funds for the purpose of implementing the J-ONE Project. Effective upon G&C approval through June 30, 2010. **100% Federal Funds. Contingent upon Fiscal Committee approval on April 12, 2010.**

#100 Authorized Division of State Police to accept and expend \$9,370 of federal funds from the NH Department of Justice entitled Crime Data on the Internet 2009 and \$49,950 of federal funds from the NH Department of Justice entitled Crime Data on the Internet 2010 for the purpose of purchasing a web-based National Incident Based Reporting System. Effective upon G&C approval through September 30, 2010. **100% Agency Income Funds. Contingent upon Fiscal Committee approval on April 12, 2010.**

#101 Authorized Division of Fire Standards and Training and Emergency Medical Services to budget and expend \$175,000 of the prior year carry forward balance in the Fire Standards Instruction Account to fund additional travel expense for the part-time instructors and for repairs that are needed to the fire training tower located at the Fire Academy. Effective upon G&C approval through June 30, 2010. **100% Agency Income Funds. Contingent upon Fiscal Committee approval on April 12, 2010.**

#102 Authorized to hire consultants using federal funds within grants entitled “FY 2007 Homeland Security Grant Program”, “FY 2008 Homeland Security Grant Program”, and “FY 2009 Homeland Security Grant Program” from the US Department of Homeland Security FEMA, Grant Programs Directorate, to provide for increased needs for subject matter experts beyond the limited resources of in-house state personnel. (2)Further authorized to accept and expend \$1,007,322 from federal grants entitled “FY 2007 Homeland Security Grant Program”, “FY 2008 Homeland Security Grant Program”, and “FY 2009 Homeland Security Grant Program” from the US Department of Homeland Security, Preparedness Directorate, Office of Grants and Training, to execute the mission of the Homeland Security Grant funding at the local and state level. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Contingent upon Fiscal Committee approval on April 12, 2010.**

#103 Authorized the permit application of the Town of Bristol located on Newfound Lake in Bristol, NH, for a congregate mooring field, with a renewal of 19 moorings.

#104 Authorized the permit application of Goodhue & Hawkins Navy Yard LLC located on Lake Winnepesaukee in Wolfeboro, NH, for a Public mooring field, with a renewal of 10 moorings.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#105 Authorized to accept and place on file the Monthly Equipment Acquisition Plan status report for the period ending February 28, 2010.

#106 Authorized to enter into a **sole source** contract with Ledge Light Technologies, New London, CT, to develop the Section 408 Year Four grant application in the amount of \$31,047.23. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#107 Authorized to amend a contract with Southwest Region Planning Commission, Keene, NH, (previously approved by G&C on 6-17-09, item #301), to undertake certain transportation related planning activities, by increasing the amount by \$42,467 from \$299,975 to \$342,442. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#108 Authorized Bureau of Traffic to enter into a contract with Chey Insulation, Canaan, NH, for installing closed cell spray foam insulation on the basis of a low bid in an amount not to exceed \$7,920. Effective upon G&C approval through June 30, 20-10. **63% Capital – Highway, 37% Highway Funds.**

#109 Authorized Bureau of Rail & Transit to amend a contract with Advance Transit Inc., Wilder, VT (previously amended by G&C on 5-6-09, item #184), for increased capital expenses for construction, by increasing the amount by \$48,000 from \$1,556,000 to \$1,604,000. Effective upon G&C approval through December 31, 2010. **100% Federal Funds.**

#110 Authorized Bureau of Materials and Research to amend agreements with two firms (previously approved by G&C on 12-18-08, item #81), for construction testing and inspection services as follows: (1) John Turner Consulting Inc., Dover, by increasing the not to exceed amount by \$200,000 from \$400,000 to \$600,000; and (2) Greenman-Pedersen Inc., Nashua, NH, by increasing the not to exceed amount by \$100,000 from \$200,000 to \$300,000. Effective upon G&C approval through December 31, 2010. **80% Federal, 20% Highway Funds.**

#111 Authorized Bureau of Finance & Contracts to enter into a **retroactive** contract with OCE North America Inc., Chicago, IL, for equipment maintenance, based on a single bid in the amount of \$26,848.20. (2) Further authorized to pay overage charges, if needed, at a rate of \$.01557 per sq foot for usage in excess of 600,000 sq feet, the amount included in the base annual contract from FY 2010 and FY 2011 funds if necessary. Effective November 1, 2009 through October 31, 2010. **100% Highway Funds.**

#112 Authorized Bureau of Right of Way to sell an 8.2 acre parcel of State owned land in Marlow to the Town of Marlow for deeding a 0.5 of an acre of Town owned land to the Department plus \$53,100 which includes an Administrative Fee of \$1,000. Effective upon G&C approval.

#113 Authorized Bureau of Right of Way to pay various owners \$1,226,195 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from March 20, 2010 through March 29, 2010. Effective upon G&C approval.

#114 Authorized Bureau of Turnpikes to continue its membership and participation with the E-ZPass Interagency Group, New York, NY, by paying **retroactive** annual membership dues in the amount of \$17,500 in calendar year 2010. **100% Turnpike Funds.**

#115 Authorized to amend a contract with CHA Inc., Keene, NH, (previously approved by G&C on 8-21-01, item #323), for the final design of the expansion of the Spaulding Turnpike from Exit 11 to Exit 16 in the City of Rochester, by increasing the amount by \$138,663.08 from \$7,834,596.73 to \$7,973,259.81, and by extending the end date from July 30, 2010 to December 31, 2010. Effective upon G&C approval. **100% Turnpike Funds.**

#116 Authorized Bureau of Aeronautics to award a grant to the Pease Development Authority, for AIP-47 to design a wildlife fence project for the Portsmouth International Airport at Pease in the amount of \$79,400. Effective upon G&C approval through April 30, 2013. **95% Federal, 5% General Funds.**

#117 Authorized Bureau of Aeronautics to award a grant to the City of Manchester, for AIP-79 to construct Aircraft Deicing Fluid collection and drainage, and install an enhanced runway pavement sensor system for Runway 17-35 at the Manchester-Boston Regional Airport in the amount of \$1,158,945. Effective upon G&C approval through April 30, 2013. **95% Federal, 5% General Funds.**

#118 Authorized Bureau of Aeronautics to award a grant to the Pease Development Authority, for AIP-45 to design snow removal equipment and constant friction measuring equipment for the Portsmouth International Airport at Pease in the amount of \$32,200. Effective upon G&C approval through April 30, 2013. **95% Federal, 5% General Funds.**

#119 Authorized Bureau of Aeronautics to enter into a grant agreement with the Town of Plymouth, NH, owner of Plymouth Municipal Airport, Plymouth, NH, to conduct airport drainage improvements in the amount of \$5,668. Effective upon G&C approval through March 24, 2013. **100% General Funds.**

#120 Authorized Bureau of Highway Maintenance Well Section to enter into a contract with Kriester Artesian Well Co., Inc., Henniker, NH, for a 6-inch drilled well and pump at the Loudon Patrol Facility, Loudon, NH, on the basis of a low bid of \$24,724. Effective upon G&C approval through May 14, 2010. **100% Highway Funds.**

#121 Authorized with Councilor Shea abstaining, the Bureau of Construction to enter into a contract with Continental Paving Inc., Londonderry, NH, for resurfacing of approximately 8.2 miles of mainline and ramps on the Central Turnpike, which includes work on the F.E. Everett Turnpike in the City of Nashua and in the Town of Hudson, on the basis of a low bid of \$1,888,770.25. (2)Further authorized a contingency in the amount of \$188,877.03 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through August 27, 2010. **100% Turnpike Funds.**

#122 Authorized Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for roadway resurfacing of approximately 10.5 miles of the Spaulding Turnpike in Dover and Milton on the basis of a low bid of \$1,885,274.25. (2)Further authorized a contingency in the amount of \$188,527.43 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through August 27, 2010. **100% Turnpike Funds.**

#123 Authorized with Councilor Shea abstaining, the Bureau of Construction to enter into a contract with Continental Paving Inc., Londonderry, NH, for 4.18 miles of pavement rehabilitation and bridge rehabilitation work on three bridges on NH Route 101 in Milford, on the basis of a low bid of \$4,509,149.73. (2)Further authorized a contingency in the amount of \$315,640.49 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through September 24, 2010. **100% Federal Funds.**

#124 Authorized Bureau of Construction to enter into a contract with Modern Protective Coatings Inc., Hudson, NH, for painting steel bridge (Br. No. 089/114) carrying NH Route 127 over the Hopkinton Dam Spillway Channel in the Town of Hopkinton on the basis of a low bid of \$364,900. (2)Further authorized a contingency in the amount of \$36,490 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through August 27, 2010. **100% Federal Funds.**

#125 Authorized Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for roadway resurfacing of 33.76 miles in maintenance District I and District II in Coos, Carroll, Grafton, Merrimack and Sullivan Counties on the basis of a low bid of \$4,697,410. Effective upon G&C approval through September 10, 2010. **91% ARRA, 9% Federal Funds.**

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Wieczorek, voted to remove item #32- which was tabled at the March 10, 2010 Meeting

DEPARTMENT OF ADMINISTRATIVE SERVICES

#32 **WITHDRAWN** – The Agency withdrew the request of the Bureau of Public Works Design and Construction to enter into an agreement with RicciGreene Associates, New York, NY, for professional services to develop a master plan for the courts in the amount not to exceed \$413,775. (2)Further authorized a contingency in the amount of \$36,225 for additional services that may be required, bringing the total to \$450,000. Effective upon G&C approval through December 31, 2010. **100% General Funds.**

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Burton, voted to remove item #72- which was tabled at the March 24, 2010 Meeting

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Division of Public Health Services

#72 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Hollingworth and with Councilor Pignatelli voted **no**, voted to approve the request of the Bureau of Laboratory Services, Healthcare Associated Infections Program to enter into a **sole source** agreement with the Foundation for Health Communities, Concord, NH, to coordinate a hand hygiene collaborative project with all acute care hospitals in NH for the purpose of increasing hand hygiene compliance and reducing healthcare-associated infections in an amount not to exceed \$50,000. Effective upon G&C approval through December 31, 2011. **100% Federal ARRA Funds.**

LATE ITEM

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Division of Family Assistance

A. **WITHDRAWN**- The Agency withdrew the request to enter into an agreement with Lutheran Community Services of New Hampshire, Inc. (Vendor #177342 B001), Concord, New Hampshire, in an amount not to exceed \$527,318.05, effective April 1, 2010, or date of Governor and Council approval, whichever is later, through June 30, 2011, to provide communication access services for individuals who are non-English speaking, limited-English speaking, Deaf or Hard of Hearing, or who have speech or visual impairments, and require such assistance to gain access to the programs and services of the Department of Health and Human Services. This agreement contains the option to extend the agreement for two (2), two-year periods without further competitive bidding, contingent upon the satisfactory delivery of services, available funding and approval of the Governor and Executive Council. **50% Federal, 50% General Funds.**

Next regular Governor and Executive Council meeting is scheduled for Wednesday, April 28, 2010 at 10:00 a.m. at the State House in Concord, New Hampshire.

The Honorable Board then Adjourned at 1:45 p.m.