

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
January 13, 2010 10:00 a.m.

The Governor and Executive Council convened at 10:30 a.m. with all members present.

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The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Shea, accepted the minutes of December 9, 2009.

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The Governor and Executive Council on motion of Councilor Shea, seconded by Councilor Burton, accepted the minutes of Special Meeting of December 18, 2009.

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The Governor and Executive Council, on motion of Councilor Shea, seconded by Councilor Burton approved the appointment of several persons nominated for Civil Commissions from the December 9, 2009 meeting.

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

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

Sullivan County, District 2 (Croydon, Goshen, Newport, Springfield, Washington)
Steve Cunningham, r, Croydon (351 Old Springfield Road, Sunapee) 03782

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RESIGNATIONS

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

State Committee on Aging

(Hillsborough County)

Ally McNair, Manchester

Effective: January 13, 2010

Alcohol and Drug Abuse, Prevention, Intervention and Treatment Commission

(Drug Abuse Treatment)

Joseph Diament, Newfields

Effective: January 13, 2010

Business Finance Authority

Stephen M. Duprey, Concord

Effective: January 13, 2010

Home Inspectors Board

(Public Member)

Donald Lavalee, Hampton

Effective: January 13, 2010

Board of Mental Health Practice

(Public Member)

W. Thomas Boulter, Concord

Effective: January 13, 2010

CONFIRMATION REMOVED FROM TABLE

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton, voted to remove the following confirmation - which was tabled at the December 9, 2009 Meeting

CONFIRMATION

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton, confirmed the following:

Department of Revenue Administration, Assistant Commissioner

Nominated by the Commissioner of Revenue Administration

Margaret L. Fulton, Bedford

Effective: January 1, 2010

Reappointment

Term: January 1, 2014

Salary: HH max \$98,691

CONFIRMATIONS

The Governor and Council confirmed the following:

Advanced Manufacturing Education Advisory Council

(Public Member)

Susan Bloom Newcomer, Spofford

Reappointment

Effective: January 13, 2010

Term: December 18, 2012

Advanced Manufacturing Education Advisory Council

(Superintendent)

Jacqueline E. Guillette, Claremont

Reappointment

Effective: January 13, 2010

Term: December 18, 2012

Air Resources Council

(Environmental Interests)

Georgia Murray, Conway

Reappointment

Effective: January 13, 2010

Term: October 24, 2013

Current Use Advisory Board

(Representing assessing official from a town with more than 5,000 population)

Normand R. Pelletier Jr., Hudson

Reappointment

Effective: January 13, 2010

Term: December 23, 2011

Fire Standards and Training Commission

(Professional Firefighters of NH International Association of Firefighters)

Nominated by the Professional Firefighters of New Hampshire

David C. Lindh, Jr., Dover

Succeeding: David R. Duquette, Somersworth

Effective: January 13, 2010

Term: November 12, 2012

Fish & Game Commission

(Strafford County)

Robert S. S. Blake (i), Durham

Succeeding: Mitchell Kalter, (i), New Durham

Effective: January 13, 2010

Term: June 29, 2014

Board of Foresters

(Public Forester)

Charles Hersey, Manchester

Succeeding: Northam Parr, Rumney (term limited)

Effective: January 13, 2010

Term: August 22, 2014

State Historical Records Advisory Board

Marcia Schmidt Blaine, Plymouth

Reappointment

Effective: January 13, 2010

Term: January 2, 2013

State Historical Records Advisory Board

Richard E. Winslow III Rye

Reappointment

Effective: January 13, 2010

Term: January 2, 2013

Board of Home Inspectors

(Home Inspector)

Robert J. Corsetti, Dover

Reappointment

Effective: January 13, 2010

Term: December 18, 2011

Moorings Appeals Board

Melvin Borrin, Moultonborough

Reappointment

Effective: January 13, 2010

Term: December 16, 2012

Municipal Bond Bank

Matthew D. Boucher, Manchester
Succeeding: James Tibbetts, Colebrook

Effective: January 13, 2010
Term: July 1, 2014

Ports and Harbors Advisory Council

(Commercial Fisherman)
Erik Anderson, Portsmouth
Reappointment

Effective: January 13, 2010
Term: December 16, 2014

Rivers Management Advisory Committee

(Represents Fish & Game Commission)
Nominated by the Fish & Game Commission
James W. Ryan, Northwood
Succeeding: Walter Morse, Hillsborough

Effective: January 13, 2010
Term: September 28, 2012

Volunteer NH Board of Directors

Lori DeLeo, Nashua
Vacancy

Effective: January 13, 2010
Term: January 13, 2013

Commission on the Status of Women

Fatima Deek, Manchester
Reappointment

Effective: January 13, 2010
Term: October 20, 2012

NOMINATIONS

The Governor placed into nomination the following:

Adult Parole Board

Mark E. Furlone, Chesterfield
Succeeding: Megan DeVorsey, Concord (resigned)

Effective: Upon confirmation
Term: March 15, 2010

Adult Parole Board

M. Kathryn McCarroll, Derry
Succeeding: Robert Hamel, Manchester

Effective: Upon confirmation
Term: September 29, 2014

Advanced Manufacturing Education Advisory Council

(Public Member)
Victor C. Kissel, Westmoreland
Reappointment

Effective: Upon confirmation
Term: December 18, 2012

Athletic Trainers Governing Board

Amy Hollingworth, Derry
Reappointment

Effective: Upon confirmation
Term: January 8, 2013

Compensation Appeals Board

(Employer/Insurer)
Nominated by the Commissioner of Labor
Maureen E. Dwyer-Heinrichs, Kingston
Reappointment

Effective: Upon confirmation
Term: January 1, 2013

Compensation Appeals Board

(Labor)
Nominated by the Commissioner of Labor
Albert G. Karam, Manchester
Reappointment

Effective: Upon confirmation
Term: January 1, 2013

Compensation Appeals Board

(Employer/Insurer)

Nominated by the Commissioner of Labor

Harry G. Ntapolis, Manchester

Reappointment

Effective: Upon confirmation

Term: January 1, 2013

Compensation Appeals Board

(Employer/Insurer)

Nominated by the Commissioner of Labor

Thomas F. Parks Jr., Dover

Reappointment

Effective: Upon confirmation

Term: January 1, 2013

Compensation Appeals Board

(Attorney)

Nominated by the Commissioner of Labor

S. David Siff, Concord

Reappointment

Effective: Upon confirmation

Term: January 1, 2013

Connecticut River Valley Resource Commission

(Statewide Conservation Organization)

Robert W. Christie, Lancaster

Reappointment

Effective: Upon confirmation

Term: January 22, 2013

Current Use Advisory Board

(Representing assessing official from a town with less than 5,000 population)

Normand G. Bernaiche, Acworth

Reappointment

Effective: Upon confirmation

Term: December 23, 2011

Dropout Prevention and Dropout Recovery Oversight Council

(Public Member)

George A. Cushing, Milton

Reappointment

Effective: Upon confirmation

Term: October 8, 2012

Electrician's Board

(Public Member)

Patricia A. Tormey, Derry

Succeeding: Dennis S. Hager, Concord (resigned)

Effective: Upon confirmation

Term: August 26, 2011

Board of Home Inspectors

(Home Inspector)

Daryl Justham, Rochester

Reappointment

Effective: Upon confirmation

Term: December 18, 2011

Board of Home Inspectors

(Public Member)

Kevin M. McEaney, Dover

Succeeding: Donald Lavalley, Hampton (resigned)

Effective: Upon confirmation

Term: April 1, 2010

Family Mediator Certification Board

Nominated by the New Hampshire Conflict Resolution Association

Robert W. Sturke, Concord

Vacancy (new member per SB 12 in 2009)

Effective: Upon confirmation

Term: 3 years from confirmation

Oil Fund Disbursement Board

(Petroleum Dealer)
 Thomas Klemm, Salem
 Reappointment

Effective: Upon confirmation
 Term: January 1, 2013

Penalty Appeal Board

(Labor)
 David W. Laughton, Auburn
 Reappointment

Effective: Upon confirmation
 Term: January 5, 2013

Pesticides Control Board

(Physician)
 Joseph R. Snow, Concord
 Reappointment

Effective: Upon confirmation
 Term: January 5, 2013

Postsecondary Education Commission

(On recommendation of the New Hampshire College and University Council)
 Steven Kadish, Hanover
 Succeeding: Daniel Nelson, Hanover (resigned)

Effective: Upon confirmation
 Term: June 30, 2012

Public Water Access Advisory Board

(Public Member)
 Mary Ellen Pfeifle, Bradford
 Reappointment

Effective: Upon confirmation
 Term: October 27, 2012

Racing and Charitable Gaming Commission

(Interest of Thoroughbred and Harness Horse Racing)
 Michael J. Gatsas, Manchester
 Reappointment

Effective: Upon confirmation
 Term: January 21, 2013

State Radiation Advisory Committee

(Dentistry)
 Francis H. LaBranche Jr., Northfield
 Reappointment

Effective: Upon confirmation
 Term: October 14, 2013

Waste Management Council

(Public Health Expert)
 Michael B. Blayney, Hanover
 Reappointment

Effective: Upon confirmation
 Term: December 23, 2013

Waste Management Council

(Municipal Officer)
 Charles E. Connell, Moultonborough
 Reappointment

Effective: Upon confirmation
 Term: December 23, 2013

Waste Management Council

(Public Member)
 G. Bradley Richards, Rye
 Reappointment

Effective: Upon confirmation
 Term: November 10, 2013

Water Council

(Granite State Designers and Installers Association)
 Deborah L. Hinds, Boscawen
 Succeeding: Bruce Barnard, Hebron (resigned)

Effective: Upon confirmation
 Term: June 13, 2010

BUSINESS FINANCE AUTHORITY

#1 The Governor and Executive Council on motion of Councilor Hollingworth, 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 to approve an award of a State Guarantee under RSA 162-A:13-a with respect to a loan from Optima Bank & Trust Company to Sleep Institute of new England PLLC located in Portsmouth, New Hampshire. 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 JANUARY 13, 2010
COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE**

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At approximately 10:50 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Working Capital Line of Credit Guarantee Program of the Business Finance Authority in connection with a loan to be made by Optima Bank & Trust to Sleep Institute of New England, PLLC 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 loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced, Senior Credit Officer of the Authority who 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 Hollingworth introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM OPTIMA BANK & TRUST TO SLEEP INSTITUTE OF NEW ENGLAND, PLLC." 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.

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**A RESOLUTION UNDER RSA 162-A:18 AWARDDING
A STATE GUARANTEE UNDER RSA 162-A:13-a
WITH RESPECT TO A LOAN FROM OPTIMA BANK & TRUST
TO SLEEP INSTITUTE OF NEW ENGLAND, PLLC.**

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 the award of a guarantee of the Authority in an amount equal to seventy-five percent (75%) of the principal amount of a loan up to \$75,000 from Optima Bank & Trust. to Sleep Institute of New England, PLLC pursuant to RSA 162-A:13-a (the Working Capital Loan Guarantee Program or the "WAG Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed seventy-five percent (75%) of the proposed financing;

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 award the recommended guarantee upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; 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 Determinations. On the basis of the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

(i) The award of the guarantee as proposed will contribute significantly to the success of the financing.

(ii) Reasonable and appropriate measures have been taken to minimize the risk of loss to the Authority and to ensure that any private benefit from the award of the guarantee will be only incidental to the public purpose served thereby.

(b) General Findings.

(i) The award of the guarantee as proposed will serve a public use and provide a public benefit.

(ii) The award of the guarantee as proposed is within the policy of, and the authority conferred by RSA Chapter 162-A.

(iii) The award of the guarantee as 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 award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required 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 January 13, 2010.

#2 The Governor and Executive Council on motion of Councilor Hollingworth, 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 contract (“Capital Access Program: Lender Participation Agreement”) with Optima Bank & Trust Company. 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 JANUARY 13, 2010
COUNCIL CHAMBER, CONCORD, NEW**

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At approximately 10:55 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 Optima Bank & Trust Company 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 Michael Donahue, Senior Credit Officer 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 Hollingworth 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 OPTIMA BANK & TRUST COMPANY” and moved its adoption, which was seconded by Councilor Burton. 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.

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**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 OPTIMA BANK & TRUST COMPANY**

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 Optima Bank & Trust Company(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 January 13, 2010.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#3 Authorized to enter into an agreement with the County of Merrimack, Boscawen, NH, for the purpose of conducting water, septic and electrical improvements to Catamount Hill Cooperative, a manufactured housing cooperative, located in Allenstown, in the amount of \$500,000. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#4 Authorized to **retroactively** amend a grant to the Town of Peterborough, NH (previously approved by G&C on 6-13-07, item #5), for infrastructure improvements to assist the Town in construction of a connector road for purposes of access and safety near Monadnock Community Hospital, by amending the job creation goal of 38 to 28 jobs, and to extend the completion date from December 31, 2009 to March 31, 2010. **100% Federal Funds.**

#5 Authorized to enter into an agreement with the City of Lebanon, for the purpose of making water improvements in the 50-unit manufactured housing cooperative, Mascoma Meadows, in the amount of \$130,000. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#6 Authorized to award a grant to the Town of Hillsborough for the purpose of completing site work for the construction of eight new units of affordable housing and for renovating activity space in the amount of \$368,500. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#7 Authorized to **retroactively** amend a grant with the City of Keene, NH, (previously approved by G&C on 4-4-07, item #1), for assisting Monadnock Development Services in its First Course Culinary Training Program, by extending the completion date to December 31, 2010 from December 31, 2009. **100% Federal Funds.**

#8 Authorized to **retroactively** amend a grant to the City of Keene, NH (previously approved by G&C on 5-16-07, item #3), to support infrastructure improvements to a vacant downtown property, known as the Railroad Yard, by extending the completion date to June 30, 2011 from December 31, 2009. **100% Federal Funds.**

#9 Authorized to **retroactively** amend a grant to the Town of Nelson, NH (previously approved by G&C on 3-26-08, item #6), for assisting the Apple Hill Center for Chamber Music pay for furnishing and equipment and working capital associated with a newly constructed Community Auditorium and Learning Center by extending the completion date to December 31, 2010 from December 31, 2009. **100% Federal Funds.**

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#10 Authorized to accept and expend ARRA funds in the amount of \$1,262,000 from the US Department of Energy, for the Appliance Rebate Program grant. Effective upon G&C approval through February 17, 2012. **100% Federal ARRA Funds. Fiscal Committee approved.**

#11 Authorized to enter into a **sole source retroactive** contract with Manchester School District, Manchester, NH, to address the educational, health and mental health needs for refugee children being resettled in the City of Manchester in the amount of \$118,841. Effective August 15, 2009 through August 14, 2010. **100% Federal Funds.**

#12 Authorized to enter into a **retroactive** contract with The Somali Development Center Inc., Boston, MA through its subsidiary the NH Somali Development Center in the amount of \$10,000 to provide direct services to NH refugees in the amount of \$10,000. Effective October 1, 2009 through September 30, 2010. **100% Federal Funds.**

HIGHWAY SAFETY AGENCY

#13 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to enter into a lease agreement with McCarthy Properties, West Wareham, MA, providing 2,200 square feet of office space at 78 Regional Drive, Concord, in an amount not to exceed \$156,199.92. Effective January 13, 2010 through January 31, 2015. **26% Federal, 74% Highway Funds.**

DEPARTMENT OF INFORMATION TECHNOLOGY

#14 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to amend a lease agreement with Gerald Q. Nash of Nashua, NH, for additional janitorial services at 49 Donovan Street, Concord, NH, by increasing the amount by \$6,824.70. Effective upon G&C approval through March 31, 2014. **49.4% General, 50.6% Other Funds.**

JUDICIAL COUNCIL

The Governor and Council acted as follows:

#15 Authorized to receive additional General Funds from funds not otherwise appropriated in the amount of \$480,000. Effective upon G&C approval through June 30, 2011. **Fiscal Committee approved.**

#16 Authorized to receive additional General Funds from funds not otherwise appropriated in the amount of \$160,000. Effective upon G&C approval through June 30, 2011. **100% General Funds. Contingent upon Fiscal Committee approval on January 8, 2010.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#17 Authorized to accept and expend additional federal funds in the amount of \$67,532 from the federal government (National Guard Bureau) as part of the five-year Federal-State Master Cooperative Agreement in support of the NH Air National Guard. (2)Further Authorized to establish three full-time seasonal Equipment Operator positions, salary grade 12, at the Pease Air National Guard Base, Newington, NH. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#18 Authorized Major Michael J. Blair, Epping, NH, be confirmed for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

#19 Authorized to enter into a contract agreement with Eckhardt & Johnson Inc., Manchester, NH, for air handling unit repairs at the Army Aviation Support Facility on the State Military Reservation, Concord, NH, in the amount of \$6,823.36. Effective upon G&C approval through April 1, 2010. **100% Federal Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#20 Authorized Risk Management Unit to enter into an agreement with the Rowley Agency Inc., Concord, NH, for the provision of an insurance policy for the commercial property, general liability and umbrella insurance for the Franklin, Derry and Jaffrey-Peterborough District Courthouses at an annual cost of \$5,883. Effective January 14, 2010 through January 14, 2011. **100% General Funds.**

#21 Authorized Division of Personnel to **retroactively** accept and expend charitable grant funds in the amount of \$4,250 to support LEAN Process Management training. Effective September 21, 2009 through June 30, 2010. **100% Private Grant Funds.**

#21A Authorized a Working Capital Warrant in the amount of \$460,000,000 to cover expenditures for the Month of January 2010.

#22 Authorized Surplus Distribution to accept and expend \$67,766 in ARRA 2010 federal funds from the US Department of Agriculture for the purpose of distributing USDA commodity foods. Effective upon G&C approval through September 30, 2010. **100% Federal ARRA Funds. Contingent upon Fiscal Committee approval on January 8, 2010.**

#23 Authorized Bureau of Public Works Design and Construction to amend a contract with DL King & Associates Inc., (previously approved by G&C on 2-6-09, item #20), for interior finishes and facility enhancements at the NH Veterans' Home in Tilton, NH, by increasing the contingency in the amount of \$35,000 for unanticipated expenses. **100% General Funds.**

#24 Authorized Bureau of Public Works Design and Construction to enter into a contract with Gemini Electric Inc., Auburn, NH, for Electrical Renovations at various Turnpike Facilities, for a total price not to exceed \$357,100. (2)Further Authorized a contingency in the amount of \$40,000 for unanticipated expenses. (3)Further Authorized the amount of \$27,800 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction for engineering services provided. Effective upon G&C approval through September 2, 2010. **100% Turnpike Funds – Renewal – Replacement).**

#24A Authorized Telecommunications, to enter into a contract with Sprint Solutions Inc., Reston, VA, for the provision of Wireless Cellular Telephone and Wireless Cellular Data Services in an amount not to exceed \$1,500,000. Effective upon G&C approval through March 15, 2013.

#24B Authorized Telecommunications to enter into a contract with US Cellular Operating Company of Manchester-Nashua Inc., Chicago, IL, for the provision of Wireless Cellular Telephone and Wireless Cellular Data Services in an amount not to exceed \$1,800,000. Effective upon G&C approval through March 15, 2013.

#24C Authorized Bureau of Public Works Design and Construction to enter into a contract with Pellowe Construction LLC, Alton, NH, for mothballing of various buildings and tank removals at the Lakes Region Facility, Laconia and mothballing of the Tobey Building at the State Office Park South, Concord, for a total price not to exceed \$207,196. Effective upon G&C approval through March 1, 2010. **100% General Funds.**

STATE TREASURY

#25 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Shea authorized the request to issue a warrant from funds not otherwise appropriated in the amount of \$164,068 and the State Treasurer to issue checks in the amount of \$164,067.40 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#26 Authorized Division of Arts to grant an award in the amount of \$10,000 to the City Cultural Commission d/b/a ArtSpeak, Portsmouth, NH, for a collaborative regional partnership initiative for NH Artists. **100% Federal Funds.**

#27 Authorized Division of the Arts to grant a Partnership Initiative Grant for the Poetry Out Loud Project in the amount of \$18,000 to the Monadnock Writers Group, Peterborough, NH, for a collaborative partnership initiative for NH Schools. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#28 Authorized Division of the Arts to award a operating grant in the amount of \$10,500 to the NH Philharmonic Orchestra, Manchester. Effective upon G&C approval through June 30, 2010. **100% General Funds.**

#29 Authorized Division of the Arts to award Artlinks grants totaling \$16,360 to the organizations as detailed in letter dated December 29, 2009. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#30 Authorized Division of the Arts to award a two year operating grant totaling \$25,600 to the Concord Community Music School. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#31 Authorized Division of the Arts to award a two year operating grant totaling \$22,600 to the NH Music Festival, Center Harbor. Effective upon G&C approval through June 30, 2011. **100% General Funds.**

#32 Authorized Division of the Arts to award a one year operating grant totaling \$8,500 to the Saint Anselm College. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#33 Authorized Division of the Arts to award two year operating grants totaling \$54,600 to the organizations as detailed in letter dated November 10, 2009. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#34 Authorized Division of the Arts to award a one year operating grant totaling \$6,000 to Andy's Inc. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#35 Authorized Division of the Arts to award a one year operating grant totaling \$6,200 to NH Art Association Levy Gallery, Portsmouth. Effective upon G&C approval through June 30, 2010. **100% General Funds.**

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

The Governor and Council acted as follows:

#36 Authorized to accept and expend additional funds totaling \$104,561.11 received from the US Department of Agriculture Marketing Service to conduct programs benefitting NH Specialty Crops. Effective upon G&C approval through June 30, 2011. (2)Further Authorized to enter into a memorandum of understanding with the NH Department of Resources and Economic Development to continue a marketing project uniting NH agriculture with tourism in the amount of \$150,000. **100% Federal Funds. Fiscal Committee approved.**

#37 Authorized to enter into an agreement with NH Agriculture in the Classroom, Concord, NH, to develop key school education programming to state standards in the amount of \$10,000. Effective upon G&C approval through June 30, 2010. **100% Other Funds – UNH Grants.**

ATTORNEY GENERAL

The Governor and Council acted as follows:

#38 Authorized with Councilor Hollingworth and Councilor Pignatelli voting **no**, to accept and expend an additional \$50,000 in revenue received from settlement funds (Pfizer Drug Co.), to be used for the renovations to the recently acquired first floor of the building located on 33 Capital Street (formally the Laconia Savings Bank). Effective upon G&C approval through June 30, 2010. **100% Agency Income.**

#39 Authorized to enter into a subgrant with the Merrimack County Attorney Office in the amount of \$2,100 from the 2007 Violence Against Women Formula Grant, designed to provide services for women in NH who are victims of violent crimes. Effective upon G&C approval through February 28, 2010. **100% Federal Funds.**

#40 Authorized to enter into a subgrant in the amount of \$59,320 with the NH Department of Corrections, utilizing funds from the US Department of Justice's Bureau of Justice Assistance Second Chance Act Prisoner Reentry Grant, for the purpose of funding the implementation of the Division of Community Corrections' Second Chance Act Demonstration Project. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#41 Authorized to appoint Kevin H. O'Neill as an Assistant Attorney General, at a salary level of \$74,689.54 with a five year term that expires May 21, 2013.

#42 Authorized to designate Matthew G. Mavrogeorge as an attorney at a salary of \$56,000. Effective January 19, 2010.

#43 Authorized to accept and expend \$833 in a stipend from the Massachusetts College of Pharmacy and Health Sciences, Boston, MA to allow students to intern in the Office of the Chief Medical Examiner. Effective upon G&C approval through June 30, 2010. **100% Agency Income.**

#44 Authorized to accept and expend \$5,000 from the American Bar Association Antitrust Law Section, Janet D. Steiger Fellowship, Hartford, CT, for the purpose of providing funds to support and intern in the Consumer Protection and Antitrust Bureau for the summer of 2010. Effective upon G&C approval through September 30, 2010. **100% Agency Income.**

#45 Authorized to accept and expend an additional amount of \$37,342 from the National Institute of Justice (Federal Fiscal Year 2009, Paul Coverdell Forensic Science Improvement Program), to be utilized in support of forensic services in NH. Effective upon G&C approval through September 30, 2010. **100% Federal Funding.**

#46 Authorized to accept and expend a grant in the amount of \$173,000 from the NH Charitable Foundation to be utilized to support offender reentry efforts. Effective upon G&C approval through September 30, 2010. **100% Agency Income. Fiscal Committee approved.**

#47 Authorized to **retroactively** amend a federal award received from the US Department of Justice, Office on Violence Against Women, titled 2004 Rural Domestic Violence and Child Victimization Enforcement (previously approved by G&C on 12-3-08, item #41A), a grant program that provides services for women and Children where there is a co-occurrence of domestic violence and child abuse, by extending the end date from June 30, 2009 to December 31, 2010. (2)Further Authorized to **retroactively** amend a federal award received from the US Department of Justice, Office on Violence Against Women, titled 2004 Rural Domestic Violence and Child Victimization (previously approved by G&C on 12-3-08, item #41), a subgrant program that supports services for women and children where there is a co-occurrence of domestic violence and child abuse, by extending the end date of the subgrant to the NH Coalition Against Domestic and Sexual Violence from June 30, 2009 to December 31, 2010. **100% Federal Funds. Fiscal Committee approved.**

#48 **DENIED** – The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Shea, voted to **deny** the petition of Daniel K. Weir requesting a pardon hearing for the offense of Driving While Intoxicated. The petitioner is not eligible for an annulment until December 17, 2018.

#49 **DENIED** – The Governor and Council on motion of Councilor Shea, seconded by Councilor Hollingworth, voted to **deny** the petition of Justin J. Anderson requesting a pardon hearing for the offenses of Attempted Robbery (4 counts), Conspiracy to Commit Robbery (3 counts), and Theft of Services. The petitioner is not eligible for an annulment.

#49A Authorized to accept and place on file the Biennial Report for the period July 1, 2007 through June 30, 2009.

DEPARTMENT OF LABOR

#50 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request for **retroactive** pay for Tricia Smith, Administrative Assistant I, in the amount of \$2,216.45 for the period of December 28, 2007 through January 14, 2010. **100% Workers' Compensation Funds.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#51 Authorized to make a **retroactive** payment of \$45.82 to Lisa Asselin for a promotion not processed in SFY 2009 in error. **100% Federal Funds.**

#52 Authorized to make a **retroactive** payment to Arcomm Communications Corporation in the amount of \$577.50 for the purchase of fifteen emergency analog telephones on October 8, 2009. **100% Federal Funds.**

#53 Authorized to enter in to a contract with Rafferty Home Systems LLC d/b/a AMRAMP, Saugus, MA, for the installation of an American with Disabilities Act compliant access ramp at NHES's Manchester office building in the amount of \$17,420. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#54 Authorized to accept nonmonetary donations received during the period of September 1, 2009 through November 30, 2009.

#55 Authorized to accept donations from Child and Family Services of NH, Manchester, NH, for renovations to the Family Connection Center in Concord in the amount of \$20,000.

#56 Authorized to accept and expend a sub-grant from the Manchester Police Department in the amount of \$28,569 to support the "Child Sexual Predator Program" initiative by providing certified Probation/Parole Officers as part of a multi-agency effort to reduce child endangerment in the City of Manchester. Effective upon G&C approval through June 30, 2011. **100% Agency Income.**

#57 Authorized to **retroactively** exercise a renewal option to contract with Volunteers of America, Northern New England Inc., Brunswick, ME (previously approved by G&C on 12-11-07, item #31J), to operate an Academy Case Management Program for the Grafton County area, by increasing the amount from \$44,950 to \$89,900 resulting in a total contract increase from \$179,800 to \$224,750. Effective January 1, 2010 through June 30, 2010. **100% General Funds.**

NEW HAMPSHIRE COMMISSION FOR HUMAN RIGHTS

#57A The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to accept and expend federal revenues, received from the US Equal Employment Opportunity Commission in the amount of \$2,160. Effective upon G&C approval through June 30, 2010. (2)Further Authorized to make a travel reimbursement to the Executive Director Joni N. Esperian in the amount of \$1,051.90 for travel to the annual EEOC/FEPA Conference, held in Baltimore, MD, June 2-5, 2009. **100% Federal Funds.**

LIQUOR COMMISSION

#58 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to enter into a **sole source** contract with 2-1-1 NH United Way of NH, Manchester, NH, for the sole purpose of providing Call Center Services in the amount of \$100,000. Effective upon G&C approval through April 30, 2012. **100% Transfer Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#59 Authorized to enter into a contract with GDS Associates Inc., Marietta, GA, for energy efficiency audits in an amount up to \$160,000. Effective upon G&C approval through June 30, 2010. **100% Transfer from Other Agency – ARRA Funds.**

#60 Authorized Division of Parks and Recreation to make a **retroactive** payment to Time Warner Cable, Buffalo, NY, in the amount of \$84.95 for internet services at White Lake State Park during the period of December 2008. **100% Park Funds.**

#61 Authorized Division of Parks and Recreation to accept and expend donations totaling \$14,430.92 from a series of “Iron Rangers” located within multiple parks as detailed in letter dated December 4, 2009.

#62 Authorized Division of Parks and Recreation to make a **retroactive** payment to Fred Fuller Oil Co., Inc., Laconia, NH, in the amount of \$284.68 for a #2 Fuel Oil Delivery at Lafayette Campground on November 2, 2008. **100% Park Funds.**

#63 Authorized Bureau of Trails to accept the donation of use for a 2009 Artic Cat Prowler utility vehicle, valued at \$8,000 from Jericho Motorsports LLC, Berlin, NH. (2)Further Authorized to expand the DRED fleet by one vehicle to allow the Bureau to purchase this vehicle after the year of donated use, at a discounted price below the dealers cost.

#63A Authorized Division of Forests and Lands to enter into a contract with University Press of New England, Lebanon, NH, for publishing services in support of the NH Natural Heritage Bureau in the amount of \$25,900. Effective upon G&C approval through November 25, 2011. **100% Agency Income – Natural Heritage.**

FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#64 Authorized to pay the Association of Fish and Wildlife Agencies, Washington, DC, \$17,000 for annual membership dues. Effective upon G&C approval through June 30, 2010. **100% Fish and Game Funds.**

#65 Authorized Law Enforcement Division to accept a donation from Care Trak Systems Inc., of six Care Trak Units valued at \$3,000 per unit.

#66 Authorized to accept \$25,000 from The Conservation Fund (a national conservation organization) to be deposited in the Office of Energy and Planning’s Land Conservation Endowment established in the Department of Treasury, for easement monitoring and stewardship on behalf of NH Fish and Game Department as enable by an MOA approved by G&C on 6-25-08, item #16).

#67 Authorized to purchase a conservation easement on 338.2 acres in Lempster, NH from The Society for the Protection of NH Forests, Concord, NH, in the amount of \$200,000 and to accept a donation of an additional 140.8 acres of adjacent property (totaling 479 acres). (2)Further Authorized to accept a donation of conservation easements on an additional 1,277 acres in Lempster, NH from the Society for the Protection of NH Forests. Effective upon G&C approval through June 30, 2010. (3)Further Authorized to transfer \$20,000 to the Land Conservation Endowment Fund for easement monitoring and stewardship on behalf of NH Fish and Game Department, pursuant to an MOA approved by G&C on 6-25-08 through June 30, 2013, item #16. **100% Federal Funds.**

#67A Authorized to enter into a Lease Agreement with the City of Dover, for the purpose of managing and maintaining the City owned public access site on Barbadoes Pond. Effective upon G&C approval for a term of five years.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#68 Authorized to enter into a Cooperative Project Agreement with Rymes Heating Oils Inc., Concord, NH, to support the early replacement of delivery trucks in an amount not to exceed \$108,000. Effective upon G&C approval through September 30, 2010. **100% ARRA Federal Funds.**

#69 Authorized to enter into a grant agreement with Atlantic Distribution Services Inc., Exeter, NH, to support the purchase of up to twelve auxiliary power units in an amount not to exceed \$120,000. **100% ARRA Federal Funds.**

#70 Authorized to accept and expend \$99,166 in Federal funds from the National Ocean and Atmospheric Administration for red tide disaster relief assistance. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#71 Authorized to enter into a **sole source** memorandum of agreement with the Department of Health and Human Services, Division of Public Health Services, Public Health Laboratories and the Food Performance Liquid Chromatography – Mass Spectrometry laboratory analyses of shellfish tissue samples for red tide toxin in the amount of \$38,307. (2)Further Authorized to advance payment in the amount of \$19,153 to DHHS. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#72 Authorized to enter into a **sole source** memorandum of agreement with the NH Fish and Game Department to perform field sampling, to produce red tide outreach materials, and to provide technical assistance to prospective shellfish aquaculturists in the amount of \$46,848. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#73 Authorized to enter into a **retroactive** grant agreement with the Town of Exeter, NH, to fund Household Hazardous Waste collection projects totaling \$5,054. Effective October 1, 2009 through June 30, 2010. **100% Hazardous Waste Funds.**

#74 Authorized to **retroactively** amend an agreement with Trout Unlimited, Concord, NH (previously approved by G&C on 6-13-07, item #142), for the Nash Stream Restoration Project, by extending the completion date to December 31, 2010 from December 31, 2009. **100% Federal Funds.**

#75 Authorized to transfer funds between classes in the Brownfield SRF Loan program to allow a portion of funds to be used for grants instead of loans. Effective upon G&C approval through June 30, 2010. **100% Federal Funds. Fiscal Committee approved.**

#76 Authorized to award Brownfields Revolving Loan Fund Cleanup grants totaling \$400,000 to the entities as detailed in letter dated December 29, 2009, for addressing environmental contamination. Effective upon G&C approval through July 30, 2012. **100% Federal Funds.**

#77 Authorized to accept and record an Easement Deed and Restrictive Covenants to a property in Troy, NH that includes the Troy Mills Landfill Superfund site and its associated Groundwater Management Zone. Effective upon G&C approval.

#78 Authorized to amend a **sole source** agreement with US Geological Survey, Pembroke, NH (previously approved by G&C on 6-4-08, item #54), to provide additional bedrock mapping at the OK Tool/Savage Well Superfund Site, by increasing the amount by \$40,000 from \$150,000 to \$190,000. Effective upon G&C approval through March 24, 2010. **90% Federal, 10% Capital (General) Funds.**

#79 Authorized Robert J. Reich Revocable Trust's request to install two seasonal piers connected by a seasonal walkway in an "U" configuration and install a seasonal boatlift in the center slip on an average of 966 ft of frontage on Back Bay in Wolfeboro.

#80 Authorized John Deschenes' request to perform work on an average of 100 ft of frontage on the Nashua River in Nashua.

#81 **FAILED** – With Councilor Shea, Councilor Hollingworth, Councilor Wieczorek, and Councilor Pignatelli all voting **no**, Jack Szemplinski's request to perform work on an average of 184 ft of frontage on Lake Winnepesaukee in Alton **failed**.

#81A Authorized to amend a loan agreement with the Town of Newbury, NH, (previously approved by G&C on 8-19-09, item #109C), for work on the Blodgett Landing Wastewater Treatment Facility Phase 1 project, by increasing the amount by \$1,795,804 from \$934,388 to \$2,730,192. Effective upon G&C approval. **50% CWSFR Repayment Funds, 50% CWSFR ARRA Funds.**

#81B Authorized to amend a loan agreement with the Town of Canaan, (previously approved by G&C on 8-19-09, item #109D), to finance water improvements, by decreasing the amount by \$133,727 from \$594,000 to \$460,278. (2)Further Authorized to amend a loan agreement with the City of Keene (previously approved by G&C on 8-19-09, item #109D), to finance water improvements, by increasing the amount by \$133,272 from \$440,590 to \$573,862 Effective upon G&C approval. **50% DWSRF Repayment Funds, 50% Federal ARRA Funds.**

#81C Authorized to amend a loan agreement with the Town of Hanover, NH, (previously approved by G&C on 8-19-09, item #91), by decreasing the amount by \$565,000 from \$4,800,000 to \$4,235,000 due to the decrease in the scope of work for the Water Reclamation Facility Improvements project. **100% CWSRF Repayment ARRA Funds.** (2)Further Authorized to amend a loan agreement with the Town of Hanover (previously approved by G&C on 7-29-09, item #2), by increasing the amount by \$656,000 from \$1,200,000 to \$1,765,000 due to an increase in the scope of work for the Aeration System/Blower Replacement and Pump Station No. 5 Upgrade project. Effective upon G&C approval. **53% ARRA, 39% CWSRF Federal, 8% Capital (General) Funds.**

#81D Authorized to amend a loan agreement with the Town of Greenville (previously approved by G&C on 11-18-09, item #30), by increasing the amount by \$12,500 from \$862,500 to \$875,000 due to an increase in the scope of work for the Wastewater Treatment Facility Clarifier Upgrades project. (2)Further Authorized to amend a loan agreement with the Town of Durham, (previously approved by G&C on 10-7-09, item #46), by increasing the amount by \$695,585 from \$1,981,055 to \$2,676,640 due to an increase in the scope of work for the Wastewater Treatment Facility Aeration System Upgrade project. Effective upon G&C approval. **41.5% Federal, 8.5% Capital (General), and 50% ARRA Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Human Resource Management

#82 Authorized to make a one-time **retroactive** payment from SFY 2010 funds to Amy McCormack, Juvenile Probation & Parole Officer, Division for Juvenile Justice Services in the amount of \$1,642.73 to compensate for wages that were not paid for SFY 2009. **33% Federal, 67% General Funds.**

#83 Authorized to enter into an agreement with John Gfroerer d/b/a Accompany, Concord, NH, to produce a 25-30 minute web-based Realistic Job Preview video illustrating the role and responsibilities of two state classified positions; Child Protective Service Worker and Family Services Specialist, including a brief introduction to the benefits of employment with the State of NH and DHHS, in an amount not to exceed \$17,905. Effective upon G&C approval through September 30, 2011. **50% Federal, 50% General Funds.**

Division of Family Assistance

#84 Authorized to accept and expend \$91,700 of Supplemental Nutrition Assistance Program high performance bonus funds and Federal matching funds in the amount of \$83,384, for a total of \$175,084. Effective upon G&C approval through June 30, 2010. **Fiscal Committee approved.**

Office of Medicaid Business and Policy

#85 Authorized to make a payment in the amount of \$8,000 to the American Public Health Service Association, Washington DC, to allow DHHS participation in and support of a Multi-State Collaborative's work on health information technology and electronic health records during the current Federal Fiscal Year. Effective **retroactive** to October 1, 2009 through September 30, 2010. **90% Federal, 10% General Funds.**

Bureau of Developmental Services

#86 Authorized Special Medical Services Section to accept and expend NH Lifespan Respite Care Project federal funds from the US Department of Health and Human Services, Administration on Aging in the amount of \$61,321. Effective upon G&C approval through June 30, 2011. **Contingent on Fiscal Committee approval on January 8, 2010.**

Bureau of Elderly & Adult Services

#87 Authorized to accept and expend additional Centers for Medicare and Medicaid Services federal funds in the amount of \$225,225. Effective **retroactive** to January 4, 2010 through June 30, 2011. **100% Federal Funds. Contingent on Fiscal Committee approval on January 8, 2010.**

#88 Authorized to amend a **sole source** agreement with Lutheran Community Services of NH Inc., Concord, NH, (previously approved by G&C on 11-4-09, item #45B), to provide Deafness and Hearing Loss Access and Support Services and Foreign Language Interpreter Services, by increasing the amount by \$7,839.50 from \$49,839.50 to \$57,679, and by extending the termination date from December 31, 2009 to June 30, 2010. Effective **retroactive** to January 1, 2010. **56% Federal, 42% General, 2% Other (TANF Reimbursement) Funds.**

Bureau of Homeless and Housing Services

#89 Authorized to enter into an agreement with Center for Life Management, Derry, NH, to provide services to homeless individuals in an amount not to exceed \$276,192. Effective **retroactive** to August 26, 2009 through August 25, 2010. **100% Federal Funds.**

#90 Authorized to enter into an agreement with Harbor Homes Inc., Nashua, NH, to provide services to homeless individuals in an amount not to exceed \$192,112. Effective **retroactive** to July 1, 2009 through June 30, 2010. **100% Federal Funds.**

#91 Authorized to enter into an agreement with Families in Transition, Manchester, NH, to provide services to homeless individuals in an amount not to exceed \$93,865. Effective **retroactive** to October 1, 2009 through September 30, 2010. **100% Federal Funds.**

Bureau of Drug and Alcohol Services

#92 Authorized to amend an agreement with CADY Inc., Plymouth, NH, (previously amended by G&C on 6-3-09, item #140), to provide substance abuse prevention services, by increasing the price by \$11,096 from \$265,797 to \$276,893. (2)Further Authorized to amend agreements with the vendors as detailed in letter dated December 23, 2009, to provide substance abuse prevention and/or treatment services, by increasing the price for each vendor in an amount not to exceed \$137,795. Effective upon G&C approval through June 30, 2010. **100% General Funds.**

Division of Public Health Services

#93 Authorized Bureau of Laboratory Services, Healthcare Associated Infections Program, to enter into an agreement with HLN Consulting LLC, San Diego, CA, to conduct electronic data reporting assessments of 26 acute care hospitals, provide implementation funding to four to six hospitals, and to provide subject matter expertise for questions about electronic data reporting in an amount not to exceed \$90,000. Effective upon G&C approval through June 30, 2011. **100% Federal ARRA Funds.**

#94 Authorized Bureau of Community Health Services, Rural Health and Primary Care Section to renew and amend an agreement with Dr. Robert Slocum, licensed Doctor of Osteopathic Medicine, Newburyport, MA (previously approved by G&C on 12-11-07, item #57), to receive reimbursement for payment of educational loans through the State Loan Repayment Program, by increasing the amount by \$20,000 from \$20,000 to \$40,000, and by extending the completion date to June 30, 2012. **100% General Funds.**

#95 Authorized Bureau of Community Health Services, Rural Health and Primary Care Section to enter into an agreement with Dr. Ross Emery, Pediatrician, Intervale, NH, to receive reimbursement for payment of educational loans through the State Loan Repayment Program in an amount not to exceed \$75,000. Effective upon G&C approval through June 30, 2013. **100% General Funds.**

#96 Authorized Bureau of Community Health Services, Rural Health and Primary Care Section to renew and amend an agreement with Dr. Brian Irwin, Doctor of Osteopathic Medicine, Madison, NH (previously approved by G&C on 10-31-07, item #104), to receive reimbursement for payment of educational loans through the State Loan Repayment Program, by increasing the amount by \$35,000 from \$35,000 to \$70,000, and by extending the completion date to June 30, 2011. **100% General Funds.**

#97 Authorized Bureau of Community Health Services, Rural Health and Primary Care Section to enter into an agreement with Lucy Z. Wilson, Certified Nurse Midwife, Hopkinton, NH, to receive reimbursement for payment of educational loans through the State Loan Repayment Program in an amount not to exceed \$21,000. Effective upon G&C approval through June 30, 2013. **100% General Funds.**

#98 Authorized Bureau of Community Health Services, Rural Health and Primary Care Section to enter into an agreement with Brett C. Auclair, Advanced Registered Nurse Practitioner, Rochester, NH, to receive reimbursement for payment of educational loans through the State Loan Repayment Program in an amount not to exceed \$7,600. Effective upon G&C approval through June 30, 2011. **100% General Funds.**

#99 Authorized Bureau of Laboratory Services, Public Health Laboratories to accept and expend federal funds in the amount of \$499,042 from the federal Department of Health and Human Services, Food and Drug Administration to fund the Food Emergency Response Network – Microbiological Program activities. Effective upon G&C approval through June 30, 2011. **Fiscal Committee approved.**

#100 Authorized Bureau of Disease Control and Health Statistics, Disease Control Section to accept and expend federal funds in the amount of \$60,000 from the US Department of Health and Human Services' Office of the Assistance Secretary for Preparedness and Response to fund the continued development in NH of the Emergency System for Advance Registration of Volunteer Health Professionals. (2)Further Authorized to accept additional transfers from Other Agencies funds in the amount of \$59,940 from DHHS. Effective upon G&C approval through September 29, 2010. **Fiscal Committee approved.**

#101 Authorized Bureau of Prevention Services, Tobacco Prevention and Control Program, to enter into a **sole source** agreement with the City of Nashua, Department of Public Health and Community Services, Nashua, NH, to support a local health department initiative, in an amount not to exceed \$75,000. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#102 Authorized Office of Health Statistics and Data Management to amend an agreement with Macro International Inc., Burlington, VT (previously amended by G&C on 10-21-09, item #66), to add questions, increase the number of cell phone interviews, and add mail follow-up, by increasing the amount by \$126,205 from \$610,437 to \$736,642. Effective upon G&C approval. **62% Federal, 38% Other (fees for benefitting organizations) Funds.**

#103 Authorized Bureau of Community Health Services, Maternal and Child Health Section to exercise a contract renew and amend option with the Family Resource Center at Gorham, Gorham, NH (previously approved by G&C on 5-16-07, item #97), to provide home visiting services, by increasing the price by \$30,352 from \$60,704 to \$91,056, and by extending the completion date to June 30, 2010. Effective **retroactive** to July 1, 2009. **100% General Funds.**

#104 Authorized Community Public Health Development Section to amend a **sole source** agreement with the Town of Exeter, NH, (previously amended by G&C on 11-18-09, item #56), to improve readiness for, and response to, the H1N1 influenza pandemic, by increasing the price by \$126,381 from \$112,495 to \$238,876. (2)Further Authorized advanced payment not to exceed 25% of the amendment amount, for costs for projects within the agreement, which includes the burden of a new part-time position and conducting H1N1 vaccination clinics. Effective **retroactive** to November 4, 2009. **100% Federal Funds.**

#105 Authorized Community Public Health Development Section to amend a **sole source** agreement with the Manchester Health Department, Manchester, NH, (previously amended by G&C on 10-7-09, late item L), to improve readiness for, and response to, the H1N1 influenza pandemic, by increasing the price by \$176,246 from \$521,495 to \$697,741. (2)Further Authorized advanced payment not to exceed 25% of the amendment amount, for costs for projects within the agreement, which includes the burden of conducting H1N1 vaccination clinics. Effective **retroactive** to October 7, 2009. **100% Federal Funds.**

#106 Authorized Community Public Health Development Section to amend a **sole source** agreement with the Carroll County Coalition for Public Health, Center Ossipee, NH, (previously amended by G&C on 10-7-09, late item J), to improve readiness for, and response to, the H1N1 influenza pandemic, by increasing the price by \$87,083 from \$112,495 to \$199,578. (2)Further Authorized advanced payment not to exceed 25% of the amendment amount, for costs for projects within the agreement, which includes the burden of conducting H1N1 vaccination clinics. Effective **retroactive** to October 7, 2009. **100% Federal Funds.**

#107 Authorized Community Public Health Development Section to amend a **sole source** agreement with Mid-State Health Center, Plymouth, NH, (previously amended by G&C on 10-7-09, late item M), to improve readiness for, and response to, the H1N1 influenza pandemic, by increasing the price by \$72,329 from \$112,495 to \$184,824. (2)Further Authorized advanced payment not to exceed 25% of the amendment amount, for costs for projects within the agreement, which includes the burden of a new part-time position and conducting H1N1 vaccination clinics. Effective **retroactive** to October 7, 2009. **100% Federal Funds.**

#108 Authorized Community Public Health Development Section to amend a **sole source** agreement with Cheshire County, Keene, NH, (previously amended by G&C on 10-7-09, item #73), to improve readiness for, and response to, the H1N1 influenza pandemic, by increasing the price by \$125,087 from \$137,495 to \$262,582. (2)Further Authorized advanced payment not to exceed 25% of the amendment amount, for costs for projects within the agreement, which includes the burden of conducting H1N1 vaccination clinics. Effective **retroactive** to October 7, 2009. **100% Federal Funds.**

New Hampshire Hospital

#109 Authorized to amend the Consultant List (previously approved by G&C on 6-17-09, item #252), by adding The Pharmacist Connection, Manchester, NH, to provide pharmacy services as needed at NHH. Effective **retroactive** to January 1, 2010 through June 30, 2011. **69% General, 30% Federal, 1% Other (reimbursement from School Districts).**

Glencliff Home

#110 Authorized to enter into a contract with ATC Group Services Inc., Manchester, NH, to provide Wastewater Laboratory services in an amount not to exceed \$8,075.40. Effective upon G&C approval through June 30, 2011. **100% General Funds.**

NEW HAMPSHIRE BOARD OF OPTOMETRY

#111 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to accept and place on file the annual report for FY08 and FY09.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#112 Authorized with Councilor Hollingworth voting **no** due to lack of selection criteria, the Division of Instruction to contract with GEM Consulting, Hollis, NH, or organize assessment data and work with the NH Assessment group in order to improve the analysis and reporting of assessment data to the field 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 contract. Effective upon G&C approval through September 30, 2010 with the option to renew for one addition fiscal year. **100% Federal Funds.**

#113 Authorized with Councilor Hollingworth voting **no** due to lack of selection criteria, the Division of Instruction to contract with Judith Curran Buck, Derry, NH, to work with other content specialists from ME, VT, and RI on all aspects of NECAP (New England Common Assessment Program) test development in Mathematics 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 contract. Effective upon G&C approval through June 30, 2010 with the option to renew for one addition fiscal year. **100% Federal Funds.**

#114 Authorized with Councilor Hollingworth voting **no** due to lack of selection criteria, the Division of Instruction to contract with Michael Mason Williamson, Amherst, NH, to work with other content specialists from ME, VT, and RI on all aspects of NECAP (New England Common Assessment Program) test development in Reading and Writing 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 contract. Effective upon G&C approval through June 30, 2010 with the option to renew for one addition fiscal year. **100% Federal Funds.**

#115 Authorized with Councilor Hollingworth voting **no** due to lack of selection criteria, the Division of Instruction to contract with Robert F. Hanson Jr., Strafford, NH, to provide technical assistance in the area of mentoring and supporting school leaders 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 contract. Effective upon G&C approval through June 30, 2010 with the option to renew for one addition fiscal year. **100% General Funds.**

#116 Authorized with Councilor Hollingworth voting **no** due to lack of selection criteria, the Division of Instruction to contract with Elaine McNulty Knight, Exeter, NH, to provide assistance to districts/schools in creating the infrastructure and common understanding necessary to implement an RTI (Response to Intervention) system 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 contract. Effective upon G&C approval through June 30, 2010 with the option to renew for one addition fiscal year. **100% General Funds.**

#117 Authorized with Councilor Hollingworth voting **no** due to lack of selection criteria, the Division of Instruction to contract with Cecile Carlton, Nashua, NH, to provide technical assistance of NH schools and districts in the area of mathematics 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 contract. Effective upon G&C approval through June 30, 2010 with the option to renew for one addition fiscal year. **100% General Funds.**

#118 Authorized Division of Instruction to contract with Christina Felix, Lee, NH, to provide technical assistance of NH schools and districts in the area of middle and high school Reading and Writing 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 contract. Effective upon G&C approval through June 30, 2010 with the option to renew for one addition fiscal year. **100% General Funds.**

#119 Authorized to utilize the services of Ravindra Luckoor, MD, to provide medical consultants in an amount not to exceed \$20,736. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#120 Authorized to utilize the services of Thomas Gordon Hand, MD, to provide medical consultants in an amount not to exceed \$10,000. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#121 Authorized to amend a grant to the Lutheran Community Services, Concord, NH, (previously approved by G&C on 7-15-09, item #128), to provide English as a Second Language classes to newly arriving refugees in the Concord and Laconia communities, by increasing the amount from \$53,237.91 by \$26,822.22 to an amount not to exceed \$80,060.13. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#122 Authorized to accept and expend ARRA funds in the amount of \$3,209,375 from the US Department of Education. (2)Further Authorized to establish two classes: class 050 (Personal Services – Part Time Temporary) and class 059 (Personal Services – Full Time Temporary) position for one Program Specialist III. Effective upon G&C approval through December 31, 2011. **100% Federal ARRA Funds. Contingent upon Fiscal Committee approval on January 8, 2010.**

#123 Authorized Division of Instruction and DHHS, Division of Public Health Services to amend a memorandum of understanding (previously approved by G&C on 9-9-09, item #107), to support school-based vaccination campaign planning for swine-origin influenza A virus, now known as novel Influenza A (H1N1), by increasing the amount by \$50,645 from \$40,000 to \$90,645. (2)Further Authorized to accept Transfers from Other Agencies in the amount of \$50,645. (3)Further Authorized to establish Part Time Positions and one part-time temporary position, utilizing funds from the Center for Disease Control and Prevention's grant "Public Health Emergency Response". Effective upon G&C approval through July 30, 2010. **100% Federal DHHS Transfer Funds. Contingent upon Fiscal Committee approval on January 8, 2010.**

#124 Authorized to budget and expend grant funds in the amount of \$330,833.34. Effective upon G&C approval through June 30, 2010. **100% Federal Funds. Contingent upon Fiscal Committee approval on January 8, 2010.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#125 Authorized Division of Homeland Security and Emergency Management to appropriate \$650,000 to pay the Town of Allenstown to acquire and demolish flood damaged homes on Riverside Drive and Albin Avenue with FY2009 funds. Effective **retroactive** to July 1, 2009 through June 30, 2011. **100% General Funds.**

#126 Authorized Division of Motor Vehicles to renew a contract with NHTI – Concord's Community College, Concord, NH, to provide parking area and classroom space for the Motorcycle Rider Education Program for an amount not to exceed \$22,750. Effective upon G&C approval through October 31, 2010. **100% Motorcycle Rider Education Fund.**

#127 Authorized Division of Homeland Security and Emergency Management to amend local grants as detailed in letter dated December 17, 2009, (previously approved by G&C on 8-19-09, item #209), by extending the completion date to December 31, 2010. **100% Federal Funds.**

#128 Authorized Division of State Police to **retroactively** pay annual membership dues of \$5,300 to the Commercial Vehicle Safety Alliance, Washington, DC, for the period of January 1, 2010 through December 31, 2010. **80% Federal, 20% Highway Funds.**

#129 Authorized Grants Management Unit to enter into a memorandum of understanding and grant the Trustees of Dartmouth College of Hanover, NH in the amount of \$311,584 of Federal Department of Homeland Security FY 2009 funds for emergency medical response teams in the region. Effective upon G&C approval through July 31, 2012. **100% Federal Funds.**

#130 Authorized Director of State Police to restore 760 hours and 00 minutes of sick leave to Trooper Phillip B. Gaiser and 265 hours and 12 minutes to the State Police Sick Bank Donations.

#131 Authorized Division of Homeland Security and Emergency Management to enter into grant agreements with the Town of Colebrook and the City of Laconia for activities associated with enhancing local all-hazard planning for a total amount of \$19,850. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#132 Authorized Bureau of Turnpikes to transfer \$5,447,241 in FY 2010 and \$5,562,184 in FY 2011 between classes as detailed in letter dated October 29, 2009. **Fiscal Committee approved.**

#133 Authorized to transfer \$1,618,000 in FY 2010 between classes as detailed in letter dated November 20, 2009. **Fiscal Committee approved.**

#134 Authorized to accept and expend federal ARRA funds in the amount of \$310,070 for Forest Highway projects. (2)Further Authorized to enter into a contract with Pike Industries Inc., Belmont, NH, for pavement rehabilitation along NH Route 112 in the Town of Woodstock on the basis of a single bid of \$997,860.50. (3)Further Authorized a contingency in the amount of \$29,935.82 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through August 27, 2010. **Fiscal Committee approved. 100% Federal ARRA Funds.**

#135 Authorized a waiver of Plant and Property Management Rules, to increase the fleet by 7 vehicles with the purchase of one new truck and the retention of 6 vehicles which are scheduled to be surplus. Effective upon G&C approval. **100% Federal Funds.**

#136 Authorized to compensate David Rodrigue, Interim District One Engineer, up to the total sum of \$6,273 for travel and relocation expenses associated with a temporary promotion and transfer of his official worksite from District Three-Gilford to District One-Lancaster, for the period **retroactive** to September 18, 2009 through March 18, 2010. (2)Further Authorized to compensate David Rodrigue while working as Interim District One Engineer, a per diem rate of \$51 per day for the period from March 19, 2010 through June 30, 2010, total not to exceed \$3,672, or the end date of any future DAS Division of Personnel temporary promotion. Effective upon G&C approval. **100% Highway Funds.**

#137 Authorized with Councilor Wieczorek voting **no**, to **retroactively** reclassify position #17361 from an Engineering Technician V, LG 22, to Supervisor VI, LG 27, Bureau of Mechanical Services, Fuel Distribution.

#138 Authorized to continue membership and participation with the International Bridge, Tunnel and Turnpike Association, Washington, DC, by paying annual membership dues in the amount of \$19,556 for Calendar Year 2010. **100% Turnpike Funds.**

#139 Authorized Bureau of Traffic to enter into a contract with Interstate Electrical Services Corporation of NH Inc., Bedford, NH, for Fire Alarm System Testing and Maintenance Services at the Bureau of Traffic facilities in the amount of \$8,000. Effective upon G&C approval through June 30, 2011. **100% Highway Funds.**

#140 Authorized Bureau of Highway Design to enter into an agreement with Cardno TBE, Clearwater, FL, to identify subsurface utility facilities statewide for an amount not to exceed \$500,000. Effective upon G&C approval through January 31, 2013.

#141 Authorized to accept and place on file the Monthly Equipment Acquisition Plan status report for the period ending November 30, 2009.

#142 Authorized Bureau of Rail and Transit to expend an amount not to exceed \$88,031 and enter into an agreement with the City of Laconia, NH for railroad repair work in Laconia. Effective upon G&C approval through May 15, 2010. **100% Special Railroad Funds. Contingent upon Fiscal Committee approval on January 8, 2010.**

#143 Authorized Bureau of Planning and Community Assistance to enter into a **sole source retroactive** Cooperative Project Agreement with the University of NH, Civil Engineering Department, Durham, NH, to administer the Local Technical Assistance Program for a fee not to exceed \$126,006. Effective January 1, 2010 through June 30, 2010. **100% Federal Funds.**

#144 Authorized Bureau of Right of Way to pay various owners \$58,846.40 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from November 18, 2009 through December 23, 2009. Effective upon G&C approval.

#145

TUITION REQUESTS

The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the requests:

- A. ENVIRONMENTAL SERVICES** – Request permission to pay White Mountain Community College, Berlin, New Hampshire, the sum of \$600.00 for the sole purpose of enrolling Alan Kjellander, Treatment Plant Operator I, in the course entitled “Wastewater Analysis”. Source of funds: 100% Winnepesaukee River Basin Funds
- B. ENVIRONMENTAL SERVICES** – Request permission to pay White Mountain Community College, Berlin, New Hampshire, the sum of \$600.00 for the sole purpose of enrolling Timothy Pelletier, Treatment Plant Operator I, in the course entitled “Wastewater Analysis”. Source of funds: 100% Winnepesaukee River Basin Funds
- C. PUBLIC HEALTH SERVICES** – Request permission to pay University of New Hampshire, Manchester, NH, the sum of \$1,751.00 for the sole purpose of enrolling Donna Fleming, Administrator I, in the course entitled “Public Health Policy Analysis”. Source of funds: 100% Federal
- D. PUBLIC HEALTH SERVICES** – Request permission to pay SAS Institute, Inc, Cary, NC, the sum of \$3,747.00 for the sole purpose of enrolling Thomas Lambert, Program Planner III, in the on-line courses entitled “SAS Programming 1 Certification Program, Basic Concepts” and “SAS Programming 2 Certification Program, Advanced”. Source of funds: 100% Federal

Requested Tuition Total: \$6,698.00

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Shea, seconded by Councilor Wieczorek, voted to remove item #19- which was tabled at the May 6, 2009 Meeting

DEPARTMENT OF ADMINISTRATIVE SERVICES

#19 The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Shea and further on a roll call vote of: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – **no**, Councilor Pignatelli – **no**, voted to approve the petition for Waiver of the State’s Workers’ Compensation Lien submitted by Timothy Copeland, in the amount of \$241,000. The Governor negated the vote, therefore, the item **failed**.

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton, voted to remove item #17- which was tabled at the December 9, 2009 Meeting

DEPARTMENT OF ADMINISTRATIVE SERVICES

#17 **WITHDRAWN** – The Agency withdrew the request of the Bureau of Public Works Design and Construction to enter into a contract with Gemini Electric Inc., Auburn, NH, for electrical renovations at various State turnpike facilities for a total price not to exceed \$395,900. (2)Further Authorized a contingency in the amount of \$40,000 for additional unanticipated expenses bringing the total to \$435,900. Effective upon G&C approval through July 2, 2010. **100% Turnpike Funds – Renewal – Replacement.**

LATE ITEMS

STATE TREASURY

A. Authorized to accept and expend \$400,000 of federal funds to be received in FY 2010 and \$1,600,000 in FY 2011, for the purpose of paying debt service interest. Effective upon G&C approval through June 30, 2011.
100% ARRA Funds.

Next regular Governor and Executive Council meeting is scheduled for Wednesday, January 27, 2010 at 10:00 a.m. at the State House in Concord, New Hampshire.

The Honorable Board then Adjourned at 12:50 p.m.

3:10 p.m. - The Governor and Council swore into office the following representative-elect:

Rockingham County District No. 8 (Hampstead, Kingston, Plaistow)
Kenneth L. Weyler, r, Kingston (23 Scotland Road) 03848