

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
January 27, 2010 10:00 a.m.

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

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The Governor and Executive Council on motion of Councilor Hollingworth, seconded by Councilor Wieczorek, accepted the minutes of January 13, 2010.

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The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Shea approved the appointment of several persons nominated for Civil Commissions from the January 13, 2010 meeting.

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RESIGNATIONS

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

Adult Parole Board

George Khoury, Salem

Effective: June 7, 2010

Division for Children, Youth and Families Advisory Board

(Merrimack County)

Donna Raycraft, Concord

Effective: January 27, 2010

Board of Nursing

(RN)

Barbara Brown, Littleton

Effective: January 27, 2010

CONFIRMATIONS

The Governor and Council confirmed the following:

Adult Parole Board

Mark E. Furlone, Chesterfield

Succeeding: Megan DeVorse, Concord (resigned)

Effective: January 27, 2010

Term: March 15, 2010

Adult Parole Board

M. Kathryn McCarroll, Derry

Succeeding: Robert Hamel, Manchester

Effective: January 27, 2010

Term: September 29, 2014

Advanced Manufacturing Education Advisory Council

(Public Member)

Victor C. Kissel, Westmoreland

Reappointment

Effective: January 27, 2010

Term: December 18, 2012

Athletic Trainers Governing Board

Amy Hollingworth, Derry

Reappointment

Effective: January 27, 2010

Term: January 8, 2013

Compensation Appeals Board

(Employer/Insurer)

Nominated by the Commissioner of Labor

Maureen E. Dwyer-Heinrichs, Kingston

Reappointment

Effective: January 27, 2010

Term: January 1, 2013

Compensation Appeals Board

(Labor)

Nominated by the Commissioner of Labor

Albert G. Karam, Manchester

Reappointment

Effective: January 27, 2010

Term: January 1, 2013

Compensation Appeals Board

(Employer/Insurer)

Nominated by the Commissioner of Labor

Harry G. Ntapolis, Manchester

Reappointment

Effective: January 27, 2010

Term: January 1, 2013

Compensation Appeals Board

(Employer/Insurer)

Nominated by the Commissioner of Labor

Thomas F. Parks Jr., Dover

Reappointment

Effective: January 27, 2010

Term: January 1, 2013

Compensation Appeals Board

(Attorney)

Nominated by the Commissioner of Labor

S. David Siff, Concord

Reappointment

Effective: January 27, 2010

Term: January 1, 2013

Connecticut River Valley Resource Commission

(Statewide Conservation Organization)

Robert W. Christie, Lancaster

Reappointment

Effective: January 27, 2010

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: January 27, 2010

Term: December 23, 2011

Dropout Prevention and Dropout Recovery Oversight Council

(Public Member)

George A. Cushing, Milton

Reappointment

Effective: January 27, 2010

Term: October 8, 2012

Electrician's Board

(Public Member)

Patricia A. Tormey, Derry

Succeeding: Dennis S. Hager, Concord (resigned)

Effective: January 27, 2010

Term: August 26, 2011

Board of Home Inspectors

(Home Inspector)

Daryl Justham, Rochester

Reappointment

Effective: January 27, 2010

Term: December 18, 2011

Board of Home Inspectors

(Public Member)

Kevin M. McEaney, Dover

Succeeding: Donald Lavallee, Hampton (resigned)

Effective: January 27, 2010

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: January 27, 2010
Term: January 27, 2013

Liquor Commission: Commissioner

Joseph W. Mollica, (i), Sunapee
Succeeding: Patricia Russell, Keene (resigned)
Salary: GG Step 4: \$86,131

Effective: January 27, 2010
Term: July 1, 2011

Marital Master

Nominated by the Administrative Judge of the Judicial Court, Family Division
Jennifer A. Lemire, Stratham
Succeeding: Diane M. Nicolosi, Concord

Effective: January 27, 2010
Term: May 3, 2012

Oil Fund Disbursement Board

(Petroleum Dealer)
Thomas Klemm, Salem
Reappointment

Effective: January 27, 2010
Term: January 1, 2013

Penalty Appeal Board

(Labor)
David W. Laughton, Auburn
Reappointment

Effective: January 27, 2010
Term: January 5, 2013

Pesticides Control Board

(Physician)
Joseph R. Snow, Concord
Reappointment

Effective: January 27, 2010
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: January 27, 2010
Term: June 30, 2012

Public Water Access Advisory Board

(Public Member)
Mary Ellen Pfeifle, Bradford
Reappointment

Effective: January 27, 2010
Term: October 27, 2012

Racing and Charitable Gaming Commission

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

Effective: January 27, 2010
Term: January 21, 2013

State Radiation Advisory Committee

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

Effective: January 27, 2010
Term: October 14, 2013

Waste Management Council

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

Effective: January 27, 2010
Term: December 23, 2013

Waste Management Council

(Municipal Officer)

Charles E. Connell, Moultonborough

Reappointment

Effective: January 27, 2010

Term: December 23, 2013

Waste Management Council

(Public Member)

G. Bradley Richards, Rye

Reappointment

Effective: January 27, 2010

Term: November 10, 2013

Water Council

(Granite State Designers and Installers Association)

Deborah L. Hinds, Boscawen

Succeeding: Bruce Barnard, Hebron (resigned)

Effective: January 27, 2010

Term: June 13, 2010

NOMINATIONS

The Governor placed into nomination the following:

Aviation Users Advisory Board

(Airport Authority)

Ernest F. Loomis, Concord

Succeeding: Joseph R. Alosa, Sr. Concord

Effective: Upon confirmation

Term: July 25, 2013

Cannon Mountain Advisory Board

Gerald I. Coogan, New London

Succeeding: Georgie Thomas, Thornton

Effective: Upon confirmation

Term: January 1, 2012

Division for Children, Youth and Families Advisory Board

(Merrimack County)

Nominated by the Commissioner of Health and Human Services

Debra M. Coe, Concord

Succeeding: Donna Raycraft, Concord (resigned)

Effective: Upon confirmation

Term: July 1, 2010

Compensation Appeals Board

(Labor)

Nominated by the Commissioner of Labor

Roger E. Gagnon, Manchester

Reappointment

Effective: Upon confirmation

Term: February 9, 2013

Compensation Appeals Board

(Labor)

Nominated by the Commissioner of Labor

Daniel P. Manning, Manchester

Reappointment

Effective: Upon confirmation

Term: February 9, 2013

Compensation Appeals Board

(Attorney)

Nominated by the Commissioner of Labor

Richard A. Mitchell, Candia

Reappointment

Effective: February 13, 2010

Term: February 13, 2013

Compensation Appeals Board

(Attorney)

Nominated by the Commissioner of Labor

Norman J. Patenaude, Portsmouth

Reappointment

Effective: February 15, 2010

Term: February 15, 2013

Compensation Appeals Board

(Attorney)

Nominated by the Commissioner of Labor

William J. Schubert, Manchester

Reappointment

Effective: February 15, 2010

Term: February 15, 2013

Cultural Resources, Division of Libraries Director

Nominated by the Commissioner of Cultural Resources

Michael York, Goffstown

Reappointment

Salary: GG Max: \$90,606

Effective: February 10, 2010

Term: February 12, 2014

Board of Education

(District 3)

Daphne A. Kenyon, Windham

Reappointment

Effective: Upon confirmation

Term: January 31, 2014

Judicial Retirement Plan Board of Trustees

(Business Experience)

Jack R. Hutton, Concord

Reappointment

Effective: Upon confirmation

Term: October 22, 2012

Board of Nursing

(RN)

Kathleen R. Hartman, Pittsburg

Succeeding: Barbara Brown, Littleton (resigned)

Effective: Upon confirmation

Term: May 11, 2010

Physical Therapy Governing Board

(Physical Therapist Assistant)

Ronald Fuller, Henniker

Reappointment

Effective: Upon confirmation

Term: January 8, 2013

Department of Transportation: Assistant Commissioner

Nominated by the Commissioner of Transportation

David J. Brillhart, Concord

Reappointment

Salary: KK Max: \$112, 861

Effective: February 28, 2010

Term: February 28, 2014

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#1 Authorized to amend a grant with the County of Grafton, North Haverhill, NH, (previously approved by G&C on 8-13-08, item #4), for developing 25 units of affordable housing, by transferring \$480,000 from the acquisition line to the residential rehabilitation line item, and by extending the end date from June 30, 2010 to June 30, 2011. **100% Federal Funds.**

#2 Authorized to enter into an agreement with the City of Nashua, NH, for the purpose of establishing financing mechanisms for purchase and redevelopment of foreclosed upon homes and residential properties; purchasing and rehabilitating homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties; demolishing blighted structures; and redeveloping demolished or vacant properties in the amount of \$1,500,000. Effective upon G&C approval hrough March 9, 2013. **100% Federal Funds.**

#3 Authorized to award a grant to the Town of Enfield, NH, for the purpose of assisting Celdara Medical LLC, with a business expansion activity in the amount of \$180,000. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

OFFICE OF ENERGY AND PLANNING

#3A The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton authorized the request to enter into a **sole source** Cooperative Project Agreement with the University System of NH acting through the University of NH, Durham, NH, for work to be accomplished as part of the ARRA – Innovative Initiatives Program in the amount of \$750,000. Effective upon G&C approval through April 30, 2012. **100% Federal Funds.**

DEPARTMENT OF INFORMATION TECHNOLOGY

#4 The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Burton, and with Councilor Wieczorek voting **no**, authorized the request to reclassify position #14251 Supervisor of Computer Operations, labor grade 19 (\$34,866) to Technical Support Specialist II, labor grade 21 (\$37,849.50). **100% Liquor Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#5 **WITHDRAWN** – The Agency withdrew the request of Craig E. Bennett, Dupage, IL, be nominated for promotion to the rank of Brigadier General, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

#6 Authorized Raymond R. Valas, Bow, NH, be nominated for promotion to the rank of Lieutenant Colonel, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

#7 Authorized Brian D. Fernandes, Manchester, NH, be nominated for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#8 **WITHDRAWN** – The Agency withdrew the request of the 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. Fiscal Committee approved.**

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

#10 Authorized Bureau of General Services – Telecommunications, to amend a contract with Fiber Technologies Networks LLC, Rochester, NY (previously amended by G&C on 5-18-05, item #12), for leased dark fiber facilities for the amount of \$72,000. Effective August 1, 2010 through July 30, 2012. **100% Revolving Funds.**

#11 Authorized Bureau of Public Works Design and Construction to enter into a contract with Dec-Tam Corporation, No. Reading, MA, for the abatement and interior demolition of the Hillsborough County Courthouse North, Manchester, NH, for a total price not to exceed \$938,626. (2)Further Authorized a contingency in the amount of \$93,000 for unanticipated expenses, bringing the total to \$1,031,626. Effective upon G&C approval through May 1, 2010. **100% General Funds.**

#12 Authorized Telecommunications to amend a contract with G4 Communications of Manchester, NH, (previously approved by G&C on 6-25-08, item #55), to include data circuits to interface with their legacy data equipment reducing the cost of network implementation at no additional cost to the State. Effective upon G&C approval through June 24, 2013.

DEPARTMENT OF REVENUE ADMINISTRATION

#12A The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton authorized the request to place Ms. Melinda Cyr in unclassified position #9U431, Audit Team Leader (Tax Policy Analyst) Group II, maximum step (\$78,467) from unclassified position #9U152, Field Audit Leader, Group DD, Step 5 (\$74,060). Effective upon G&C approval. **100% General Funds.**

STATE TREASURY

#13 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 \$73,359, and to issue checks in the amount of \$73,358.02 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#14 Authorized Division of the Arts to enter into a contract with Emile Birch d/b/a Silver Birch Design Associates, Canaan, NH, for the repairs to various artwork purchased by the State Art Fund in the amount of \$10,250. Effective upon G&C approval through June 30, 2010. **100% Conservation Plate Funds.**

#15 Authorized State Library to award a Conservation Number Plate Grant in the amount of \$5,189 to Dover Public Library, for preservation microfilming of historically significant NH newspapers. **100% Conservation Plate Funds.**

NH DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

#16 The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton authorized the request to accept and expend additional funds totaling \$229,319.98 received from the US Department of Agriculture Agricultural Marketing Service to conduct programs benefitting NH Specialty Crops. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

ATTORNEY GENERAL

The Governor and Council acted as follows:

#17 Authorized to conduct a daylong summit entitled "2010 Drug Summit" scheduled for March 30, 2010 to be held at Nonni's CHI LLC, Concord, NH, at a cost not to exceed \$9,538 to address the unique issues and challenges faced in responding to prescription drug abuse in NH. Effective upon G&C approval through May 31, 2010. **33% Agency Income, 67% Federal Funds.** (2) Further Authorized to accept and expend registration fees for the "2010 Drug Summit" in the amount of \$25 from each of an estimated 125 attendees, for a total amount not to exceed \$3,125, to help defray the cost of the training and facility expenses. Effective upon G&C approval through May 31, 2010. **100% Agency Income.** (3) Further Authorized to enter into an agreement with Nonni's CHI LLC, for the purpose of providing necessary conference facilities and food services for the summit in an amount not to exceed \$8,538. Effective upon G&C approval through March 31, 2010. **37% Agency, 63% Federal Funds.**

#17A Authorized to enter into a **sole source** contract with the NH Alcohol and Drug Abuse Counselors Association d/b/a NH Training Institute on Addictive Disorders, Merrimack, NH, for training and travel coordination for individuals who are in collaboration with the Division of Community Corrections in the amount of \$56,271. Effective upon G&C approval through June 30, 2010. **70% Federal, 30% Agency Income Funds.**

INSURANCE DEPARTMENT

#18 The Governor and Council on motion of Councilor Shea, seconded by Councilor Wiczorek authorized the request to enter into a **sole source** contract with Lorette Gendron, to assist the Director of Consumer and Compliance Services in the review and disposition of filings submitted by property and casualty insurance companies related to policy forms and contracts in the amount of \$5,000. Effective upon G&C approval through June 30, 2010. **100% Insurance Assessment Funds.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#19 Authorized to amend a contract with Alarm Computer Technology, Fall River, MA, (previously approved by G&C on 11-18-09, item #20), for additional building security camera installation services at NHES's Concord administrative office building, by increasing the amount by \$790 from \$7,397 to \$8,187. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#20 Authorized to enter into a contract with RWN Property Services, North Conway, NH, for rooftop snow removal services at NHES office statewide in the amount of \$48,000. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#21 Authorized to amend a contract with Amoskeag Carrier, Manchester, NH, (previously approved by G&C on 6-13-07, item #66), for in-state courier services for one additional site location, by increasing the amount from \$68,120 to \$68,780 and a SFY 2011 increase from \$68,120 to \$69,680 resulting in a total increase from \$269,880 to \$272,100. Effective February 1, 2010 through June 30, 2011. **100% General Funds.**

#22 Authorized to enter into a **sole source** contract with NH Alcohol & Drug Abuse Counselors Association d/b/a NH Training Institute on Addictive Disorders, Gilford, NH, to provide Level of Service Inventory – Revised training coordination and training services in the amount of \$5,193. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#23 NOT USED

#24 Authorized to enter into a contract with New England Home Therapies Inc., d/b/a NE-HT, Concord, NH, to provide On-Site Temporary Medical Equipment and Supply services in the amount of \$26,981.52. Effective February 1, 2010 through January 31, 2012. **100% General Funds.**

#25 Authorized to enter into a contract with New England Home Therapies Inc., d/b/a NE-HT, Concord, NH, to provide On-Site Temporary Medical Equipment and Supply services in the amount of \$88,673.08. Effective February 1, 2010 through January 31, 2012. **100% General Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#26 Authorized Division of Parks and Recreation to budget and expend FEMA funds of \$209,536.48 that were unexpended as of June 30, 2009. These funds were for flood-damages suffered on DRED-managed lands on White Island during the April 2007 rainstorm. Effective upon G&C approval through June 30, 2011. **Fiscal Committee approved.**

#27 Authorized to **retroactively** amend funds from the Workforce Opportunity Council Inc., (previously approved by G&C on 10-7-09, item #40B), for Layoff Aversion activities by changing the effective date from G&C approval (October 7, 2009), to October 1, 2009 through June 30, 2010. **100% Federal Funds.**

#28 Authorized to accept and place on file the Mining and Reclamation 2009 Annual Report.

#29 Authorized to accept and place on file the report regarding season passes issued for Cannon Mountain during fiscal year 2010.

#30 Authorized Division of Parks and Recreation to accept and expend donations totaling \$1,612.08 from a series of "Iron Rangers" located within multiple parks.

#31 Authorized to budget and expend FEMA funds of \$23,307.87 that were unexpended as of June 30, 2009. These funds were for the water related damages suffered on public lands in Belknap, Coos and Grafton counties during the July 24, 2008 through August 14, 2008 flooding. Effective upon G&C approval through June 30, 2011. **100% Transfer (FEMA) Funds.**

#32 Authorized Division of Parks and Recreation to accept twelve picnic tables valued at \$1,000 from the Sant Bani School of Sanbornton, NH for Wellington State Park.

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

#33 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to enter into a **sole source** contract with Franklin Pierce University for the purpose of conducting winter hibernacula surveys for endangered and special concern bats in NH for a total of \$6,801.70. Effective upon G&C approval through June 30, 2010. **75% Federal, 25% Other (Nongame) Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#34 Authorized to amend a loan agreement with Tilton-Northfield Water District (previously amended by G&C on 12-9-09, late item #A), to finance water improvements, by increasing the amount by \$356,201 from \$808,388 to \$1,164,589. Effective upon G&C approval. **50% DESRF Repayment, 50% Federal ARRA Funds.**

#35 Authorized to **retroactively** amend a Cooperative Project Agreement with the University of NH, Office of Sponsored Research, Durham, NH, (previously approved by G&C on 5-6-09, item #73), for the purpose of completing the Water Management Plan for the Souhegan Instream Flow Pilot Program, by extending the end date from December 31, 2009 to September 30, 2010. **No additional funding. 100% General Funds.**

#36 Authorized to enter into a grant agreement with the Town of Hudson Conservation Commission, Hudson, NH, for the purpose of milfoil control activities in Robinson Pond in the amount of \$14,332.50. Effective upon G&C approval through December 31, 2010. **100% Lakes Restoration Funds.**

#37 Authorized to enter into an agreement with Judith A. Pescinski d/b/a Pescinski Industrial Painting, Hill, NH, for industrial painting services in the amount of \$20,500. Effective upon G&C approval through June 15, 2010. **100% WRBP Funds.**

#38 Authorized a loan agreement with the Town of Peterborough to finance a wastewater treatment facility improvement project in the amount of \$7,360,000. Effective upon G&C approval. **83% CWSRF Loans, 17% Capital-General Funds.**

#39 Authorized to enter into an agreement with Synagro Northeast LLC, Naugatuck, CT, for digester cleaning and sludge dewatering in the amount of \$42,900. Effective upon G&C approval through May 15, 2010. **100% WRBP Funds.**

#40 Authorized a supplemental loan agreement with the Town of Newbury, to finance the Wastewater Treatment facility replacement project, by lowering the original loan by \$457,804.94 from \$765,612 to \$307,807.03. Effective upon G&C approval. **100% Loan Repayment Funds.**

#41 Authorized to enter into a grant agreement with the Lee's Pond Association, Moultonborough, NH, for the purpose of milfoil control activities in Lees Pond in the amount of \$5,835. (2)Further Authorized advance payment in the amount of \$1,600. Effective upon G&C approval through December 31, 2010. **100% Lakes Restoration Funds.**

#42 Authorized to enter into a grant agreement with the Glendale Cove Association Inc., Glandale, NH, for the purpose of milfoil control activities in Smith Cove on Lake Winnepesaukee in the amount of \$7,200. Effective upon G&C approval through December 31, 2010. **100% Lakes Restoration Funds.**

#43 Authorized to enter into a contract with Heath Consultants Incorporated, Houston, TX, to conduct leak detection surveys at twenty-seven NH community water systems in the amount of \$110,000. Effective upon G&C approval through September 30, 2011. **100% Federal ARRA Funds.**

#44 Authorized to **retroactively** amend a Local Source Water Protection Grant to the Southern NH Planning Commission, Manchester, NH (previously amended by G&C on 5-20-09, item #57), to complete a project to better protect drinking water from contamination, by extending the completion date to December 31, 2010 from December 31, 2009. **No additional funding. 100% Federal Funds.**

#45 Authorized to award a Local Source Water Protection grant to the Pickpocket Woods Well Association Inc., Exeter, NH, to complete a project to protect drinking water from contamination in the amount of \$5,151. Effective upon G&C approval through May 31, 2011. **100% Federal Funds.**

#46 Authorized to enter into a **sole source** software maintenance service contract with Riverside Technology Inc., Fort Collins, CO, for improvements to an existing watershed modeling computer application, in the amount of \$100,800. Effective upon G&C approval through December 31, 2010. **100% Dam Maintenance Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Human Resource Management

#47 Authorized to make a one-time **retroactive** payment from SFY 2010 funds to Scot Foster, in the amount of \$827.76 to compensate for wages that were not paid for SFY 2009. **100% Federal Funds.**

Disability Determination Unit

#48 Authorized to amend an agreement with Patricia I. Williams, Concord, NH (previously approved by G&C on 6-17-09, item #189), to function as a Medical Disability Determination Systems Development Specialist, by increasing the price by an amount not to exceed \$4,800 from \$20,000 to \$24,800. Effective upon G&C approval through June 30, 2010. **50% Federal, 50% General Funds.**

Bureau of Developmental Services

#49 **WITHDRAWN** – The Agency withdrew the request of the Special Medical Services Section to accept and expend NH Lifespan Respite Care Project federal funds from the US Department of HHS, Administration On Aging in the amount of \$61,321. Effective upon G&C approval through June 30, 2011. **Fiscal Committee approved.**

Bureau of Elderly & Adult Services

#50 Authorized to amend a **sole source** agreement with Lakes Region Partnership for Public Health Inc., Laconia, NH, (previously amended by G&C on 6-17-09, item #209), to provide State health Insurance Assistance Program services and Veteran Directed – Home and Community Based Services by the ServiceLink Resource Center of Belknap County, by increasing the amount by \$74,873 from \$956,264.76 to \$1,031,137.76. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#51 Authorized to amend a **sole source** agreement with Ossipee Concerned Citizens Inc., Center Ossipee, NH, (previously approved by G&C on 10-21-09, item #81), to provide Nutrition Services/congregate meals to elderly individuals, by increasing the amount by \$14,700 from \$48,909.84 to \$63,609.84. Effective upon G&C approval through September 30, 2010. **100% Federal ARRA Funds.**

#52 Authorized to amend a **sole source** agreement with Rockingham Nutrition and Meals on Wheels Program Inc., Brentwood, NH, (previously approved by G&C on 10-21-09, item #79), to provide Nutrition Services/congregate meals to elderly individuals, by increasing the amount by \$13,536.69 from \$101,850.56 to \$115,387.25. Effective **retroactive** to January 1, 2010 through September 30, 2010. **100% Federal ARRA Funds.**

#53 Authorized to amend a **sole source** agreement with Community Action Program Belknap and Merrimack Counties Inc., Concord, NH, (previously approved by G&C on 10-21-09, item #78), to provide Nutrition Services/congregate meals to elderly individuals, by increasing the amount by \$23,908.30 from \$28,781.20 to \$52,689.50. Effective **retroactive** to January 1, 2010 through June 30, 2010. **100% Federal ARRA Funds.**

#54 Authorized to amend a **sole source** agreement with Tri-County Community Action Program Inc., (previously approved by G&C on 10-21-09, item #72), to provide Nutrition Services/congregate meals to elderly individuals, by increasing the amount by \$3,675 from \$48,027.42 to \$51,702.42. Effective upon G&C approval through September 30, 2010. **100% Federal ARRA Funds.**

#55 Authorized to amend a **sole source** agreement with Somersworth Housing Authority, Somersworth, NH, (previously approved by G&C on 10-21-09, item #77), to provide Nutrition Services/congregate meals to elderly individuals, by increasing the amount by \$11,582.50 from \$17,561.32 to \$29,143.82. Effective **retroactive** to January 1, 2010 through June 30, 2010. **100% Federal ARRA Funds.**

Division of Child Support Services

#56 Authorized to enter into a contract with Merrimack County Visitation Center, Concord, NH, to provide access, visitation and mediation services in the amount of \$30,000. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#57 Authorized to enter into a contract with Monadnock Family Services Inc., Keene, NH, to provide access, visitation and mediation services in the amount of \$19,000. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#58 Authorized to enter into a contract with Good Beginnings of Sullivan County, Claremont, NH, to provide access, visitation and mediation services in the amount of \$18,000. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#59 Authorized to enter into a contract with Tri-County Community Action Program Inc., Berlin, NH, to provide access, visitation services in the amount of \$10,000. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#60 Authorized to enter into a contract with Tri-County Community Action Program Inc., Berlin, NH, to provide access, visitation and mediation services in the amount of \$22,000. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

Division of Public Health Services

#61 Authorized with Councilor Wiczorek voting **no**, the Bureau of Communicable Disease Surveillance, NH Immunization Program to reclassify position #42892 Program Assistant II, salary grade 15 to Licensing & Evaluation Coordinator, salary grade 20. **100% Federal Funds.**

#62 Authorized Bureau of Community Health Services, Maternal and Child Health Section, Early Hearing Detection and Intervention to enter into an agreement with Mary Jane Sullivan, Hampton, NH, to provide technical expertise and monitor the quality improvement activities of the NH Early Hearing Detection and Intervention in an amount not to exceed \$40,000. Effective upon G&C approval through December 31, 2011. **100% Federal Funds.**

#63 Authorized Community Public Health Development Section to amend a **sole source** agreement with the City of Nashua, Division of Public Health and Community Services, Nashua, NH, (previously amended by G&C on 12-9-09, items #123 and #132), to improve readiness for, and response to the H1N1 influenza pandemic, by increasing the price by \$145,083 from \$456,495 to \$601,578. (2)Further Authorized advanced payment in FY 2010 not to exceed 25% of the amendment amount, for costs for projects within the agreement, which includes conducting H1N1 vaccination clinics. Effective **retroactive** to October 21, 2009. **100% Federal Funds.**

#64 NOT USED

#65 Authorized Bureau of Prevention Services, Nutrition and Health Promotion Section to amend an agreement with Southern NH Services Inc., Manchester, NH, (previously amended by G&C on 5-20-09, item #80), to provide funding for clinic improvements at the local agency, by increasing the price by \$10,243 from \$3,278,318 to \$3,288,561. Effective upon G&C approval. **100% Federal Funds.**

#66 Authorized Bureau of Prevention Services, Nutrition and Health Promotion Section to amend an agreement with Coos County Family Health Services Inc., Berlin, NH, (previously amended by G&C on 6-3-09, item #101), to provide funding for clinic improvements at the local agency, by increasing the price by \$9,914 from \$400,377 to \$410,291. Effective upon G&C approval. **100% Federal Funds.**

#67 Authorized Bureau of Prevention Services, Nutrition and Health Promotion Section to amend an agreement with Rockingham Community Action, Portsmouth, NH, (previously amended by G&C on 6-17-09, item #107), to provide funding for clinic improvements at the local agency, by increasing the price by \$9,900 from \$1,509,440.47 to \$1,519,340.47. Effective upon G&C approval. **100% Federal Funds.**

#68 Authorized Bureau of Prevention Services, Nutrition and Health Promotion Section to amend an agreement with Community Action Program of Belknap and Merrimack Counties Inc., Concord, NH, (previously amended by G&C on 6-3-09, item #100), to provide funding for clinic improvements at the local agency, by increasing the price by \$10,243 from \$2,550,948 to \$2,561,191. Effective upon G&C approval. **100% Federal Funds.**

New Hampshire Hospital

#69 Authorized to accept nonmonetary donations from the NH Hospital Association, Foundation for Healthy Communities to support NHH's emergency preparedness. (2)Further Authorized to accept and expend other funds of (1) \$10,000 from the NH Hospital Association, Foundation for Healthy Communities to fund NHH emergency preparedness; and, (2) \$6,666 from the NH Hospital Association, Foundation for Healthy Communities to fund the H1N1 program. **100% Other Funds.**

NEW HAMPSHIRE BOARD OF MEDICINE

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

NEW HAMPSHIRE VETERANS HOME

The Governor and Council acted as follows:

#71 Authorized to enter into a contract with Technical Gas Products Inc., North Haven, CT, to provide Oxygen and Respiratory services to the Homes residents in the amount of \$57,060. Effective upon G&C approval through November 30, 2012. **31% Federal, 39% Agency Income, 30% General Funds.**

#72 Authorized to enter into a contract with RTH Mechanical Services, Brentwood, NH, to provide miscellaneous HVAC and plumbing services in the amount of \$36,520. Effective upon G&C approval through December 31, 2012. **100% General Funds.**

#73 Authorized to enter into a **retroactive** contract with Lakes Region General Healthcare Foot Clinic, Laconia, NH, to provide foot clinic services to the Homes residents in the amount of \$79,500. Effective November 1, 2009 through November 30, 2012. **31% Federal, 30% General, 39% Other Funds.**

STATE VETERANS COUNCIL

#74 The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Burton authorized the request to accept and expend monetary contributions in the amount of \$200 for the use of the Veterans Council service delivery programs. The donations were received during the period of December 1, 2009 and January 11, 2010.

POSTSECONDARY EDUCATION COMMISSION

#75 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Hollingworth authorized the request to accept and expend additional federal grant funds in the amount of \$120,760 from the US Department of Education for the purpose of providing grants to college students. Effective upon G&C approval through June 30, 2010. **100% Federal Funds. Fiscal Committee approved.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#76 Authorized to enter into a contract with Northeast Deaf and Hard of Hearing Services Inc., Concord, NH, to provide one on one independent living skills support and education, coordination, advocacy and life coaching for individuals who are deaf or hard of hearing in an amount not to exceed \$32,670. (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, 2011. **100% Federal ARRA Funds.**

#77 Authorized to enter into a cooperative agreement with the Institute on Disability, University of NH, Office of Sponsored Research, to support at-risk children and youth with disabilities through evidence-based problem solving frameworks statewide technical assistance, for a total of \$750,000. (2)Further Authorized payment for services rendered and approved in lieu of withholding 25% of the total of the agreement. Effective upon G&C approval through June 30, 2011 with the option to renew for up to two additional fiscal years. **100% Federal Funds.**

#78 **WITHDRAWN** – The Agency withdrew the request of the Division of Instruction to amend a memorandum of understanding with DHHS, Division of Public Health Services (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 funds in the amount of \$50,645 from DPHS. Effective upon G&C approval through July 30, 2010. (3)Further Authorized to establish one part-time temporary position utilizing form the Center for Disease Control and Prevention’s grant “Public Health Emergency Response”. Effective upon G&C approval through June 30, 2010. **100% Transfers Federal Funds. Fiscal Committee approved.**

#79 Authorized to grant funds to Merrimack County Department of Corrections, Concord, NH, to assist in the operation of the approved career and technical education programs in the amount of \$9,126. Effective upon G&C approval through November 30, 2010. **100% Federal Funds.**

#80 Authorized to make a **sole source** payment to the General Educational Developing Testing Service for the Authorized use of the GED Option program for secondary school students in the amount of \$20,000. Effective upon G&C approval through June 30, 2010. **100% General Funds.**

#81 Authorized Division of Career Technology and Adult Learning to enter into a contract with Office Interiors LTD, Dover, NH, to relocate and reconfigure existing workstations in an amount not to exceed \$11,600. Effective January 28, 2010 through February 15, 2010. **100% Federal Funds.**

#82 Authorized to grant the North Country Education Services, funds to pay for supplemental educational services to be provided by North Country Education Services to migrant students and families in an amount not to exceed \$55,375. Effective upon G&C approval through June 30, 2010 with the option to renew for up to two additional fiscal years. **100% Federal Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#83 Authorized Division of Homeland Security and Emergency Management to transfer \$270,572 for the purpose of providing local all-hazard planning grants to NH municipalities. Effective upon G&C approval through June 30, 2010. **100% Federal Funds. Fiscal Committee approved.**

#84 Authorized Division of State Police to accept and expend an additional \$77,045 of federal funds from the NH Highway Safety Agency entitled Enforcement Patrols, for the purpose of motor vehicle enforcement on the State’s interstate systems. Effective upon G&C approval through June 30, 2010. **100% Agency Income. Fiscal Committee approved.**

#85 Authorized Division of State Police to accept and expend an additional \$53,625 of federal funds from the NH Highway Safety Agency entitled DWI Patrols for the purpose of combating the DWI problem statewide. Effective upon G&C approval through June 30, 2010. **100% Agency Income. Fiscal Committee approved.**

#86 Authorized Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Eaton, to enhance the town's local all-hazard plan for \$4,500. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#87 Authorized Division of Homeland Security and Emergency Management to enter into grant agreements with North Country Council Inc., and Southern NH Planning Commission, to provide technical assistance to local communities for the update of hazard mitigation plans in the total amount of \$40,000. Effective upon G&C approval through July 10, 2012. **100% Federal Funds.**

#88 Authorized Division of Homeland Security and Emergency Management to expend State Matching Funds for Federal Emergency Management Agency Public Assistance Grants in the amount of \$816,341.28. Effective upon G&C approval. **100% General Funds.**

#89 Authorized Division of Homeland Security, and Emergency Management to enter into grant agreements with the seven Regional Planning Commissions as detailed in letter dated January 12, 2010, to provide technical assistance to local communities for the update of hazard mitigation plans in the total amount of \$195,000. Effective upon G&C approval through July 10, 2012. **100% Federal Funds.**

#90 Authorized Division of Homeland Security, and Emergency Management to enter into a grant agreement with the Town of Salisbury to enhance the towns local all-hazard plan for \$5,000. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#91 Authorized Division of Motor Vehicles to enter into a contract with L-1 Identity Solutions Operating Company Inc., Chicago, IL, to provide software and services required to successfully install an Automated Driver License Testing system in the amount of \$465,462. (2)Further Authorized to make an advanced payment for extended warranties in the amount of \$102,870 for warranties which extend past the expiration date of April 30, 2010. Effective upon G&C approval through February 28, 2015. **100% Federal Funds.**

#91A Authorized Bureau of Emergency Communications to enter into a **sole source** contract with NeuStar Inc., Sterling, VA, to operate the Local Number Portability Enhanced Analytical Platform subscription essential for E-911 in the amount of \$5,000. Effective upon G&C approval through January 27, 2011. **100% Agency Income.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#92 Authorized to accept and place on file the Monthly Equipment Acquisition Plan status report for the period ending December 31, 2009.

#93 Authorized to enter into a **sole source** agreement with the American Association of State Highway and Transportation Officials, Washington, DC, for licensing the usage of AASHTO's Safety Analyst computer software in the amount of \$18,750. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#94 Authorized to amend a contract with PB Americans Inc., Manchester, NH (previously approved by G&C on 5-4-05, item #154), for final design engineering for the northern section of the Salem-Manchester I-93 widening project, by extending the completion date from February 26, 2010 to May 31, 2010.

#95 Authorized Bureau of Right of Way to transfer control of a parcel of State owned land, consisting of 1.64 acres, located in the Town of Effingham to the NH Department of Fish and Game. (2)Further Authorized Fish and Game to accept control of a parcel of land, consisting of 1.64 acres, located in the Town of Effingham from the NH Department of Transportation. Effective upon G&C approval.

#96 Authorized Bureau of Right of Way petition for a hearing on the reconstruction and widen of NH 12 in the Towns of Walpole and Charlestown, NH. A Commission should be appointed to hold a hearing, and find if there is necessity to layout the new highway at this location, with a suggested budget of \$4,000.

#97 Authorized Bureau of Right of Way's Contemplated Award List for amounts less than \$5,000 for the sum total of \$50,149.25 for the period extending from October 1, 2009 through December 31, 2009.

#98 Authorized Bureau of Right of Way to pay various owners \$26,335.77 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from December 24, 2009 through January 8, 2010. Effective upon G&C approval.

#99 Authorized to accept and place on file the Bureau of Construction's summary report of active projects that may require contingencies for the period through December 31, 2009.

#100 Authorized Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for pavement and bridge rehabilitation on 6 bridges on I-93 in Sanbornton and New Hampton on the basis of a low bid of \$4,086,726.50. (2)Further Authorized a contingency in the amount of \$286,070.86 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 1, 2010. **100% Federal Funds.**

#101 Authorized Bureau of Construction to enter into a contract with N. Pandelena Construction Co., Inc., Hampstead, NH, for two intersection improvements at the intersection of NH Route 125 and NH Route 111A (Middle Road) and at the intersection of NH Route 125 and North Road in Brentwood on the basis of a low bid of \$745,398.25. (2)Further Authorized a contingency in the amount of \$74,539.83 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through September 10, 2010. **100% Federal Funds.**

#102 Authorized Bureau of Materials & Research to enter into a **sole source** agreement with the NorthEast Transportation Training & Certification Program, Marshfield, MA, to participate in NETTCP's training and certification program in an amount not to exceed \$65,000. Effective upon G&C approval through July 31, 2011. **100% Federal Funds.**

#103 Authorized Bureau of Environment to enter into two prequalified, low bid, cost-based contracts for a combined total of \$300,000 with the following firms: (1) Monadnock Archaeological Consulting LLC, Stoddard, NH, for \$160,000 and (2) URS Corporation, Burlington, NJ, for \$140,000 to undertake certain cultural resources investigations involving historical archaeological studies for transportation purposes. Effective upon G&C approval through January 2012.

#104 Authorized Bureau of Environment to enter into two prequalified, low bid, cost-based contracts for a combined total of \$300,000 with the following firms: (1) Monadnock Archaeological Consulting LLC, Stoddard, NH, for \$160,000 and (2) Hartgen Archaeological Associates, Rensselaer, NY, for \$140,000 to undertake certain cultural resource investigations involving pre-contract, Native American archaeological studies for transportation purposes. Effective upon G&C approval through January 2012.

#105 **WITHDRAWN** – The Agency withdrew the request of the 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. Fiscal Committee approved.**

#106 Authorized Bureau of Rail & Transit to enter into an agreement with Nelson Nygaard Consulting Associates Inc., Boston, MA, to assist welfare and eligible low-income individuals with access to jobs and employment-related activities, and expand the transportation mobility options available to people with disabilities, for an amount not to exceed \$151,058. Effective upon G&C approval though March 1, 2012. **100% Federal Funds.**

#107 Authorized Bureau of Environment to enter into four prequalified, low bid, cost-based contracts for a combined total of \$500,000 with the following firms: (1) Elizabeth Durfee Hengen, Preservation Consultant, Concord, NH, for \$155,000; (2) Preservation Company, Kensington, NH, for \$135,000; (3) Historic Documentation Company Inc., Portsmouth, RI, for \$115,000; and (4) Lisa B. Mausolf, Preservation Consultant, Reading, MA, for \$95,000 to undertake certain cultural resource investigations for transportation purposes. Effective upon G&C approval through January 2012.

#108 Authorized Bureau of Human Resources to enter into a **sole source** agreement with Sam McKeeman, Camden, ME, for employee training in an amount not to exceed \$5,000. Effective upon G&C approval through February 22, 2010. **40% Turnpike, 34% Federal, 25% Highway, 1% Other Income Funds.**

LATE ITEMS

DEPARTMENT OF ENVIRONMENTAL SERVICES

A. Authorized the Department to approve loan agreements with the Winnepesaukee River Basin Program and the City of Keene in the amount of \$3,270,000 to finance wastewater improvement projects. **68.8% CWSRF Repayment Funds, 31.2% ARRA Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

B. Authorized the Department to amend a loan agreement with the City of Lebanon, which increases the original loan agreement by \$452,240 from \$7,331,000 to \$7,783,240 due to an increase in the scope of work for the CSO Projects. 2) Further authorize the Department to amend a loan agreement with the City of Portsmouth, which increases the original loan agreement by \$800,000 from \$2,200,000 to \$3,000,000 due to an increase in the scope of work for the State Street Utilities and Road Upgrade project. **41.5% Federal, 8.5% Capital and 50% ARRA Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

C. Authorized the Department to amend a loan agreement with the City of Nashua, which increases the original loan agreement by \$250,000 from \$1,300,000 to \$1,550,000 due to an increase in the scope of work for the Haines Street Sewer Separation Project. **41.5% Federal, 8.5% Capital and 50% ARRA Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

D. Authorized to designate Timothy Rourke as Chairperson of the Governor's Commission on Alcohol and Drug Abuse Prevention, Intervention, and Treatment.

Next regular Governor and Executive Council meeting is scheduled for Tuesday, February 9, 2010 at 10:00 a.m. at the State House in Concord, New Hampshire.

The Honorable Board then Adjourned at 11:30 a.m.