

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
 Manchester Readiness Center, Manchester, NH
 July 28, 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 Wiczorek, accepted the minutes of July 14, 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 July 14, 2010 meeting.

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Councilor Wiczorek noted that Mayor Gatsas spoke with the Councilors at their breakfast meeting regarding the REGGIE Program at the Public Utilities Commission. The Council has requested that they have an active part in the decision making progress, and that they are made aware of everyone who applied for grants under this program.

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CONFIRMATIONS

The Governor and Council confirmed the following:

Atlantic States Marine Fisheries Commission

G. Ritchie White, Rye
 Reappointment

Effective: September 24, 2010
 Term: September 24, 2013

Board of Chiropractic Examiners

Keith J. Zimmermann, Bow
 Succeeding: Leo M. Kenney, North Conway (term limited)

Effective: August 24, 2010
 Term: August 24, 2015

Community Development Finance Authority

(Community Development Organization)
 Brian F. Hoffman, Bedford
 Reappointment

Effective: July 28, 2010
 Term: July 1, 2015

Deferred Compensation Commission

(Public Employee at large)
 Craig A. Downing, Manchester
 Reappointment

Effective: July 28, 2010
 Term: July 15, 2013

Deferred Compensation Commission

(Unclassified state employee)
 Thomas F. Manning, Manchester
 Reappointment

Effective: July 28, 2010
 Term: July 15, 2013

Enhanced 911 Commission

(Police Officer)
 George F. Valliere, Gorham
 Reappointment

Effective: July 28, 2010
 Term: July 22, 2013

Board of Registration of Funeral Directors and Embalmers

Bryan S. Gould, Woodsville
 Succeeding: Cynthia M. Rogers, Bristol (term limited)

Effective: July 28, 2010
 Term: June 13, 2015

New Hampshire Health and Education Facilities Authority

Thomas R. Horgan, Amherst
 Reappointment

Effective: July 28, 2010
 Term: June 30, 2015

Juvenile Parole Board

Kelly Stoller, Milford
Reappointment

Effective: July 28, 2010
Term: July 1, 2015

Lakes Management Advisory Committee

(Business & Industry Association)
Wendell Berry, Jr., Newport
Reappointment

Effective: July 28, 2010
Term: July 8, 2013

Board of Optometry

Denis Allard, Manchester
Reappointment

Effective: July 28, 2010
Term: July 1, 2015

Board of Licensing & Regulation of Plumbers

(Journeyman Plumber)
Kim M. Trisciani, Manchester
Reappointment

Effective: July 28, 2010
Term: July 1, 2015

State Veterans Council

Kenneth Leidner, Concord
Reappointment

Effective: July 28, 2010
Term: June 30, 2013

Wetlands Council

(Construction)
Nominated by the Associated General Contractors
Ryan Crosbie, Barrington
Succeeding: Dennis Lydon, Raymond

Effective: July 28, 2010
Term: July 11, 2013

NOMINATIONS

The Governor placed into nomination the following:

Board of Architects

Christopher P. Williams, Meredith
Reappointment

Effective: September 9, 2010
Term: September 9, 2015

Business Finance Authority

James M. Halepis, Stratham
Succeeding: Katherine Williams Kane, New Castle (resigned)

Effective: Upon confirmation
Term: November 3, 2012

Board of Dental Examiners

A. Joseph Williams III, Nashua
Succeeding: Gerald A. Smith, Bow

Effective: Upon confirmation
Term: July 15, 2015

Enhanced 911 Commission

Nominated by the NH Association of Fire Chiefs
Douglas M. Aiken, Moultonborough
Reappointment

Effective: Upon confirmation
Term: July 8, 2013

State Board of Fire Control

(Chief of Municipal Fire Department)
Daniel L. Andrus, Bow
Reappointment

Effective: Upon confirmation
Term: July 8, 2015

Board of Foresters

(Private Forester)

Thomas Hahn, Ashland

Reappointment

Effective: August 22, 2010

Term: August 22, 2015

State Historical Records Advisory Board

Sally Fellows, Exeter

Succeeding: William E. Ross, Dover

Effective: Upon confirmation

Term: January 2, 2012

Lakes Management Advisory Committee

(Member of a Conservation Commission)

Diane Hanley, Gilford

Reappointment

Effective: August 22, 2010

Term: August 22, 2013

State Commission on the Status of Men

Elaine Holden, Peterborough

Reappointment

Effective: September 1, 2010

Term: September 1, 2013

New Motor Vehicle Arbitration Board

(Alternate - Knowledgeable in Auto Mechanics)

George F. Dykstra, Chichester

Reappointment

Effective: Upon confirmation

Term: May 26, 2013

New Motor Vehicle Arbitration Board

(Knowledgeable in Auto Mechanics)

Robert N. Stephen, Franklin

Reappointment

Effective: August 28, 2010

Term: August 28, 2013

Nashua Police Commission

Thomas J. Pappas, (d), Nashua

Reappointment

Effective: September 1, 2010

Term: September 1, 2013

Postsecondary Education Commission

(Representing St. Anselm's College)

(on Recommendation of NH College and University Council)

Jonathan DeFelice, Manchester

Reappointment

Effective: Upon confirmation

Term: June 30, 2015

New Hampshire Retirement System Board of Trustees

Nominated by the NH Police Association

Dean Crombie, Somersworth

Reappointment

Effective: Upon confirmation

Term: July 1, 2012

Water Council

(Treatment Plant Operator)

Malcolm R. Butler, Hillsborough

Reappointment

Effective: August 22, 2010

Term: August 22, 2014

Water Council

(Granite State Designers & Installers Association)

Deborah Lynn Hinds, Boscawen

Reappointment

Effective: Upon confirmation

Term: June 13, 2014

#1 **CONSENT CALENDAR - DONATIONS:****DEPARTMENT OF EDUCATION**

- A. Authorized the Division of Program Support to accept a donation in the amount of \$8,996.

OFFICE OF THE ADJUTANT GENERAL

- B. Authorized to accept donations of a brick & monument engraving, kiosk computer, computer services, travel expenses, plants, and mover in the amount of \$22,914.15 for the NH State Veterans Cemetery.

DEPARTMENT OF HEALTH AND HUMAN SERVICES**New Hampshire Hospital**

- C. Authorized to accept donations from contributors in the amount of \$1,530.39 for the period of April 1, 2010 through June 30, 2010, and to deposit same into the NH Hospital Resident Benefit Fund.
- D. Authorized to accept nonmonetary donations with a value of \$700, for items received during the period of April 1, 2010 through June 30, 2010.

#2 **CONSENT CALENDAR - TRAVEL:**

- A. **SAFETY – Division of State Police** - Request permission for three (3) employees, Sergeant Nathan Boothby, Trooper Carl Huddleston and Trooper Scott Atherton, or their designees, to travel to Forest Hill, MD for three days from August 8, 2010 through August 11, 2010 to attend Haenni Portable Scales Training-Loadometer Corporation. Permission is also requested for a waiver to exceed the 300 mile radius by state vehicle. **Total Cost: \$651.00. Source of Funds: 81% Highway, 19% Turnpike. No Registration Fees.**

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#3 Authorized to award a grant to the County of Cheshire, Keene, NH, for the purpose of constructing the Second Chance for Success transitional housing facility, to be located in Keene, in the amount of \$500,000. Effective upon G&C approval through December 31, 2011. **100% Federal Funds.**

#4 Authorized to amend a grant agreement with the Town of Salem, NH, (previously amended by G&C on 11-19-08), in the amount of \$490,000 by **retroactively** extending the completion date to June 30, 2011 from June 30, 2010. No Additional Funding. **100% Federal Funds.**

DEPARTMENT OF INFORMATION TECHNOLOGY

#4A The Governor and Council on motion of Councilor Shea, seconded by Councilor Hollingworth authorized the request to accept and expend \$70,000 in SFY 2011 of additional other funds available from the Department of Safety for procurement of information technology capabilities to increase security for the Department of Safety and statewide information network and data resources. This request supports the State Homeland Security Program portion of the 2009 Homeland Security grant program. Effective upon G&C approval through June 30, 2011. **100% Other (Agency Class 27) Funds; the agency class 27 used by DOS to reimburse DoIT is 100% Federal Funds. Fiscal Committee approved.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#5 Authorized Captain James A. Hanson III, Epsom, 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.

#6 Authorized John F. Carlson, Cornish Flat, NH, be nominated for appointment to the rank of Lieutenant Colonel, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

#7 Authorized Thomas L. Jackson, Concord, NH, be nominated for appointment to the rank of Lieutenant Colonel, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

#8 Authorized Major Corey D. Aiken, Manchester, NH, be confirmed for appointment to the rank of Major, NH Air National Guard.

#9 Authorized Captain Kenneth V. Leedberg Jr., Stratham, NH, be confirmed for promotion to the rank of Major, NH Air National Guard.

#10 Authorized Major Stephanie A. Riley, Concord, NH, be confirmed for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

#11 Authorized Daniel R. Ouellet, Rochester, NH, be confirmed to the rank of Major, NH Army National Guard.

#12 Authorized Steven J. Hall, Epsom, NH, be confirmed to the rank of Major, NH Army National Guard.

#13 Authorized Christine A. Tebbetts, Gilford, NH, be confirmed to the rank of Major, NH Army National Guard.

#13A Authorized to amend a lease agreement with Galaro Properties LLC, Dover, NH, (previously approved by G&C on 7-13-05, item #23), for the lease of 750 square feet of storefront retail space, Durham, NH, by extending the termination date from July 31, 2010 to July 31, 2011, in the amount of \$17,389.08. **100% Federal Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#14 Authorized \$11,849,662 be lapsed from the Working Capital Warrant for the month of June (10-12). (2)Further authorized a Working Capital Warrant in the amount of \$714,150,000 to cover expenditures for the month of August.

#15 Authorized the Bureau of Public Works Design and Construction to enter into a contract with Interstate Electrical Services Corp., Bedford, NH, for emergency generators at the Police Standards and Training Council, Concord, NH, for a total not to exceed \$294,500. (2)Further authorized \$15,000 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$309,500. Effective upon G&C approval through October 14, 2010. **100% Other Funds.**

#16 Authorized Bureau of Public Works Design and Construction to amend a contract with Granite State Plumbing & Heating LLC, Weare, NH, (previously approved by G&C on 4-14-10, item #15), for ARRA – HVAC Project Phase I, Statewide, as part of the US Department of Energy, ARRA Grant, by increasing the amount by \$8,816.51 from a total price not to exceed \$1,061,300 to a total price not to exceed \$1,070,116.51. Effective upon G&C approval through October 31, 2010. **ARRA Project: 98% General, 2% Transfers from other Agencies.**

#17 Authorized to enter into a **retroactive** one year memorandum of agreement with the Laconia Police Department, Laconia, NH, for security services of the Lakes Region Campus, for an amount not to exceed \$11,975.52. **100% General Funds.**

TREASURY DEPARTMENT

The Governor and Council acted as follows:

#18 Authorized to issue a warrant from funds not otherwise appropriated in the amount of \$37,626 and the State Treasurer to issue checks in the amount of \$37,625.66 to the rightful owners of abandoned or unclaimed funds.

#19 Authorized, as Trustee of the NH Higher Education Savings Plan Trust, to amend the documents, as detailed in letter dated July 15, 2010, relative to the NH College Tuition Savings Plan. Effective upon G&C approval.

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

The Governor and Council acted as follows:

#20 Authorized the Division of Plant Industry, to accept and expend grant funds from the US Department of Agriculture, Animal and Plant Health Inspection Service, Cooperative Agriculture Pest Survey to be utilized for educational outreach and survey activities that will provide specific information to APHIS and other interested parties for the Forest Pests survey, detection, and outreach Asian Long-horned Beetle program in the amount of \$75,000. Effective **retroactive** to June 1, 2010 through May 31, 2011. **100% Federal Funds. Fiscal Committee approved.**

#21 Authorized to enter into an agreement with Beverly Kelley, Albion, ME, to provide janitorial services at the NH Building throughout the Eastern States Exposition in West Springfield, MA, in the amount of \$8,300. Effective September 14, 2010 to October 5, 2010.

ATTORNEY GENERAL

The Governor and Council acted as follows:

#22 Authorized to reappoint Lauren J. Noether as a Senior Assistant Attorney General for a term effective August 31, 2010 through August 31, 2015.

#22A Authorized Consumer Protection to budget and expend up to \$31,000 and to establish one part time consultant for the purpose of hiring an investigator for allegations of elder abuse fraud, violations of the Consumer Protection Act and to assist with other investigative needs . Effective upon G&C approval through June 30, 2011. **Fiscal Committee approved.**

#22B Authorized to reallocate \$15,400 in funds received from the US Department of Justice, Office for Victims of Crime in the amount of \$187,070 (previously approved by G&C on 9-9-09, item #23), to enhance the services provided by the Homicide Survivor Services Program and developing written protocols, procedures and materials to assist in institutionalizing the program. Effective upon G&C approval through August 31, 2010. **100% Federal Funds. Fiscal Committee approved.**

#22C Authorized to reallocate \$36,020 (FY 2011 only) in funds received from the US Department of Justice, Office on Violence Against Women in the amount of \$342,402 (previously approved by G&C on 12-9-09, late item H), to establish a program that will support activities to train professionals in law enforcement, prosecution, victim services, and elder services in recognizing, addressing, investigating, and prosecuting instances of elder abuse, neglect and exploitation. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#22D Authorized to **retroactively** budget and expend prior year balances from a federal grant in the amount of \$62,869.24 received from the Office on Violence Against Women, federal fiscal year 2008 Violence Against Women Act Grant Program, to be utilized to improve services to victims of violent crimes. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#22E Authorized to **retroactively** budget and expend prior year balances from a federal grant in the amount of \$508,942 received from the Federal Office for Victims of Crime, federal fiscal year 2009 Victims of Crime Act Victim Assistance Grant Program, to be utilized to provide direct services to victims of crime. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#22F Authorized to **retroactively** budget and expend prior year balances from a federal grant in the amount of \$1,471,341 received from the Federal Bureau of Justice Assistance, federal fiscal year 2009 Edward Byrne Justice Assistance Grant Program, to be utilized to improve the functioning of the criminal justice system. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#22G Authorized to **retroactively** budget and expend prior year balances from a federal grant in the amount of \$199,680.41 received from the Office on Violence Against Women, federal fiscal year 2009 Violence Against Women Act Grant Program, to be utilized to improve services to victims of violent crimes. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#22H Authorized to **retroactively** budget and expend prior year balances from a federal grant in the amount of \$77,218 received from the National Institute of Justice, federal fiscal year 2009 Paul Coverdell Forensic Science Improvement Grants Program, to be utilized to improve the functioning and efficiency of forensic laboratory services in NH. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

INSURANCE DEPARTMENT

#23 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to **retroactively** reimburse FY 2010 travel expense in the amount of \$488.09 to Deputy Commissioner Alexander Feldvebel for travel to Washington, D.C., for a meeting sponsored by the National Governor's Association concerning strategies for federal Health Care Reform implementation for the period of June 28-29, 2010 from FY 2011 funds. **100% Insurance Assessment Funds.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

#23A The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to continue one Interviewer I position #9T138, salary grade 16, at an estimated cost of \$34,839. Effective upon G&C approval through June 30, 2011.

NEW HAMPSHIRE LIQUOR COMMISSION

#23B The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Hollingworth authorized the request of a waiver from Administrative Rule 305.05 (a), (b), Identification of State-owned Motor Vehicles, to replace the State seal on the front doors of a selected number of Commission vehicles used by marketing and store supervision personnel and the delivery and maintenance van that travels between the Commission Headquarters and our stores, with the NH Liquor and Wine Outlet insignia that is used on store signage and advertising materials, together with other appropriate and tasteful advertising material, upon G&C approval.

PUBLIC UTILITIES COMMISSION

#23C The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to budget and expend prior year carry forward funds from the Greenhouse Gas Emissions Reduction Fund (GHGERF) in the amount of \$80,722 to be used to measure the results of energy efficiency programs supported with grant funds from the GHGERF. Effective upon G&C approval through June 30, 2011. **100% GHGERF Funds. Fiscal Committee approved.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#24 Authorized to accept and place on file the report of transfer of funds for Cannon Mountain ski area for the quarter ending June 30, 2010.

#25 Authorized the Division of Parks and Recreation to transfer funds in the amount of \$6,000 for the Bureau of Historic Sites for the quarter ending June 30, 2010.

#25A Authorized the Division of Economic Development to enter into a contract with Glen Group, North Conway, NH, for domestic and international advertising, marketing, and promotional services in the amount of \$416,000. Effective upon G&C approval through June 30, 2012. **100% General Funds.**

#25B Authorized the Division of Economic Development to accept and expend federal funds from the US Department of Agriculture – Rural Development in the amount of \$200,000 and other funds from the Community Development Finance Authority in the amount of \$7,000. Effective upon G&C approval through June 30, 2011. **96.6% Federal, 3.4% Other Funds.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#26 Authorized to enter into a contract with M.E. Latulippe Construction Inc., Ashland, NH, for renovations at the Warren Fish Hatchery, Warren, NH, for an amount not to exceed \$269,000. Effective upon G&C approval through November 15, 2010. **100% Fish and Game Funds.**

#27 Authorized to enter into a Grant Agreement with the Piscataqua Land Conservancy, New Boston, NH, to restore and enhance fish habitat in Lake Horace Marsh, Weare, NH, in the amount of \$23,500. Effective upon G&C approval through December 31, 2010. **100% Other (Fisheries Habitat) Funds.**

#28 Authorized the Law Enforcement Division to **retroactively** reinstate sick leave used in SFY 2009, to Conservation Officer, Christopher McKee, as a result of time lost while recovering from a work-related injury.

#28A Authorized to accept and expend \$818,995 in federal funds from the National Oceanic and Atmosphere Administration, for the purpose of compensating commercial fishermen for losses associated with fishery regulations. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#29 Authorized to execute a **sole source** amendment to the contract agreement with Homestead Woolen Mills Inc., (previously amended by G&C on 6-9-10, item #68), for dam deconstruction, debris removal, and engineering oversight of the removal of the Homestead Woolen Mills Dam, by increasing the amount by \$459,255 from \$91,582.96 to \$550,837.96. Effective upon G&C approval. **54.9% Federal, 43.6% Other, 1.5% Capital (General) Funds.**

#30 Authorized a loan agreement with Pennichuck Water Works Inc., to finance the water system interconnection between Drew Woods water system and the Town of Derry water system in the amount of \$1,600,000. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

#31 Authorized to enter into a **retroactive** agreement with the US Geological Survey, Pembroke, NH, to procure LiDAR data for the southeastern part of NH, in the amount of \$20,000. Effective July 1, 2010 through July 1, 2012. **100% Federal Funds.**

#32 Authorized to amend a **sole source** contract with Weston Solutions Inc., Manchester, NH, (previously approved by G&C on 1-16-08, item #48), to cover additional bedrock investigation activities at the OK Tool/Savage Well Superfund Site in Milford, NH, by increasing the amount by \$260,000 from \$3,108,729 to \$3,368,729. Effective upon G&C approval. **90% Federal, 10% Capital (General) Funds.**

#33 Authorized to enter into a new memorandum of understanding with the US Geological Survey, Pembroke, NH, to assess potential contaminant transport pathways in deep bedrock at the OK Tool Superfund site in Milford, NH, in the amount of \$35,000. Effective August 1, 2010 through June 30, 2011. **90% Federal, 10% Capital (General) Funds.**

#34 Authorized with Councilor Pignatelli voting **no**, to enter into a **sole source retroactive** memorandum of agreement with the Department of Health and Human Services, Division of Public Health Services, Public Health Laboratories, Concord, NH, to perform laboratory services in the amount of \$53,340. Effective July 1, 2010 through June 30, 2012. **100% General Funds.**

#35 Authorized to award a grant to the Rockingham County Conservation District, Brentwood, NH, to control invasive species and restore natural habitat within and adjacent to Odiorne Point State Park, Rye, NH, in the amount of \$29,888. Effective upon G&C approval through December 31, 2011. **100% Federal Funds.**

#36 Authorized a loan agreement with Francestown Village Water Company, to finance water system improvements for the water system serving the village area of Francestown, in the amount of \$207,000. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

#37 Authorized Blue Heron Cove Trust's request to construct a permanent fixed timber pier with attached seasonal ramp to a seasonal float on shoreline frontage on Great Bay in Greenland.

#38 Authorized to award an Aquatic Resource Mitigation Fund grant to the Town on Londonderry, NH, to develop a restoration plan for the Nesenkeag Brook Headwaters Area in the amount of \$20,000. Effective upon G&C approval through December 31, 2012. **100% ARM Funds.**

#39 Authorized to enter into an agreement with The Nature Conservancy, Concord, NH, to acquire the fee interest for 326 acres of land otherwise known as the Potter Farm in Northumberland, NH, to permanently protect the area and restore 33 acres of high value wetland habitat in the Cape Horn area from the Upper Connecticut River watershed, in the amount of \$148,000. Effective upon G&C approval through August 1, 2012. **100% Aquatic Resource Mitigation (ARM) Funds.**

#40 Authorized to amend an existing grant agreement with the Jalbert Leasing Inc., d/b/a C&J, Portsmouth, NH, (previously approved by G&C on 8-19-09, item #85), to support the purchase of a second replacement transit coach and the purchase and installation of two additional auxiliary heaters, by increasing the grant by \$143,100 from \$207,000 to \$350,100, and by extending the deadline from September 30, 2010 to June 30, 2011. **100% Federal ARRA Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Facilities and Assets Management

#41 Authorized to amend a **sole source** lease with 154 Main Street LLC, Salem, NH, (previously approved by G&C on 8-3-05, item #108), for continued office space at the Nashua District Office, by increasing the price of \$123,993.96 to \$1,334,932.32 from \$1,210,938.36, and by extending the end date from August 6, 2010 to August 6, 2011. Effective August 7, 2010. **60% General, 40% Federal Funds.**

#41A Authorized to amend an agreement with College Bound Movers Inc., Amherst, NH, (previously approved by G&C on 3-10-10, item #97), to move the Nashua District Office to its new District Office location, by extending the completion date from June 30, 2010 to July 31, 2010. Effective **retroactive** to July 1, 2010. No Additional Funding. **60% General, 40% Federal Funds.**

#42 Authorized to amend a lease with Cameron Real Estate Inc., Nashua, NH, (previously amended by G&C on 8-19-09, item #122), for continued office space at the Nashua District Office, by increasing the price of \$31,801.68 to \$2,591,052.48 from \$2,559,250.80, and by extending the end date from June 30, 2010 to July 28, 2010, which changes the lease to a **sole source** lease. Effective **retroactive** to July 1, 2010. **60% General, 40% Federal Funds.**

Office of Medicaid Business and Policy

#42A Authorized to accept and expend revenue from monthly premiums collected from Medicaid for Employed Adults with Disabilities recipients in the amount of \$154,420. Effective July 1, 2010 through June 30, 2011. **Fiscal Committee approved.**

Division of Public Health Services

#43 Authorized the Sexually Transmitted Disease/Human Immunodeficiency Virus Section to exercise a contract renew and amend option with the City of Nashua, Division of Public Health and Community Services, Community Health Department, Nashua, NH, (previously approved by G&C on 8-13-08, item #128), to provide Human Immunodeficiency Virus prevention services, by increasing the price by \$145,868 from \$145,868 to \$291,736, and by extending the completion date to June 30, 2012. Effective **retroactive** to July 1, 2010. **100% Federal Funds.**

#44 Authorized the Sexually Transmitted Disease/Human Immunodeficiency Virus Section to exercise a contract renew and amend option with the NH Minority Health Coalition, Manchester, NH, (previously approved by G&C on 8-13-08, item #126), to provide Human Immunodeficiency Virus prevention services, by increasing the price by \$100,142 from \$164,142 to \$264,284, and by extending the completion date to June 30, 2012. Effective **retroactive** to July 1, 2010. **100% Federal Funds.**

#45 Authorized the Bureau of Community Health Services, Community Public Health Development Section to exercise a **sole source** contract renew and amend option with the City of Nashua, Division of Public Health and Community Services, Nashua, NH, (previously amended by G&C on 1-27-10, item #63), to provide a broad range of public health emergency preparedness and response activities, by increasing the price by \$728,000 from \$601,578 to \$1,329,578, and by extending the completion date **retroactively** to June 30, 2012 through July 1, 2010. **81.4% Federal, 18.6% General Funds.**

Bureau of Elderly & Adult Services

#46 Authorized to pay membership renewal dues to the "National Association of State Units on Aging" Washington, DC, in the amount not to exceed \$6,100. Effective **retroactive** to July 1, 2010 through June 30, 2011. **100% Federal Funds.**

New Hampshire Hospital

#47 Authorized to enter into an agreement BK Systems Inc., Goffstown, NH, to provide testing and maintenance of life safety systems in the amount of \$42,400. Effective upon G&C approval through June 30, 2012. **69% General, 31% Federal Funds.**

NEW HAMPSHIRE BOARD OF MEDICINE

#48 The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton authorized the request to enter into a contract with the NH Professionals Health Program, Bedford, NH, to manage and administer the Physician Health Program for FY 2011 in the amount of \$70,000. Effective August 1, 2010 through June 30, 2011. **99% General, 1% Other (Sale of Publications) Funds.**

POSTSECONDARY EDUCATION COMMISSION

#49 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to budget and expend new grant funds in the amount of \$1,500,000 from the US Department of Education to increase aspirations and access to postsecondary education for NH students. (2)Further authorized to establish a full-time, temporary Program Specialist III position. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#50 Authorized to budget and expend ARRA Stimulus funds – School Improvement Grant in the amount of \$8,588,214. Effective upon G&C approval through June 30, 2012. **100% Federal ARRA Funds. Fiscal Committee approved.**

#51 Authorized to pay the General Educational Development Testing Service Annual Per Person Fee in the amount of \$21,600. Effective upon G&C approval through June 30, 2011. **100% General Funds.**

#52 Authorized to pre-pay the hotel, Hyatt Regency Crystal City, \$1,879 costs for the participants who will be attending the 2010 Office of Special Education Programs Leadership Mega Conference from August 2-5, 2010, as well as one member attending the Measuring Child and Family Outcomes from July 30-31, 2010 and the pre-session on Early Childhood on August 1, 2010, for a total not to exceed \$1,879. **100% Federal Funds.**

#53 Authorized to grant funds to the Fuller Public Library, Hillsboro, NH, in the amount of \$45,134.44, to provide training for volunteers to work one-on-one with undereducated adults in Hillsborough County, and counseling services for ABE students, advanced ESOL student, and graduates transitioning to community colleges and 4-year colleges and universities. Effective upon G&C approval through June 30, 2011. **50% General, 50% Federal Funds.**

#54 Authorized to grant funds to Rockingham Community Action Program, Portsmouth, NH, in the amount of \$129,803.81, to provide Adult Basic Education and English as a Second Language classes in the Seacoast area, as well as counseling for ABE students, advanced ESOL student, and GED graduates transitioning to community colleges and 4-year colleges and universities. Effective upon G&C approval through June 30, 2011. **50% General, 50% Federal Funds.**

#55 Authorized to grant funds to the NH Coalition for Occupational Safety and Health, Hooksett, NH, in the amount of \$22,000, to provide English Language/Civics Education classes to workers who are learning English as another language and to students in adult basic education classes throughout the state. Effective September 1, 2010 or upon G&C approval, whichever is later, through June 30, 2011. **50% General, 50% Federal Funds.**

#56 Authorized the Division of Program Support, Bureau of Nutrition Programs and Services to amend a contract with Kyran Research Associates Inc., Middletown, RI, (previously amended by G&C on 8-19-09, item #202), for maintenance and enhancement to the servers that hold the suite of Child Nutrition Programs, by increasing the amount by \$75,259.68 to \$912,921.68, and by extending the end date through September 30, 2011. **100% Federal Funds.**

#57 Authorized to contract with ATECH Services to provide technical assistance regarding the compliance requirements of the American Printing House Annual Census of Eligible Students, in an amount not to exceed \$175,000. (2)Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the grant. Effective upon G&C approval through June 30, 2011 with the option to renew for up to two additional fiscal years. **100% Federal Funds.**

#58 Authorized to amend a contract with Plymouth State University (previously approved by G&C on 10-21-09, item #92), for the Mathematics and Science Partnership Project entitled Partnership for Science Inquiry to enhance the science understanding and the inquiry teaching skills of K-12 teachers in NH schools, by extending the completion date to September 30, 2010 from June 30, 2010. No Additional Funding. **100% Federal Funds.**

#59 Authorized the Division of Instruction to renew the contract with Judith Curran Buck, Derry, NH, (previously approved by G&C on 1-13-10, item #113), to work with other content specialists from ME, VT, and RI on all aspects of NECAP test development in Mathematics, in an amount not to exceed \$50,000. (2)Further authorized payment for services rendered an approved in lieu of withholding 25% of the total value of the contract. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#60 Authorized the Division of Instruction to renew the contract with Michael Mason Williamson, Amherst, NH, (previously approved by G&C on 1-13-10, item #114), to work with other content specialists from ME, VT, and RI on all aspects of NECAP test development in Mathematics, in an amount not to exceed \$50,000. (2)Further authorized payment for services rendered an approved in lieu of withholding 25% of the total value of the contract. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#61 Authorized with Councilor Pignatelli voting **no**, to enter into a **sole source** contract with Measured Progress Inc., Dover, NH, (previously amended by G&C on 6-25-08, item #274), to continue the development and administration of a Science Assessment to meet current federal and state requirements and maintain the current system while awaiting the reauthorization of the Elementary and Secondary Education Act, in an amount not to exceed \$1,077,642. (2)Further authorized payment for services rendered an approved in lieu of withholding 25% of the total value of the contract. Effective upon G&C approval through December 31, 2011. **67% General, 33% Federal Funds.**

NEW HAMPSHIRE LOTTERY

#62 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Shea authorized the request to enter into a contract with Johnson & Hill Staffing Inc., Springfield, MA, for temporary staffing services for the Lottery booth at the Eastern States Exposition, at a maximum cost of \$8,996.40. Effective September 17, 2010 through October 3, 2010. **100% Lottery Revenue Funds.**

MCAULIFFE-SHEPARD DISCOVERY CENTER

#63 The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Wieczorek, and with Councilor Pignatelli voting **no**, authorized the request of a **retroactive** contract renewal with NH Public Radio, Concord, NH, (previously amended by G&C on 7-15-09, item #132), for weekly radio advertising in the amount of \$6,240. Effective upon G&C approval through June 30, 2011. **36% General, 64% Center Revenue Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#64 Authorized the Division of State Police to **retroactively** pay Sergeant Timothy Hayes for hours worked from June 1, 2009 through December 31, 2009, in the amount of \$2,094.53 for both salaries and benefits using SFY11 funds for services provided in SFY10. Effective upon G&C approval. **81% Highway, 19% Turnpike Funds.**

#65 Authorized the Division of Administration to accept and expend "Dyed Fuel Evasion Enforcement Project" funds in the amount of \$42,793 for the Federal Highway Administration. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#66 Authorized the Division of Homeland Security and Emergency Management to enter into grant agreements totaling \$23,700 with the Grafton County Nursing Home, and the Town of Marlow, for emergency preparedness capabilities enhancements. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#67 Authorized the Division of Homeland Security and Emergency Management to enter into grant agreements totaling \$10,000 with the City of Keene, and the Lakes Region Planning Commission Inc., for updating local hazard mitigation plans. Effective upon G&C approval through July 10, 2012. **100% Federal Funds.**

#67A Authorized the Division of State Police to transfer \$15,400 within the account entitled FFY 09 Backlog Reduction Program, to re-align appropriated funds that will be used for the service of two genetic analyzers located in the State Police Forensic Lab. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#67B Authorized the Division of State Police to transfer \$4,700 within the account entitle FFY 09 New Entrant CDL, to re-align appropriated funds for the purpose of implementing the Federal Motor Carrier Safety Administration New Entrant Safety Audit Program. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#67C Authorized the Division of State Police to amend an existing budget and transfer \$3,356 within the account entitled FFY 09 High Priority Grant, to create a class and re-align appropriated funds for the purpose of implementing the Federal Motor Carrier Safety Administration High Priority Grant. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#67D Authorized the Division of State Police to transfer \$54,500 within the account entitled Recreational Boat Safety Grant, to re-align appropriations for the purpose of spending the federal funds awarded by the US Coast Guard as intended for the grant's purpose. (2)Further authorized to establish one temporary full-time Secretary II, LG 9, to provide clerical support to the Administrative Assistant in the Director's Office, specifically, issuance of permits and invoice process flow. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#67E Authorized the Division of Emergency Communications to accept and expend "Enhanced 911 Act" funds in the amount of \$555,700 from the US Department of Transportation's National Highway Traffic Safety Administration. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#67F Authorized the Division of Fire Safety to transfer \$2,825 within the account entitled HMEP Grant FFY 2009 to re-align the appropriations with the approved grant allocation categories. Effective upon G&C approval through June 30, 2011. (2)Further authorized to accept and expend HMEP grant funds in the amount of \$120,743 from the US Department of Transportation, Pipeline, and Hazardous Materials Safety Administration. (3)Further authorized to enter into grant agreements with the Regional Hazardous Materials Teams and Emergency Services as detailed in letter dated June 29, 2010, in the amount of \$107,440 for activities associated with the development and implementation of emergency plans and training under the Emergency Planning and Right to Know Act. Effective upon G&C approval through September 30, 2010. **100% Federal Funds. Fiscal Committee approved.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#68 Authorized the Bureau of Bridge Design to enter into four individuals agreements with the firms of Fay, Spofford & Thorndike LLC, Burlington, MA; GM2 Associates Inc., Concord, NH; Hoyle, Tanner & Associates Inc., Manchester, NH; and McFarland-Johnson Inc., Concord, NH, for an amount not to exceed \$750,000 each, for on-call engineering services for various bridge projects located throughout the State. Effective upon G&C approval through September 30, 2013.

#69 Authorized the Bureau of Right of Way to pay various owners \$68,296.81 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from June 25, 2010 through July 9, 2010. Effective upon G&C approval.

#70 Authorized the Bureau of Right of Way to grant an access point through the Controlled Access Right of Way of Maple Avenue located in Keene to the Union School District for \$6,100 which includes an Administrative Fee of \$1,100. Effective upon G&C approval.

#71 Authorized the Bureau of Right of Way to transfer to the City of Manchester, three parcels of land owned by the State of NH not required for the Manchester 10622A project. This transfer is required for the mitigation of acquisition from the Manchester School District West High School athletic facilities per legislation. Effective upon G&C approval. This is a no-cost transaction.

#72 Authorized the Bureau of Mechanical Services to amend a **sole source retroactive** contract with AssetWorks Incorporated, Wayne, PA, (previously amended by G&C on 6-27-07, item #406), for a software maintenance agreement on a monthly basis, by increasing the amount by \$12,336 from \$223,671.39 to \$236,007.39. Effective upon G&C approval through December 30, 2010. **100% Highway Funds.**

#73 Authorized the Bureau of Highway Design to amend a contract with CHA Inc., Keene, NH, (previously approved by G&C on 3-22-00, item #159), for the preliminary design for the replacement of the Sewalls Falls Road Bridge in the City of Concord, by increasing the amount by \$48,093.44 from \$137,744 to \$185,837.44. Effective upon G&C approval through December 31, 2010. **100% Federal Funds.**

#74 Authorized the Bureau of Planning and Community Assistance to enter into agreements totaling \$414,200 with the sub-recipients as detailed in letter dated June 28, 2010, to provide funding and services under the Federal Scenic Byways Program through a local project administration process. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#75 Authorized the Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for roadway rehabilitation of North Thetford Road in the Town of Lyme, on the basis of a low bid of \$414,810. (2)Further authorized a contingency in the amount of \$41,481 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 1, 2010. **100% Betterment Funds.**

#76 Authorized with Councilor Pignatelli voting **no**, the Bureau of Rail & Transit to enter into a **retroactive** lease agreement with Ann & Dick Corr, Lebanon, NH, for the use of State-owned railroad property in Enfield along Mascoma Lake in the amount of \$11,500. Effective July 1, 2010 through June 30, 2015.

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The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Wieczorek, voted to accept the withdrawal of appeal by Munce Superior Oil.

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LATE ITEM

DEPARTMENT OF ADMINISTRATIVE SERVICES

A. Authorized the Bureau of Court Facilities, to **retroactively** accept a gift of free rent for the Keene District Court, commencing July 1, 2010 to June 30, 2011, valued at approximately \$52,606.20 from the City of Keene at no cost to the State.

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ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Shea, voted to remove item #100- which was tabled at the 7-14-10 Meeting

DEPARTMENT OF TRANSPORTATION

#100 **WITHDRAWN** – The agency **withdrew** the request of the Bureau of Rail & Transit to enter into a **retroactive** lease agreement with Ann & Dick Corr, Lebanon, for the use of State-owned railroad property in Laconia along Paugus Bay, in the amount of \$11,500. Effective July 1, 2010 through June 30, 2015.

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Next regular Governor and Executive Council meeting is scheduled for Wednesday, August 11, 2010 at 10:00 a.m. at the White Mountain National Forest Headquarters, Campton, New Hampshire.

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