

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
March 10, 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 Burton, accepted the minutes of February 9, 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 February 9, 2010 meeting.

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RESIGNATIONS

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

Board of Barbering, Cosmetology and Esthetics

(Barber)

David Caron, Concord

Effective: March 10, 2010

Division of Children, Youth and Families Advisory Council

(Hillsborough County)

Sandra D. Hogan, Nashua

Effective: March 10, 2010

Board of Licensing and Regulation of Plumbers

(Master Plumber)

Tedd P. Evans, Concord

Effective: March 1, 2010

Superior Court: Associate Justice

James J. Barry, Jr., Manchester

Effective: May 1, 2010

Superior Court: Associate Justice

Philip P. Mangones, Keene

Effective: May 1, 2010

University System Board of Trustees

Richard E. Ashooh, Bedford

Effective: March 10, 2010

CONFIRMATIONS

The Governor and Council confirmed the following:

Athletic Trainers Governing Board

(Public Member)

George S. Tosatti, Manchester

Reappointment

Effective: March 10, 2010

Term: February 17, 2013

Board of Barbering, Cosmetology and Esthetics

(Owner of Registered Tanning Facility)

Kay Hoyt, Northwood

Reappointment

Effective: March 10, 2010

Term: February 9, 2015

Business Finance Authority

(Elected/Appointed Local Official)

Guy A. Santagate, Claremont

Succeeding: Steven D. Griffin, Berlin (resigned)

Effective: March 10, 2010

Term: November 3, 2011

Compensation Appeals Board

(Employer/Insurer)

Susan A. Jeffery, Manchester

Reappointment

Effective: March 10, 2010

Term: February 9, 2013

Board of Land Surveyors

Gregory Brown, Manchester

Reappointment

Effective: March 10, 2010

Term: February 3, 2015

Medical Review Subcommittee

Nominated by the Board of Medicine

Nicole Siparsky, Lebanon

Succeeding: Mark H. Selesnick, Concord (resigned)

Effective: March 10, 2010

Term: December 3, 2012

New England Board of Higher Education

(Private College)

Walter R. Peterson, Peterborough

Reappointment

Effective: March 10, 2010

Term: February 16, 2014

Occupational Therapy Governing Board

(Certified Occupational Therapy Assistant)

Roberta Daw, Sunapee

Reappointment

Effective: March 10, 2010

Term: March 4, 2013

Pesticides Control Board

(Pesticides Applicator)

William C. Collins, Manchester

Reappointment

Effective: March 10, 2010

Term: November 6, 2012

Racing and Charitable Gaming Commission – Councilor Pignatelli voted **no**.

(Greyhound Racing Interest)

Warren W. Leary Jr, Alton Bay

Reappointment

Effective: April 9, 2010

Term: April 9, 2013

Department of Resources and Economic Development: Commissioner

George M. Bald, Somersworth

Reappointment

Salary: KK max, \$112,861

Effective: April 1, 2010

Term: April 1, 2014

Department of Resources and Economic Development: Division of Parks and Recreation: Director– Councilor Pignatelli voted **no**.

Nominated by the Commissioner of the Department of Resources and Economic Development

Ted Austin, Norwich, VT

Reappointment

Salary: GG max, \$90,606

Effective: April 1, 2010

Term: April 1, 2014

Respiratory Care Practitioners Governing Board

(Public Member)

Luann Udell, Keene

Reappointment

Effective: March 24, 2010

Term: March 24, 2013

Speech-Language Pathology Governing Board

Linda L. Hanrahan, Concord

Reappointment

Effective: March 10, 2010

Term: March 4, 2013

Department of Transportation: Deputy Commissioner

Nominated by the Commissioner of the Department of Transportation

Michael P. Pillsbury, Henniker

Succeeding: Christopher D. Clement, Sr., Durham (resigned)

Salary: JJ, Step 4, \$104,589

Effective: March 10, 2010

Term: October 8, 2012

Board of Managers of the New Hampshire Veteran's Home

(Disabled American Veterans Auxiliary)

Wanda Furbish, Portsmouth

Succeeding: Elizabeth Castricone, Windham

Effective: March 10, 2010

Term: March 1, 2012

Board of Managers of the New Hampshire Veteran's Home

(Disabled American Veterans)

Nominated by the Disabled American Veterans

Junious B. Owens, Stratham

Reappointment

Effective: March 10, 2010

Term: March 1, 2015

NOMINATIONS

The Governor placed into nomination the following:

State Committee on Aging

(Grafton County)

Richard D. Crocker, Plymouth

Succeeding: Louis Paré, Holderness (resigned)

Effective: Upon confirmation

Term: June 24, 2010

Alcohol and Drug Abuse Prevention, Intervention and Treatment Commission

(Drug Abuse Treatment)

Stephanie A. Savard, Derry

Succeeding: Joseph Diament, Newfields (resigned)

Effective: Upon confirmation

Term: September 20, 2011

Appellate Board

(Management)

Fred Keach, Concord

Vacancy

Effective: Upon confirmation

Term: August 9, 2012

State Apprenticeship Advisory Council

(Employer/Management)

Stephen R. Scarponi, Barrington

Vacancy

Effective: Upon confirmation

Term: June 25, 2011

Artist Laureate

David W. Lamb, Canterbury

Succeeding: James Aponovich, Hancock

Effective: Upon confirmation

Term: February 18, 2012

Board of Barbering, Cosmetology and Esthetics

(Barber)

Aaron C. Losier, Manchester

Succeeding: David Caron, Concord (resigned)

Effective: Upon confirmation

Term: July 1, 2011

Current Use Advisory Board

(representing assessing official in a city)

Laura J. Thibodeau, Sullivan

Reappointment

Effective: Upon confirmation

Term: March 15, 2012

Executive Branch Ethics Committee

Andrew R. Schulman, (d), Bedford
Succeeding: Deborah Schachter, (d), Concord (resigned)

Effective: Upon confirmation
Term: June 10, 2010

State Board of Fire Control

(Manufacturing Industry)
John D. Ela, Concord
Vacancy

Effective: Upon confirmation
Term: July 8, 2011

Fish and Game Commission

(Belknap County)
John W. McGonagle, Gilford
Succeeding: Patricia I. Costa, Center Barnstead (resigned)

Effective: Upon confirmation
Term: June 29, 2011

Board of Home Inspectors

(Public Member)
Kevin M. McEneaney, Dover
Reappointment

Effective: April 1, 2010
Term: April 1, 2012

Joint Promotional Program Screening Committee

(Chamber of Commerce)
Timothy G. Sink, Concord
Succeeding: Robin Comstock, Manchester (resigned)

Effective: Upon confirmation
Term: July 13, 2010

Medical Review Subcommittee

(Public Member)
Nominated by the Board of Medicine
Patricia A. Waldvogel, Loudon
Reappointment

Effective: Upon confirmation
Term: December 3, 2012

New England Board of Higher Education

(Private Citizen)
Thomas R. Horgan, Amherst
Reappointment

Effective: Upon confirmation
Term: February 16, 2014

State Board for the Licensing and Regulation of Plumbers

(Master Plumber)
Timothy J. Dupont, Nashua
Succeeding: Tedd P. Evans, Concord (resigned)

Effective: Upon confirmation
Term: July 1, 2011

Department of Safety: Director, Division of Administration

Nominated by the Commissioner of the Department of Safety
Wesley J. Colby, Laconia
Reappointment
Salary: GG Maximum: \$90,606

Effective: March 31, 2010
Term: March 31, 2014

Department of Safety: Director, Division of State Police

Nominated by the Commissioner of the Department of Safety
Robert L. Quinn, Seabrook
Succeeding: Frederick H. Booth, New Durham (retired)
Salary: II Maximum: \$104,364

Effective: March 31, 2010
Term: March 31, 2014

BUSINESS FINANCE AUTHORITY

#1 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wieczorek and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, authorized hold a Public Hearing with respect to the financing of a loan to Grafton County Economic Development Council, North Country Council, Inc., and Dartmouth Regional Technology Center for a project located in Lebanon, NH. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON MARCH 10, 2010
COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE**

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At approximately 11:05 a.m., the Governor announced that the next matter to be considered would be loan made by the Business Finance Authority to Grafton County Economic Development Council, North Country Council, Inc. and Dartmouth Regional Technology Center to finance a line of credit for expansion and retention of businesses and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loan. The Governor then said that the meeting would hear anyone wishing to speak on the subject. Michael Donahue, Senior Credit Officer of the Authority, briefly explained the project. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Burton introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDDING A LOAN UNDER RSA 162-A:7 FROM THE BUSINESS FINANCE AUTHORITY TO GRAFTON COUNTY ECONOMIC DEVELOPMENT COUNCIL, NORTH COUNTRY COUNCIL, INC, AND DARTMOUTH REGIONAL TECHNOLOGY CENTER" and moved its adoption, which was seconded by Councilor Wieczorek. After a discussion on the resolution, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Shea, Councilor Hollingworth, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor (s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-A:18 AWARDDING A LOAN
UNDER RSA 162-A:7 FROM THE BUSINESS FINANCE AUTHORITY OF
THE STATE OF NEW HAMPSHIRE TO GRAFTON COUNTY ECONOMIC DEVELOPMENT
COUNCIL, NORTH COUNTRY COUNCIL, INC AND DARTMOUTH REGIONAL TECHNOLOGY
CENTER**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to a loan by the Authority to Grafton County Economic Development Council, North Country Council, Inc., and Dartmouth Regional Technology Center (collectively the "Borrower"), in the original principal amount of up to \$1,250,000 to provide financing for construction financing for the Dartmouth Regional Technology Center expansion in Centerra Park, Lebanon, New Hampshire (the "Loan").

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is authorized to approve the recommendation of the Authority and to authorize and approve the Loan by the Authority upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council will receive all the documentation and information with respect to the proposed Loan by the Authority; and

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

NOW, THEREFORE, it is hereby resolved that:

1. Findings and Determination. On the basis of the documentation and information received by the Governor and Council, after a public hearing, the Governor and Council find:

a. Special Findings.

(i) The Loan in consistent with local or regional development plans or policies.

b. General Findings.

(i) The Loan that the Authority has proposed will serve a public use and provide a public benefit.

(ii) The Loan that the Authority has proposed is within the policy of, and the authority conferred, by RSA Chapter 162-A.

(iii) The Loan that the Authority has proposed will preserve or increase the social welfare or economic prosperity of the State and one or more of its political subdivisions, and will promote the general welfare of the State's citizens.

(iv) The Loan that the Authority has proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. Governor and Council approve the Loan by the Authority as recommended by the Authority and authorize the Authority to cause the execution and delivery of the loan documents substantially in the form submitted to Governor and Council and to take such further action as the act with respect to the transaction as may be required.

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

Passed and agreed to March 10, 2010.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#2 Authorized to award a grant to the County of Cheshire, Keene, NH, in the amount of \$500,000 for the purpose of developing 16 accessible affordable apartments in Keene, NH. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#3 Authorized to enter into an agreement with the City of Keene, NH, to conduct a study of the infrastructure systems located in the Base Hill Cooperative manufactured housing park in Keene in the amount of \$12,000. Effective upon G&C approval through December 31, 2010. **100% Federal Funds.**

#4 Authorized to award a grant to the City of Keene, NH, in the amount of \$500,000 to assist with acquisition and site development costs to support 24 units of affordable housing in the Railroad Yard area of Keene. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#5 Authorized to award a grant to the City of Berlin, NH, in the amount of \$500,000 to rehabilitate 35 homes throughout the City. Effective upon G&C approval through December 31, 2011. **100% Federal Funds.**

#6 Authorized to enter into an agreement with the Town of Pittsburg, NH, to conduct a study to evaluate deficiencies in the town public water system and make recommendations for improvements in the amount of \$12,000. Effective upon G&C approval through December 31, 2010. **100% Federal Funds.**

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#7 Authorized to conduct a one day conference on Saturday, May 8, 2010, at the Radisson Hotel Nashua to provide training to local land use board members for a total cost not to exceed \$28,125. (2)Further Authorized to accept registration and exhibitor fees in an amount not to exceed \$28,125, to offset the cost of the conference. (3)Further Authorized to enter into an agreement with Southern NH Hospitality LLC d/b/a Radisson Hotel Nashua, Bowden Hospitality Group, Nashua, NH, to provide facility rental, audio/visual equipment, refreshments, and meals at a total cost not to exceed \$25,037.50. (4)Further Authorized to make an advance payment in the amount of \$500 to the Radisson Hotel Nashua as a non-refundable security deposit. Effective upon G&C approval through May 8, 2010. **100% Other (Registration/Exhibitor Fees) Funds.**

#8 Authorized to accept and expend federal funds in the amount of \$7,916,911.59 from the US Department of Health and Human Services, Administration for Children and Families for the Low Income Home Energy Assistance Program. Effective upon G&C approval through June 30, 2010. **100% Federal Funds. Fiscal Committee approved.**

#9 Authorized to enter into a **sole source** contract with Strafford County Community Action Committee Inc., Dover, NH, for the Senior Energy Assistance Services Program in the amount of \$607.74. Effective upon G&C approval through June 30, 2010. **100% Other Funds (NH DHHS).**

#10 Authorized to enter into a **sole source** contract with Southern NH Services Inc., Manchester, NH, for the Senior Energy Assistance Services Program in the amount of \$7,556. Effective upon G&C approval through June 30, 2010. **100% Other Funds.**

#11 Authorized to enter into a **sole source** contract with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, for the Senior Energy Assistance Services Program in the amount of \$7,166. Effective upon G&C approval through June 30, 2010. **100% Other Funds (NH DHHS).**

#12 Authorized to enter into a **sole source** contract with Southwestern Community Services Inc., Keene, NH, for the Senior Energy Assistance Services Program in the amount of \$5,289. Effective upon G&C approval through June 30, 2010. **100% Other Funds (NH DHHS).**

#13 Authorized to enter into a **sole source** contract with Tri-County Community Action Program Inc., Berlin, NH, for the Senior Energy Assistance Services Program in the amount of \$9,403. Effective upon G&C approval through June 30, 2010. **100% Other Funds (NH DHHS).**

#14 Authorized to enter into a **sole source** memorandum of agreement with the NH Public Utilities Commission, Concord, NH, for work to be accomplished as part of the ARRA – State Energy Efficient Appliance Rebate Program in the amount of \$516,000. (2)Further Authorized to advance to the PUC \$51,600. Effective upon G&C approval through February 17, 2012. **100% Federal (ARRA-SEEARP) Funds.**

#15 **TABLED** – The request to approve this item **failed** when Councilor Burton, Councilor Shea, and Councilor Wieczorek voted **no**. A request was then made to reconsider on motion of Councilor Pignatelli, seconded by Councilor Shea with Councilor Burton and Councilor Wieczorek voting **no**. After discussion, the Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Pignatelli, and with Councilor Burton and Councilor Wieczorek voting **no, tabled** the request to enter into a contract with CLF Ventures Inc., Boston, MA, for work to be accomplished as part of the ARRA – Energy Efficiency and Conservation Block Grant Program – Technical Assistance to NH Communities in the amount of \$2,000,000. Effective upon G&C approval through September 9, 2012. **100% Federal (ARRA-EECBG) Funds.**

#16 Authorized to amend a **sole source** contract with Southwestern Community Services Inc., Keene, NH, for the Fuel Assistance Program, by increasing the amount by \$1,664,498 from \$3,668,545 to \$5,333,043. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#17 Authorized to amend a **sole source** contract with Southern NH Services Inc., Manchester, NH, for the Fuel Assistance Program, by increasing the amount by \$4,280,234 from \$9,330,149 to \$13,610,383. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#18 Authorized to amend a **sole source** contract with Tri-County Community Action Program Inc., Berlin, NH, for the Fuel Assistance Program, by increasing the amount by \$2,479,669 from \$5,453,224 to \$7,932,893. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#19 Authorized to amend a **sole source** contract with Strafford County Community Action Committee Inc., Dover, NH, for the Fuel Assistance Program, by increasing the amount by \$1,273,989 from \$2,812,920 to \$4,086,909. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#20 Authorized to amend a **sole source** contract with Belknap-Merrimack Community Action Committee Inc., Concord, NH, for the Fuel Assistance Program, by increasing the amount by \$2,306,156 from \$5,060,451 to \$7,366,607. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#20A Authorized to amend a **sole source** contract with Rockingham County Community Action Program Inc., Portsmouth, NH, (previously approved by G&C on 10-7-09, item #17), for the Fuel Assistance Program, by increasing the amount by \$1,711,957 from \$3,771,599 to \$5,483,556. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#20B Authorized to enter into a **sole source** contract with Rockingham Community Action Inc., Portsmouth, NH, for Senior Energy Assistance Services Programs in the amount of \$3,235. Effective upon G&C approval through June 30, 2010. **100% Other Funds (NH DHHS).**

DEPARTMENT OF STATE

#20C The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton authorized the request to accept and place on file the annual report for the period of July 1, 2008 through June 30, 2009.

DEPARTMENT OF INFORMATION TECHNOLOGY

#21 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request of a contract renewal with Formax, a Division of Bescorp Inc., Dover, NH (previously approved by G&C on 4-7-07, item #17), to provide hardware maintenance for the Formax folder/sealer used for the check processing, by increasing the amount by \$6,834.48 from \$10,251.72 to \$17,086.20. Effective April 1, 2010 through March 31, 2012. **100% Other (Agency Class 027) Funds. Department of Administrative Services estimates that the agency Class 027 funds used by DAS to reimburse DoIT for this service is: 100% General Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#22 Authorized Michael D. Miller, Goffstown, NH, to be nominated for appointment to the rank of Colonel, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

#23 Authorized Howard L. Suls, Bedford, NH, to be nominated for appointment to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

#24 Authorized Brigadire General Mark F. Sears, Dover, NH, to be nominated for promotion to the rank of Major General, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

#25 Authorized Colonel Deborah L. Carter, Lee, NH, to be nominated for promotion to the rank of Brigadier General, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

#26 Authorized Shane R. Stewart, Concord, NH to be confirmed to the rank of Lieutenant Colonel, NH Army National Guard.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#27 Authorized with Councilor Pignatelli voting **no**, a contract renewal option with LMK Enterprises Inc., d/b/a Snowden Associates, Portsmouth, NH, (previously approved by G&C on 3-4-09, item #7A), for an executive search for the position of Manager of Employee Relations, by increasing the amount by \$25,000 from \$27,500 to \$52,500. Effective upon G&C approval through March 31, 2011. **100% General Funds.**

#28 Authorized to amend a contract with Cellco Partnership d/b/a Verizon Wireless of Bedminster, NJ, at no additional costs, which will extend the completion date from March 16, 2010 to September 30, 2010.

#29 Authorized Bureau of Public Works Design and Construction to enter into a contract with Wesfield Construction Co., Inc., West Chesterfield, NH, for the State House Annex Restroom Renovations for a total price not to exceed \$88,223. (2)Further Authorized a contingency in the amount of \$8,822 to provide for additional unanticipated plumbing and water damage repair, bringing the total to \$97,045. Effective upon G&C approval through June 18, 2010. **100% General Funds – Capital Projects.**

#30 Authorized Bureau of Public Works Design and Construction to enter into an agreement with David Goudreau Architects Inc., Portsmouth, NH, for professional services for architectural and engineering design of the State Prison, Residential Treatment Unit – Phase 2, Concord, NH, for a total price not to exceed \$332,650. (2)Further Authorized a contingency in the amount of \$30,000 for additional services that may be required, bringing the total to \$362,650. Effective upon G&C approval through June 4, 2010. **100% General Funds – Capital Account.**

#31 Authorized Bureau of Public Works Design and Construction to enter into an agreement with James J. Welch & Company Inc., Salem, MA, for NH State Prison – RTU, Phase 1-B, Electronic/Security Upgrades, Concord, NH, for a total price not to exceed \$387,642. (2)Further Authorized a contingency in the amount of \$35,000, bringing the total to \$422,642. Effective upon G&C approval through August 31, 2010. **100% General – Capital Funds.**

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

#33 Authorized Bureau of Court Facilities to enter into a 3-month holdover amendment with the City of Keene, NH, (previously amended by G&C on 5-20-09, item #21), to provide courtroom and office space for the Keene District Court in an amount not to exceed \$13,151.55. Effective April 1, 2010 through June 30, 2010. **100% Transfer Funds – transfer from AOC, Rent from Other Agencies.**

#34 Authorized DAS and the Department of Safety to enter into a contract with Enhanced Communications of Northern New England Inc., d/b/a FairPoint Internet, Portland, ME, for internet services, in the amount not to exceed \$228,840. Effective upon G&C approval through February 28, 2013. **100% Revolving Funds from the Telephone Clearing Account.**

#35 Authorized with Councilor Wieczorek voting **no**, the Bureau of Public Works Design and Construction to enter into an agreement with Harvey Construction Corporation, Bedford, NH, for the Multi-Phase Redevelopment Project, Hampton Beach State Park, Hampton, NH, in the amount not to exceed \$12,293,000. (2)Further Authorized a contingency in the amount of \$448,035 for additional unanticipated expenses for the project, bringing the total to \$12,741,035. (3)Further Authorized payment of \$61,465 to the State Art Fund to purchase art for the project, bringing the total to \$12,802,500. Effective upon G&C approval through November 30, 2011. **100% General – Capital Funds.**

#35A Authorized with Councilor Wieczorek voting **no**, the policy: “Audio Recording of Meetings of the Governor and Executive Council and Public Hearings Conducted by the Executive Council”. Effective upon G&C approval.

#35B Authorized Bureau of Public Works Design and Construction to amend a contract with Lavallee Brensinger Architects, P.A., (previously approved by G&C on 2-6-09, item #19), for the design of the Hillsborough County Superior Courthouse, by increasing the amount by \$61,200 from \$1,219,150 to a total price not to exceed \$1,280,350. Effective upon G&C approval through June 30, 2011. **100% General – Capital Funds.**

STATE TREASURY

The Governor and Council acted as follows:

#36 Authorized to borrow up to \$200 million in general funds and up to \$15 million in highway funds.

#37 Authorized to issue a warrant from funds not otherwise appropriated in the amount of \$191,142 and the State Treasurer to issue checks in the amount of \$191,11.26 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#38 Authorized Division of Arts to award a two year operating grant, totaling \$21,000 to Weathervane Theatre, Whitefield. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#39 Authorized State Library to award a Conservation Number Plate Grant in the amount of \$4,500 to Stephen Sanborn, for repair and restoration of several historic clocks. **100% Conservation Plate Funds.**

NEW HAMPSHIRE STATE LIBRARY

#40 The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Burton authorized the request of the Department of Education to enter into a memorandum of Agreement and to grant funds in the amount of \$45,000, to the NH State Library, to provide quality materials and resources in the area of special education, including preschool special education, to support the implementation of IDEA. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

JOINT BOARD OF LICENSURE AND CERTIFICATION

#41 The Governor and Council on motion of Councilor Burton, seconded by Councilor Wieczorek authorized the request to enter into a **sole source** contract with the National Association of State Boards of Geology, Columbia, SC, for membership and the preparation and scoring of the national professional geologist examinations in the amount of \$30,000. (2)Further Authorized unencumbered payments. Effective May 1, 2010 through April 30, 2012. **100% General Funds.**

ATTORNEY GENERAL – DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

#42 Authorized to conduct a daylong pre-conference training for multidisciplinary sexual assault resource teams scheduled for May 19, 2010 entitled “Statewide SART Training” and a two-day advanced conference scheduled for May 20-21, 2010, entitled the Sixteenth Statewide Conference on Domestic and Sexual Violence and Stalking. Both events are to be held at the Radisson Hotel Manchester, Manchester, NH, at a cost not to exceed \$62,744.40 through June 30, 2010. (2)Further Authorized to accept and expend registration fees in the amount of \$85 from each of an estimated 300 attendees, for a total amount not to exceed \$25,500, to help defray the cost of this conference and facility expenses. **41% Agency Income, 59% Federal Funds.** (3)Further Authorized to enter into an agreement with JPA III Management Company Inc., for the purpose of providing necessary conference facilities and food services at the Radisson Hotel Manchester, for the training. **52% Agency Income, 48% Federal Funds.**

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

#44 Authorized to enter into sub-grants with the agencies, as detailed in letter dated February 23, 2010, in the total amount of \$231,988 from the federal fiscal year 2009 ARRA Victims of Crime Act to support providing direct services to victims of crime. Effective July 1, 2010 through September 30, 2012. **100% Federal ARRA Funds.**

#45 Authorized to enter into a subgrant in the amount of \$55,080 with the Goodwill Industries of Northern New England, utilizing funds from the US Department of Justice’s Bureau of Justice Assistance Second Chance Act Prisoner Reentry Grant, for the purpose of funding personnel for the Division of Community Corrections’ Second Chance Act Demonstration Project. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#46 Authorized to enter into a subgrant in the amount of \$84,361 with the National Association for Mental Illness, utilizing funds from the US Department of Justice’s Bureau of Justice Assistance Second Chance Act Prisoner Reentry Grant, for the purpose of funding personnel for the Division of Community Corrections’ Second Chance Act Demonstration Project. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#47 **DENIED** – The Governor and Council on motion of Councilor Shea, seconded by Councilor Wieczorek voted to **deny** the petition of Justin R. Drew requesting a pardon hearing for the offenses of Burglary and Theft. The petitioner is not eligible for an annulment until January 4, 2018.

#48 **DENIED** – The Governor and Council on motion of Councilor Wieczorek, seconded by Shea voted to **deny** the petition of Shawn Stayrook requesting a pardon hearing for multiple counts of the offenses of Burglary, Forgery, Receiving Stolen Property, Theft by UnAuthorized Taking. The petitioner is not eligible for an annulment until June 16, 2020.

#49 **DENIED** – The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton voted to **deny** the petition of Allen J. Santos requesting a pardon hearing for the offense of knowingly possessing less than one-half ounce of the controlled drug Cocaine with intent to sell.

#49A Authorized with Councilor Pignatelli voting **no**, to enter into a subgrant in the amount of \$61,669 with St. Anselm University, utilizing funds from the US Department of Justice's Bureau of Justice Assistance Prisoner Reentry Initiative Grant, for the purpose of funding an evaluation of the Hillsborough County Reentry Program. Effective upon G&C approval through March 31, 2010. **100% Federal Funds.**

#49B Authorized with Councilor Pignatelli voting **no**, to enter into a subgrant in the amount of \$38,975 with the University of NH Justiceworks, utilizing funds from the US Department of Justice's Bureau of Justice Assistance Prisoner Reentry Initiative Grant, for the purpose of funding an evaluation of the Hillsborough County Reentry Program. Effective upon G&C approval through March 31, 2010. **100% Federal Funds.**

#49C Authorized with Councilor Pignatelli voting **no**, to enter into a subgrant in the amount of \$39,652 with the NH Center for Public Policy Studies, utilizing funds from the US Department of Justice's Bureau of Justice Assistance Prisoner Reentry Initiative Grant, for the purpose of funding an evaluation of the Hillsborough County Reentry Program. Effective upon G&C approval through March 31, 2010. **100% Federal Funds.**

INSURANCE DEPARTMENT

#50 The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Burton authorized the request to designate Catherine Bernhard Esq. as Insurance Fraud Attorney, at salary group FF, Step 4 (\$79,776 annually). Effective April 1, 2010. **100% Agency Income.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#51 Authorized to accept a donation from US Census Bureau in the form of payment for travel-related expenses for an NHES employee to attend the annual Local Employment Dynamics (LED) Partnership Workshop in Arlington, VA, with an estimated value of \$632.

#52 Authorized to enter into a contract with The Melanson Company Inc., Bow, NH, for roof replacement services at NHES's Concord administrative building in the amount of \$80,000. (2)Further Authorized a contingency in the amount of \$40,000 for unforeseen replacement of deteriorated Tectum deck at \$10 per square foot, damage to lawn and irrigation system due to required placement of dumpster requested by NHES, and any other unforeseen replacement issues that may arise. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#53 Authorized to pay for purchases made without a contract, **sole source** and **retroactive** invoices from National Lumber, Mansfield, MA, for building materials in the amount of \$13,088.29. Effective April 1, 2009 through May 12, 2009. **100% General Funds.**

#54 Authorized to accept and expend a Federal Carl D. Perkins Grant in the amount of \$10,030 for business education materials, software, and food preparation supplies for male inmates. Effective upon G&C approval through September 30, 2010. **100% Agency Income.**

#55 Authorized to accept and expend a Federal Carl D. Perkins Grant in the amount of \$8,053 for business education materials and software for female inmates. Effective upon G&C approval through September 30, 2010. **100% Agency Income.**

#55A Authorized to exercise a renewal option to a lease agreement with the Strafford County Commissioners, Dover, NH, for the purpose of probation/parole office space in an amount not to exceed \$33,592.56. Effective April 1, 2010 through March 31, 2011. **100% General Funds.**

NEW HAMPSHIRE LIQUOR COMMISSION

The Governor and Council acted as follows:

#56 Authorized to enter into a **retroactive** Inter-Agency Agreement with the NH Department of Transportation for space located at the DOT Stickney Ave Facility, Concord, NH, in the amount of \$22,000. Effective March 1, 2010 through June 30, 2011. **100% Liquor Funds.**

#57 Authorized to enter into a **sole source** contract with NH Fisher Cats, Manchester, NH, for the sole purpose of providing a sponsorship agreement in the amount of \$39,000. Effective upon G&C approval through September 30, 2012. **100% Transfer (Tip-Line Grant) Funds.**

#58 Authorized to accept and place on file the annual report for the period ending June 30, 2009.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#59 Authorized Office of Workforce Opportunity to enter into a contract with White Mountain Community College, Berlin, NH, to implement two innovative workforce development projects in the amount of \$88,683. Effective upon G&C approval through February 28, 2011. **100% Federal Workforce Investment Act (WIA) ARRA Governor's Discretionary Funds.**

#60 Authorized to accept and place on file the detailed analysis of Park Revenue and Expenditures, including Cannon Mountain Ski area, for fiscal year 2009.

#61 Authorized Office of Workforce Opportunity to enter into a contract with Grafton County Economic Development Council, Plymouth NH, to implement an innovative workforce development project in the amount of \$234,678. Effective upon G&C approval through February 28, 2012. **100% Federal Workforce Investment Act (WIA) Governor's Discretionary Funds.**

#62 Authorized Division of Parks and Recreation to enter into a contract with Kingdom Construction Inc., Newport, VT, for roof replacement on the Carriage House at Weeks State Historic Site in the amount of \$26,481.03. Effective upon G&C approval through May 21, 2010. **100% Other Funds (Conservation Plate Funds).**

#63 Authorized Division of Travel and Tourism Development to amend a **sole source** contract with Rumbletree Inc., North Hampton, NH, (previously amended by G&C on 6-3-09, item #58), for advertising and promotion services, by increasing the amount by \$650,000 from \$7,597,000 to \$8,247,000. Effective upon G&C approval through June 30, 2011. **100% Travel and Tourism Development Fund.**

#64 Authorized Division of Parks and Recreation to accept a donation of a late nineteenth century oil painting by Frank Henry Shapleigh depicting the Wentworth Coolidge Mansion.

#65 Authorized Division of Parks and Recreation to **retroactively** amend an agreement with Aerial NDT Inspection Inc., Milton, NH, (previously approved by G&C on 11-18-09, item #25), for additional services required in conjunction with the Aerial Tramway Carriage cleaning and inspection, by increasing the amount of \$2,900 by \$1,900 for a new total of \$4,800. **100% Cannon Mountain Funding.**

#66 Authorized Division of Parks and Recreation to accept and expend a donation of \$15 from Old Mill Properties of Bristol, NH for Odiorne Point State Park. Effective upon G&C approval.

#67 Authorized Division of Parks and Recreation to accept and expend a donation of \$20 from Peter and Linda Lambert of Derry, NH, for Franconia Notch State Park. Effective upon G&C approval.

#68 Authorized Division of Parks and Recreation to amend a contract with Dave's Septic Service Inc., Bedford, NH, (previously approved by G&C on 5-6-09, item #49), to add additional pumping services at North Hampton

Beach, by increasing the amount by \$1,540 from \$41,349.70 to \$42,889.70. Effective May 1, 2010 through June 30, 2010. **100% Park Funds.**

#69 Authorized Bureau of Trails to accept and expend a donation of \$150 from Jonathan Bailey, Berlin, NH, for trail maintenance. Effective upon G&C approval.

#70 Authorized Bureau of Trails to award a Recreational Trails Program educational Grant to the NH Snowmobile Association, Tilton, NH, for the production of an instructional video for snowmobile trail groomer operators in the amount of \$10,000. Effective upon G&C approval through March 31, 2011. **100% Federal Funds.**

#71 Authorized Division of Forests and Lands to enter into a purchase and sale agreement for a 97 acre parcel of land in Alton, NH, with Earl K. Joy II, York Town, VA, for \$9,017. (2)Further Authorized to name the property Joy State Forest. **100% Forest Improvement Funds.**

#71A Authorized Office of Workforce Opportunity to enter into a contract with International Business Machines Corporation, Washington, DC, to implement employer-based training under the NH Job Training Program in the amount of \$100,000. Effective upon G&C approval through June 30, 2011. **100% Training – Other Funds.**

#71B Authorized Office of Workforce Opportunity to enter into a contract with Stonyfield Farm Inc., Londonderry, NH, to implement employer-based training under the NH Job Training Program in the amount of \$100,000. Effective upon G&C approval through May 30, 2011. **100% Training – Other Funds.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#72 Authorized to accept and expend \$4,500 in donations from with Wildlife Heritage Foundation of NH for use in printing and distributing Discover Wild Times for Kids and in supporting Discover Wild NH Day. Effective upon G&C approval through June 30, 2010.

#72A Authorized to hold a Hunter Education and Volunteer Recognition and Training Seminar on March 20, 2010 in the amount of \$7,644.50. (2)Further Authorized to purchase volunteer recognition awards for a cost not to exceed \$1,000 to be presented to volunteer instructors at this event. (2)Further Authorized to pay Red Jacket Mountain View LLC, North Conway, NH, to provide facilities, morning refreshments and a lunch buffet for the Hunter Education Volunteer Recognition and Training Seminar at the Red Jacket Mountain View Hotel on March 20, 2010. **100% Federal Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#73 Authorized to enter into a grant agreement with R&B Transportation LLC., Charlestown, NH, to support the purchase of twenty-four auxiliary power units in an amount not to exceed \$200,000. Effective upon G&C approval through September 30, 2010. **100% ARRA Federal Funds.**

#74 Authorized to enter into a grant agreement with the Namaske Lake Association, Manchester, NH, for the purpose of milfoil control activities in Namaske Lake, Manchester, NH, in the amount of \$14,247. Effective upon G&C approval through December 31, 2010. **100% Lakes Restoration Funds.**

#75 Authorized to enter into a grant agreement with the Lake Opechee Preservation Association, Lakeport, NH, for the purpose of milfoil control activities in Lake Opechee, Lakeport, NH, in the amount of \$10,597.50. Effective upon G&C approval through December 31, 2010. **100% Lakes Restoration Funds.**

#76 Authorized to enter into an agreement with DC Group Inc., Minneapolis, MN, for annual testing, maintenance, and as-needed emergency repair of the uninterruptible power supply connected to the plant's ultraviolet disinfection system in the amount of \$5,700. Effective upon G&C approval through June 30, 2010. **100% WRBP Funds.**

- #77 Authorized to award a grant to the Rye Beach Village District, Rye Beach, NH, to assess principal questions associated with the potential restoration of Eel Pond, in the amount of \$5,000. Effective upon G&C approval through May 31, 2010. **100% Federal Funds.**
- #78 Authorized to award a Local Source Water Protection grant to the LifeWise Community Projects Inc., Hampton, NH, to complete a project to protect public drinking water system sources in the amount of \$20,000. Effective upon G&C approval through May 31, 2011. **100% Federal Funds.**
- #79 Authorized to award a Local Source Water Protection grant to the Town of Farmington, NH, to complete a project to protect public drinking water systems in the amount of \$18,880. Effective upon G&C approval through May 31, 2011. **100% Federal Funds.**
- #80 Authorized to enter into a memorandum of agreement with the City of Franklin for financial assistance for the design and construction of ultraviolet disinfection and plant water upgrades at the WRBP Franklin wastewater treatment plant in the amount of \$200,000. Effective upon G&C approval through December 31, 2011. No additional Funds.
- #81 Authorized to award a Businesses United for Water Security Installation grant to the City of Franklin, NH, to complete a project to protect public drinking water systems during emergencies in the amount of \$4,000. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**
- #82 Authorized to enter into an agreement with the Town of Warren, NH, for the Baker River Restoration Project Phase II – Design and Permitting in the amount of \$22,500. Effective upon G&C approval through December 31, 2012. **100% Federal Funds.**
- #83 Authorized an Original Loan Agreement with the City of Franklin to finance a water system improvement project in the amount of \$3,300,000. Effective upon G&C approval. **100% Repayment Funds – Drinking Water.**
- #84 Authorized to **retroactively** enter into a memorandum of agreement with the University of NH, Office of Sponsored Research, Durham, NH, to carry out activities to implement portions of the Piscataqua Region Estuaries Partnership Management Plan. Effective January 1, 2010 through December 31, 2010.
- #85 Authorized to accept and place on file the annual report of the Oil Fund Disbursement Board.
- #86 Authorized Ossipee Bluffs Association Inc.’s request to install approximately 119 feet of rip rap and approximately 142 linear feet of coir logs within Ossipee Lake in Ossipee.
- #87 Authorized Swallow Cove Association’s request to reconfigure an existing 14-slip, seasonal community docking facility such that it will consist of a walkway with six fingers on frontage on Lake Winnepesaukee in Moultonborough.
- #88 Authorized with Councilor Pignatelli voting **no**, Brian & Joanne Petrillo’s request to perform work on an average of 197 ft of frontage on Lake Winnepesaukee in Meredith.
- #89 Authorized Eugene & Deborah Brewer’s request to reconfigure existing breakwater docking system to a breakwater with a gap at the shoreline attached to a “W-shaped” docking system consisting of a cantilevered dock, two crib supported docks, accessed by a walkway, and restore access road with native vegetation on frontage in Alton on Lake Winnepesaukee (previously approved by G&C on 10-3-07, item #46).
- #90 Authorized Janice Carine’s request to conduct work on shoreline frontage along Lake Winnepesaukee in Gilford.
- #91 Authorized Thomas Benton’s request to perform work on frontage on Lake Winnepesaukee in Wolfeboro (previously approved by G&C on 6-17-09, item #88).

#92 Authorized Stephen J. Little's request to add a ramp and a float with two float stop pilings to an existing dock, providing two slips on frontage on Piscataqua River Back Channel in Portsmouth.

#93 Authorized William Knighton's, Alice Valpey's and Robert Heath's request to perform work on Lake Winnepesaukee in Moultonborough and Center Harbor.

#94 Authorized NH Fish & Game Department's request to impact 1,635 sq ft to permanently remove an existing boat ramp and install a concrete boat ramp with a seasonal dock on Merrymeeting Lake, in New Durham.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Human Resource Management

#95 Authorized to make a one-time payment from State Fiscal Year 2010 funds to Kimberly Flynn, Health Promotion Advisor III, Division of Public Health Services in the amount of \$1,318.20 to compensate for wages that were not paid for SFY 2009. **63% General, 37% Federal Funds.**

Office of Medicaid Business and Policy

#96 Authorized to accept additional unrestricted revenue in the amount of \$877,465.10; and to transfer \$369,525.10 in unrestricted revenue plus the \$566,259 in general funds from the Medicaid Administration account to the Provider Payments account; and accept and expend federal matching Title XIX funds from Centers for Medicare and Medicaid Services in the amount of \$1,219,087.44 and additional ARRA 2009 Title XIX Medicaid federal funds in the amount of \$282,367.55 to the Provider Payments account. Effective upon G&C approval through June 30, 2010. **Fiscal Committee approved. ARRA Funds.**

Bureau of Facilities and Assets Management

#97 Authorized to enter into an agreement with College Bound Movers Inc., Amherst, NH, to move the Nashua District Office to its new District Office location in the amount of \$11,900. Effective upon G&C approval through June 30, 2010.

#98 Authorized to amend an existing lease with Ashuelot River Realty Inc., Spofford, NH, (previously approved by G&C on 4-20-05, item #65), for continued occupation by the Keene District Office, by increasing the price in the amount of \$318,500.04 to \$1,821,166.68 from \$1,502,666.64, and by extending the end date from April 30, 2010 to April 30, 2011. **60% General, 40% Federal Funds.**

Division for Juvenile Justice Services

#99 Authorized to enter into a **sole source** agreement with PLATO Inc., d/b/a Plato Learning, Bloomington, MN, to provide two licenses for program access to on-line student learning and on-site implementation; and training at the John H. Sununu Youth Services Center in an amount not to exceed \$5,100. Effective upon G&C approval through September 30, 2010. **100% Other Funds – Department of Education.**

#100 Authorized the John H. Sununu Youth Services Center to accept 40 Wal-Mart Gift Cards with a total approximate value of \$1,000.

Division for Children, Youth and Families

#101 Authorized to accept and expend federal grant funds in the amount of \$224,340 in additional appropriations, available from the US Department of Health and Human Services Administration for Children and Families, under Title IV-E, Section 473A of the Social Security Act. Effective upon G&C approval through June 30, 2010. **Fiscal Committee approved.**

Division of Family Assistance

#102 Authorized to accept and expend \$480,429 of Supplemental Nutrition Assistance Program high performance bonus funds. (2)Further Authorized to transfer \$360,000 in General Funds, and to reduce \$610,000 of associated federal funds. Effective upon G&C approval through June 30, 2010. **Fiscal Committee approved.**

Division of Public Health Services

#103 Authorized Bureau of Laboratory Services, Healthcare Associated Infections Program to enter into a **sole source** agreement with the Association for Professionals in Infection Control and Epidemiology, Washington, DC, to provide the healthcare-associated infections prevention training EPE 101 and EIP 201 courses to infection preventionists at acute care, critical access, specialty hospitals, and long term care facilities not to exceed 85 participants per course in an amount not to exceed \$115,000. Effective upon G&C approval through December 31, 2011. **ARRA Funds.**

#104 Authorized Bureau of Community Health Services, Rural Health and Primary Care Section to enter into an agreement with Cecilia Vicuna-Keady, Advanced Registered Nurse Practitioner, Charlestown, NH, to receive reimbursement for payment of educational loans through the State Loan Repayment Program in an amount not to exceed \$45,000. Effective upon G&C approval through December 31, 2012. **100% General Funds.**

#105 Authorized Bureau of Community Health Services, Rural Health and Primary Care Section to renew and amend an agreement with Brittanica F. McDonald, licensed Physician Assistant, Campton, NH (previously approved by G&C on 10-31-07, item #106), to receive reimbursement for payment of educational loans through the State Loan Repayment Program, by increasing the price by \$10,000 from \$10,000 to \$20,000, and by extending the end date to June 30, 2011. Effective **retroactive** to July 1, 2009. **100% General Funds.**

Division of Community Based Care Services

#106 Authorized to transfer General Funds in the amount of \$1,000,000, transfer federal funds in the amount of \$665,390 and accept and expend additional federal funds in the amount of \$335,610. Effective upon G&C approval through June 30, 2010. **Fiscal Committee approved.**

Bureau of Elderly & Adult Services

#107 Authorized to amend a **sole source** agreement with Greater Wakefield Resource Center, Union, NH, (previously approved by G&C on 10-21-09, item #75), to provide Nutrition Services/Congregate meals to elderly individuals, by increasing the amount by \$2,450 from \$9,800 to \$12,250. Effective upon G&C approval through September 30, 2010. **100% Federal ARRA Funds.**

Bureau of Homeless and Housing Services

#108 Authorized to accept and expend \$100,000 from the State Treasurer, from funds available to support the provisions of the Housing Security Guarantee Program. (2)Further Authorized to amend an agreement with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, (previously approved by G&C on 8-19-09, item #131), for homeless assistance services, by increasing the price by \$100,000 from \$720,866 to \$820,866. Effective upon G&C approval through June 30, 2011. **Fiscal Committee approved.**

Glencliff Home

#109 Authorized to establish a trust account to benefit the Patient's Welfare Fund-Special Projects at Glencliff Home with Woodsville Guaranty Savings Bank, Woodsville, NH.

#110 Authorized to accept all monetary donations for the period of October 1, 2009 through December 31, 2009, in the amount of \$985.

NEW HAMPSHIRE VETERANS HOME

The Governor and Council acted as follows:

#111 Authorized to accept monies totaling \$204,973.76 received during the period of October 1, 2009 through December 31, 2009, as a result of fundraising drives from various organizations and from personal contributions.

#112 Authorized to enter into a contract with Power Products Systems LLC, Wakefield, MA, to provide generator preventative maintenance and service in the amount of \$37,251. Effective upon G&C approval through January 31, 2013. **100% General Funds.**

BOARD OF PHARMACY

#113 The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Pignatelli authorized the request to accept and place on file the annual report for FY 08 and FY 09.

NEW HAMPSHIRE BOARD OF MEDICINE

#114 The Governor and Council on motion of Councilor Burton, seconded by Councilor Hollingworth authorized the request the Board of Medicine, Board of Dental Examiners, and the Office of Allied Health Professionals to amend an agreement with McCarthy Properties, Concord, NH (previously approved by G&C on 8-3-05, item #105), for office space for the six boards as detailed in letter dated February 18, 2010, by increasing the amount by \$37,625.04 from \$183,750.24 to \$221,375.28, and by extending the completion date through June 30, 2011. **99% General, 1% Impaired Physician Program and Agency Income from Xeroxing costs.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#115 Authorized to enter into a contract with Brain Injury Association of NH, Concord, NH, to provide independent living services in an amount not to exceed \$60,000 of ARRA monies allocated to Title VII, Part B, of the Rehabilitation Act of 1973, as amended. (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.**

#116 Authorized to contract with Bugden Solutions Inc., Manchester, NH, to provide review services for the Child Nutrition Programs that are sponsored by the US Department of Agriculture and overseen by the State of NH in an amount not to exceed \$9,600. (2)Further Authorized payment for services rendered and approved in lieu of withholding at least 25% of the total value of the contract. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#117 **TABLED** – The Governor and Council on motion of Councilor Pignatelli, seconded by Councilor Hollingworth, and with Councilor Burton voting **no**, voted to **table** the request of the Division of Career Technology and Adult Learning to enter into a contract with RKM Research and Communications Inc., Portsmouth, NH, to conduct a statewide customer satisfaction survey of its primary customers in an amount not to exceed \$104,550. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

MCAULIFFE-SHEPARD DISCOVERY CENTER

The Governor and Council acted as follows:

#118 Authorized to amend a contract with Dr. Elizabeth Webbink, Montclair, NJ (previously approved by G&C on 9-9-09, item #111A), for the Light Runner project, by extending the end date from December 31, 2009 until June 30, 2010. No additional funds. **100% Federal Funds.**

#119 Authorized to amend a contract with Martin S. Quinn, (previously approved by G&C on 12-3-08, item #66), for the Light Runner project, by extending the end date from July 22, 2009 until June 30, 2010. No additional funds. **100% Federal Funds.**

#120 Authorized to amend a **retroactive** contract with H. B. Stubbs Inc., Warren, MI, (previously amended by G&C on 2-18-09, item #54), to design, fabricate, ship and install “Phase I” exhibits for the McAuliffe-Shepard Discover Center, by reducing the price by \$92,978.28 from \$1,868,434 to \$1,775,455.72, and by extending the completion date from June 30, 2009 to April 30, 2010. (2)Further Authorized to allocate \$47,539. No Cost.

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#121 Authorized Division of Homeland Security and Emergency Management to amend a contract with URS Corporation, Salem, NH, (previously amended by G&C on 5-20-09, item #115A), to provide training to state agencies on Continuity of Operations planning, by increasing the price by \$45,000 from \$131,077 to \$176,007, and by extending the end date from June 30, 2010 to September 30, 2010. **100% Transfers from Other Agencies (Federal) Funds.**

#122 Authorized Division of Fire Standards and Training and Emergency Medical Services to pay **sole source**, annual licensing fees, to the International Association of Firefighters, Washington, DC, for an amount not to exceed \$5,000. Effective upon G&C approval through June 30, 2010. **100% Agency Income.**

#123 Authorized Division of State Police to enter into a **sole source** contract with Imperatore Steel Erectors Inc., Cranston, RI, for the provision of a crane, rigger and two outside trucks to load out and transport two communications shelters in an amount not to exceed \$9,158.40. Effective upon G&C approval through June 30, 2010. **100% Highway Funds.**

#124 Authorized Division of Fire Standards & Training and Emergency Medical Services, to **retroactively** pay White Mountain Community College for catering that was supplied for the National Fire Academy class that was conducted in Berlin, NH, in the amount of \$320. Effective upon G&C approval. **100% Fire and EMS Funds.**

#125 Authorized to **retroactively** pay New London Cleaners Inc., New London, NH, for dry cleaning services provided in SFY2009 using SFY2010 funds in the amount of \$822.53. Effective upon G&C approval. **83.52% Highway, 16.48% Turnpike Funds.**

#126 Authorized Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Gorham Water and Sewer Department for the purchase and installation of a generator for the Town's Water and Sewer Department in the amount of \$50,000. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#127 Authorized Division of Motor Vehicles to enter into a contract with the Motorcycle Safety Foundation, Irvine, CA, to provide liability insurance for the Motorcycle Rider Education Program in the amount not to exceed \$23,828.49. Effective upon G&C approval through December 15, 2010. **100% Motorcycle Rider Education Program Funds.**

#128 Authorized Division of State Police to accept and expend \$42,000 of federal funds from the NH Highway Safety Agency entitled FFY 2010 NHSP Laser Radars for the purpose of purchasing twelve laser radars. Effective upon G&C approval through June 30, 2010. **100% Agency Income.**

#129 Authorized the permit application of Brown's Beach Shore Front Association located on Newfound Lake in Bristol, NH, for a congregate mooring field renewal of six moorings.

#130 Authorized the permit application of Hillside-Lakeside Condominium Association located on Lake Winnepesaukee in Gilford, NH, for a congregate mooring field renewal of seven moorings.

#131 Authorized the permit application of Spruce Woodlands Association of Newfound Lake Inc., located on Newfound Lake in Bristol, NH, for a congregate mooring field renewal of six moorings.

#132 Authorized the permit application of Squam Lakeside Marina Inc., located on Squam Lake in Holderness, NH, for a congregate mooring field renewal of twelve moorings.

#133 Authorized the permit application of Granliden Community Association located on Sunapee Lake in Sunapee, NH, for a congregate mooring field renewal of eighteen moorings.

#134 Authorized the permit application of Gunstock Acres Common Property Trust located on Lake Winnepesaukee in Gilford, NH, for a congregate mooring field renewal of forty-two moorings.

#135 Authorized the permit application of The Windrifter Resort located on Lake Winnepesaukee in Wolfeboro, NH, for a congregate mooring field renewal of ten moorings.

#136 Authorized the permit application of Gatehouse Colony Association located on Lake Winnepesaukee in Laconia, NH, for a congregate mooring field renewal of five moorings.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#137 Authorized Bureau of Finance and Contracts to pay Small Claims for individual amounts less than \$600. Effective upon G&C approval through March 31, 2010. **100% Highway Funds.**

#138 Authorized Bureau of Planning and Community Assistance to enter into an agreement with the City of Manchester, to provide funding and services under the Federal Highway Safety Improvement Program through a municipally-managed process to complete the replacement of existing signals at the intersection of Beech Street and Bridge Street in the total amount of \$135,000. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#139 Authorized Bureau of Right of Way to sell a 20,545 square foot portion of State owned NH Route 28 (South Willow Street) Right-of-Way, located in Manchester to Autofair Realty LP, for \$306,100, which includes a \$1,100 Administrative Fee. Effective upon G&C approval.

#140 Authorized Bureau of Right of Way to pay various owners \$1,572,101.78 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from January 16, 2010 through February 23, 2010. Effective upon G&C approval.

#141 Authorized to sell a 1.45 acre parcel of State owned land improved with a one-story ranch style house located in Colebrook to the NH Housing Finance Authority for \$62,300, including a \$1,100 Administrative Fee. Effective upon G&C approval.

#142 Authorized Bureau of Traffic to enter into a contract with Advanced Waterjet Technologies LLC, Fergus Falls, MN, for providing a service to hydro-strip retroreflective sheeting of aged signs so they may be re-used on the basis of a low bid in an amount not to exceed \$30,000. Effective upon G&C approval through June 30, 2011. **100% Highway Funds.**

#143 Authorized Bureau of Bridge Design to amend three agreements with the firms as detailed in letter dated December 31, 2009, for on-call engineering and/or technical services, by increasing the amounts, and extending the completion dates of all three from December 31, 2010 to September 30, 2011.

#144 Authorized Bureau of Bridge Design to amend a contract with HDR Engineering Inc., Boston, MA (previously approved by G&C on 5-20-09, item #126), to perform additional engineering services, not anticipated in the original agreement, required for the Memorial Bridge carrying US Route 1 over the Piscataqua River between Portsmouth, NH and Kittery, ME, by increasing the amount by \$29,735.75 from \$2,776,371.87 to \$2,806,107.62. Effective upon G&C approval through May 31, 2012. **100% Federal Funds.** All costs are shared equally between ME (50%) and NH (\$50).

#145 Authorized to enter into a contract with Advance Transit Inc., Wilder, VT, to administer the Upper Valley Rideshare Program, based on a single bid in the amount of \$111,360. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#146 Authorized Bureau of Planning and Community Service to enter into a **sole source** joint funding agreement with the US Geological Survey, US Department of the Interior, Charlotte, NC, for statewide high-resolution aerial orthoimagery and enhanced aerial orthoimagery for participating municipalities in the amount not to exceed \$850,000. (2)Further Authorized to enter into agreements with the municipalities as detailed in letter dated February 25, 2010, for the purpose of purchasing additional services for enhanced aerial orthoimagery through the municipal managed process, as part of the cost above. Effective upon G&C approval through January 31, 2012. **100% General Funds.**

#147 Authorized Bureau of Construction to enter into a low bid contract with Pike Industries Inc., Belmont, NH, for roadway resurfacing of 14.30 miles in maintenance District II in Merrimack and Sullivan Counties on the basis of a low bid of \$1,214,380. Effective upon G&C approval through August 20, 2010. **100% Betterment Funds.**

#148 Authorized Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for roadway resurfacing of 23.86 miles in maintenance District I in Coos and Grafton Counties on the basis of a single bid of \$1,739,420. Effective upon G&C approval through August 20, 2010. **100% Betterment Funds.**

#149 Authorized Bureau of Construction to enter into a contract with Northeast Earth Mechanics, Inc., Pittsfield, NH, for complete removal and replacement of the existing NH Route 107 bridge over Griffin Brook in Epsom on the basis of a low bid of \$721,953.33. (2)Further Authorized a contingency in the amount of \$72,195.33 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through September 24, 2010. **100% Federal Funds.**

#150 Authorized with Councilor Shea recusing, the Bureau of Construction to enter into a contract with Continental Paving Inc., Londonderry, NH, for roadway resurfacing of 41.49 miles in maintenance District V in Hillsborough, Merrimack, and Rockingham Counties on the basis of a low bid of \$2,547,650. Effective upon G&C approval through August 20, 2010. **82% ARRA, 18% Betterment Funding.**

#151 Authorized with Councilor Shea recusing, the Bureau of Construction to enter into a contract with Continental Paving Inc., Londonderry, NH, for roadway resurfacing of 42.17 miles in maintenance District VI in Strafford, and Rockingham Counties on the basis of a low bid of \$1,943,705. Effective upon G&C approval through August 20, 2010. **62% ARRA, 38% Betterment Funds.**

#152 Authorized with Councilor Shea recusing, the Bureau of Construction to enter into a contract with Continental Paving Inc., Londonderry, NH, for roadway resurfacing of 18.55 miles in maintenance District IV in Cheshire, Hillsborough, and Sullivan Counties on the basis of a low bid of \$2,189,672.50. Effective upon G&C approval through August 20, 2010. **44% ARRA, 56% Betterment Funds.**

#153 Authorized Bureau of Rail and Transit to enter into an agreement with Manchester Transit Authority, to provide operating assistance to match Federal Transit Administration funds for operating expenses in an amount not to exceed \$19,511. Effective upon G&C approval through June 30, 2011. **100% General Funds.**

#154 **TRAVEL REQUESTS**

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request:

- A. SAFETY- Division of State Police** - Request permission for one (1) employee, Captain, John LeLacheur, Field Operations Bureau, or his designee, to travel to Quantico, VA for 69 days during the period of April 11, 2010 through June 18, 2010 to attend the Federal Bureau of Investigation National Academy Advanced Leadership Training seminar. Permission is also requested for a waiver to exceed the 300 mile radius by state vehicle. **Total Cost: \$847.44. Source of Funds: 100% Highway Funds. No Registration Fees.**

LATE ITEM

STATE TREASURY

A. Authorized the State Treasurer to negotiate the sale and issuance of general obligation bonds to refund outstanding bonds to produce net present value debt service savings of at least three percent of the par value of the refunded bonds.

Next regular Governor and Executive Council meeting is scheduled for Wednesday, March 24, 2010 at 10:00 a.m. at the State House in Concord, New Hampshire.

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