GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
March 24, 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 March 10, 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 March 10, 2010 meeting.

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

Coos County, District 2
John E. Tholl Jr., r, Whitefield (41 Kimball Hill Rd) 03598

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RESIGNATIONS

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

Board of Barbering, Cosmetology and Esthetics
(Public Member)
Louise Lavertu, Chichester — Effective: March 24, 2010

CONFIRMATIONS

The Governor and Council confirmed the following:

State Committee on Aging
(Grafton County)
Richard D. Crocker, Plymouth — Effective: March 24, 2010
Succeeding: Louis Paré, Holderness (resigned) — Term: June 24, 2010

Alcohol and Drug Abuse Prevention, Intervention and Treatment Commission
(Drug Abuse Treatment)
Stephanie A. Savard, Derry — Effective: March 24, 2010
Succeeding: Joseph Diament, Newfields (resigned) — Term: September 20, 2011

Appellate Board
(Management)
Fred Keach, Concord — Effective: March 24, 2010
Vacancy — Term: August 9, 2012

State Apprenticeship Advisory Council
(Employer/Management)
Stephen R. Scarponi, Barrington — Effective: March 24, 2010
Vacancy — Term: June 25, 2011

Artist Laureate
David W. Lamb, Canterbury — Effective: March 24, 2010
Succeeding: James Aponovich, Hancock — Term: February 18, 2012

Board of Barbering, Cosmetology and Esthetics
(Barber)
Aaron C. Losier, Manchester — Effective: March 24, 2010
Succeeding: David Caron, Concord (resigned) — Term: July 1, 2011

Current Use Advisory Board
(representing assessing official in a city)
Laura J. Thibodeau, Sullivan — Effective: March 24, 2010
Reappointment — Term: March 15, 2012

Executive Branch Ethics Committee
Andrew R. Schulman, (d), Bedford — Effective: March 24, 2010
Succeeding: Deborah Schachter, (d), Concord (resigned) — Term: June 30, 2010

State Board of Fire Control
(Manufacturing Industry)
John D. Ela, Concord — Effective: March 24, 2010
Vacancy — Term: July 8, 2011

Board of Home Inspectors
(Public Member)
Kevin M. McEneaney, Dover — Effective: April 1, 2010
Reappointment — Term: April 1, 2012

Joint Promotional Program Screening Committee
(Chamber of Commerce)
Timothy G. Sink, Concord — Effective: March 24, 2010
Succeeding: Robin Comstock, Manchester (resigned) — Term: July 13, 2010

Medical Review Subcommittee
(Public Member)
Nominated by the Board of Medicine
Patricia A. Waldvogel, Loudon — Effective: March 24, 2010
Reappointment — Term: December 3, 2012

New England Board of Higher Education
(Private Citizen)
Thomas R. Horgan, Amherst — Effective: March 24, 2010
Reappointment — Term: February 16, 2014

State Board for the Licensing and Regulation of Plumbers
(Master Plumber)
Timothy J. Dupont, Nashua — Effective: March 24, 2010
Succeeding: Tedd P. Evans, Concord (resigned) — Term: July 1, 2011

Department of Safety: Director, Division of Administration
Nominated by the Commissioner of the Department of Safety
Wesley J. Colby, Laconia — Effective: March 31, 2010
Reappointment — Term: March 31, 2014
Salary: GG Maximum: $90,606

Department of Safety: Director, Division of State Police
Nominated by the Commissioner of the Department of Safety
Robert L. Quinn, Seabrook — Effective: March 31, 2010
Succeeding: Frederick H. Booth, New Durham (retired) — Term: March 31, 2014
Salary: II Maximum: $104,364

NOMINATIONS

The Governor placed into nomination the following:

Adult Parole Board
Mark E. Furlone, Chesterfield — Effective: Upon confirmation
Reappointment — Term: March 15, 2015

Athletic Trainers Governing Board
(Physician/Practice of Sports Medicine)
Douglas J. Moran, Concord — Effective: Upon confirmation
Reappointment — Term: March 18, 2013

Aviation Users Advisory Board
(General Aviation)
Heath H. Marsden, Newport — Effective: April 23, 2010
Succeeding: Joseph R. Brigham, Bow (term limited) — Term: April 23, 2014

State Conservation Committee
(Coos/Grafton)
Christopher R. Hawkins, Lancaster — Effective: Upon confirmtion
Succeeding: Calvin J. Perkins, Rumney (deceased) — Term: August 1, 2011

Department of Education, Deputy Commissioner
Paul K. Leather, Concord — Effective: Upon confirmation
Succeeding: Mary Heath, Manchester (resigned) — Term: October 21, 2013
Salary: II, Step 3: $94,039

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

Fire Standards and Training Commission
(Insurance Services Office Recommendation)
John Hoglund, Nashua — Effective: Upon confirmation
Reappointment — Term: April 14, 2013

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

New Hampshire Commission for Human Rights
Catherine Hackett, Manchester — Effective: Upon confirmation
Succeeding: Griffin Dalianis, Nashua — Term: November 1, 2014

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

Board of Nursing
(ARNP)
Kathleen M. Kidder, Andover — Effective: May 10, 2010
Reappointment — Term: May 10, 2013

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

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

Advisory Council on Unemployment Compensation
(Empolyees)
Jonathan P. Baird, Wilmot — Effective: Upon confirmation
Succeeding: Omer Beaudoin, Manchester — Term: March 26, 2012

Advisory Council on Unemployment Compensation
(Employers)
Carolyn H. Benthien, Goffstown — Effective: Upon confirmation
Reappointment — Term: March 26, 2013

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#1 Authorized to award a grant to the City of Somersworth, NH, in the amount of $300,000, for the purpose of replacing and air sealing windows and sills and installing an ADA-compliant entrance at Charpentier Apartments, an elderly housing complex. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#2 Authorized to enter into an agreement with the Town of Farmington, NH, to repair and replace sewer lines to correct deficiencies in the wastewater infill and infiltration system in the amount of $500,000. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

HIGHWAY SAFETY AGENCY

#3 The Governor and Council on motion of Councilor Burton, seconded by Councilor Wieczorek authorized the request to enter into a **sole source** agreement with the NH Fisher Cats Baseball Team, Manchester, NH, to coordinate a highway-safety related advertisement campaign during the 2010 season home games in the amount of $31,550. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#4 Authorized to accept and expend federal grant funds in the amount of $160,463.64 from the US Department of Health and Human Services, Administration for Children and Families, Office of Refugee Resettlement, for the refugee cash and medical program. Effective upon G&C approval through June 30, 2010. **100% Federal Funds. Fiscal Committee approved.**

#5 Authorized to enter into a **sole source** contract with Southwestern Community Services Inc., Keene, NH, for the federal Weatherization Assistance Program in the amount of $139,906. (2)Further Authorized to advance $20,986 to the vendor. Effective April 1, 2010 through March 31, 2011. **100% Federal Funds.**

#6 Authorized to enter into a **sole source** contract with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, for the federal Weatherization Assistance Program in the amount of $195,065. (2)Further Authorized to advance $29,260 to the vendor. Effective April 1, 2010 through March 31, 2011. **100% Federal Funds.**

#7 Authorized to enter into a **sole source** contract with Southern NH Services Inc., for the federal Weatherization Assistance Program in the amount of $291,413. (2)Further Authorized to advance $43,712 to the vendor. Effective April 1, 2010 through March 31, 2011. **100% Federal Funds.**

#8 Authorized to enter into a **sole source** contract with Tri-County Community Action Program Inc., Berlin, NH, for the federal Weatherization Assistance Program in the amount of $208,923. (2)Further Authorized to advance $31,338 to the vendor. Effective April 1, 2010 through March 31, 2011. **100% Federal Funds.**

#9 Authorized to enter into a **sole source** contract with Rockingham Community Action Inc., Portsmouth, NH, for the federal Weatherization Assistance Program in the amount of $149,007. (2)Further Authorized to advance $22,351 to the vendor. Effective April 1, 2010 through March 31, 2011. **100% Federal Funds.**

#9A Authorized to enter into a memorandum of agreement with the Department of Environmental Services, Concord, NH, to provide funding for support of the state's alternative fuel vehicle program, including grants for fueling infrastructure and incremental cost of alternative fuel vehicles in the amount of $400,000. Effective upon G&C approval through April 30, 2012. **100% Federal ARRA Funds.**

DEPARTMENT OF INFORMATION TECHNOLOGY

The Governor and Council acted as follows:

#10 Authorized to reduce class lines by $1,892,844 for fiscal year ending June 30, 2010, and by $1,876,643 for fiscal year ending June 30, 2011, resulting in the required reductions of General funds totaling $1,300,000 in state fiscal years 2010 and $1,300,000 in state fiscal year 2011. Effective upon G&C approval through June 30, 2011. **SFY2010 2.13% General, 97.87% Agency Class 27 Funds. SFY2011 2.16% General, 97.84% Agency Class 27 Funds. Fiscal Committee approved.**

#11 Authorized to enter into a **sole source** contract, for the benefit of the Board of Tax and Land Appeals, with Legal Files Software Inc., Springfield, IL, for services to create a stored procedure that will integrate with the BTLA Legal Files SQL database in the amount of $3,000. Effective upon G&C approval through June 30, 2011. **100% Other (Agency Class 27) Funds: the agency Class 27 used by BTLA to reimburse DoIT for this contract is 16% Federal Funds (Highway) and 84% General Funds.**

#12 Authorized Roger Poulin, Technical Support Specialist V, to attend the IBM Northeast Users Group Conference to be held April 12, 2010 through April 14, 2010 in Framingham, MA. (2)Further Authorized him to accept complimentary admission in the amount of $500 from the IBM Northeast Users Group Conference. Effective upon G&C approval.

#13 Authorized to exercise a **retroactive** contract renewal option with International Business Machines, Pittsburgh, PA, to provide Business Recovery Services for DHHS, Division of Child Support Services and Division of Family Assistance, by increasing the funds by $219,888 from $246,106 to $465,994, and by extending the end date from March 20, 2010 through March 20, 2012. **100% Other Funds: the agency Class 27 used by DHHS to reimburse DoIT for this service is 54% Federal and 46% General Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#14 Authorized Major Jennifer K. Jusseaume, Stratham, 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.

#15 Authorized Matthew G. Levin, Amherst, NH, to be nominated for appointment to the rank of Lieutenant Colonel, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally and professionally qualified.

#16 Authorized Rodney T. Freeman, York, ME, to be nominated for promotion to the rank of Lieutenant Colonel, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

#17 Authorized Thomas F. Spencer, York, ME, to be nominated for promotion to the rank of Colonel, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

#18 Authorized Colonel Michael D. Miller, Goffstown, NH, be confirmed for appointment to the rank of Colonel, NH Air National Guard.

#19 Authorized Colonel Deborah L. Carter, Lee, NH, be confirmed for promotion to the rank of Brigadier General, NH Air National Guard.

#20 Authorized Dr. Howard L. Suls, Bedford, NH, be confirmed for appointment to the rank of Major, NH Air National Guard.

#21 Authorized Brigadier General Mark F. Sears, Dover, NH, be confirmed for promotion to the rank of Major General, NH Air National Guard.

#22 Authorized to enter into an Inter-Agency Agreement with the Department of Health and Human Services, for the purpose of Deployment Cycle Support Program in the amount of $2,597,402. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#23 Authorized to accept and place on file the Report and Findings of Councilor Raymond J. Wieczorek with regard to financing the construction, furnishing and equipping of certain facilities as well as the refinancing of certain existing indebtedness in connection with the Pinkerton Academy, Derry, NH.

#24 Authorized to accept and place on file the Report and Findings of Councilor John D. Shea with regard to construction, renovation and equipping of certain facilities and the provision of working capital as well as the refinancing of certain existing indebtedness in connection with Revenue Anticipation Note/Capital Note Program.

#25 Authorized Bureau of Court Facilities to enter into a 3-month holdover amendment with Sal's Kitchen Realty, Lawrence, MA (previously amended by G&C on 8-19-09, item #31), for courtroom and office space for the Milford District Court comprised of approximately 5,700 square feet, for a total cost not to exceed $19,420.05. Effective April 1, 2010 through June 30, 2010. **100% Transfer Funds – transfer from AOC, Rent from Other Agencies.**

#26 Authorized Bureau of Facilities and Assets Management to amend the existing contract with Control Technologies Inc., Manchester, NH, (previously approved by G&C on 8-13-08, item #32C), for the heating, ventilation and air conditioning preventive maintenance service for the Brown Building and Parking Garage, by increasing the price by $30,000 from $62,111.28 to $92,111.28. Effective upon G&C approval through June 30, 2011. **100% Other State Agency Funds.**

#27 Authorized the Working Capital Warrant expenditures for the period of July through December in the amount of $2,963,580,828, and to lapse the balance of $632,469,172.

#28 Authorized a Working Capital Warrant in the amount of $448,500,000 to cover expenditures for the Month of April 2010.

#29 Authorized Bureau of Public Works Design and Construction to enter into a contract with Northern Construction Service LLC, Weymouth, MA, for North Beach Seawall Repairs, Route 1-A, Hampton, NH, for a price not to exceed $861,900. (2)Further Authorized a contingency in the amount of $126,100 to provide for additional unanticipated expenses, bringing the total to $988,000. Effective upon G&C approval through June 25, 2010. **100% General – Capital Funds.**

#29A Authorized to amend Master Statewide Contract, and Laboratory Information Management System, with ChemWare Inc.,Raleigh, NC, (previously amended by G&C on 6-4-08, item #18), for upgraded software licensing, maintenance, support, training, and installation services, by increasing the amount by $200,000 from $625,000 not to exceed $825,000. Effective upon G&C approval through December 31, 2015. **100% Other (Agency) Funds.**

#29B **TABLED** – The Governor and Council on motion of Councilor Burton, seconded by Councilor Hollingworth, with Councilor Shea voting **no**, and Councilor Pignatelli abstaining, voted to **table** the reqeust to amend an agreement with Anthem Health Plans of NH Inc., d/b/a Anthem Blue Cross and Blue Shield, Manchester, NH, for an estimated administrative charge of $16.8 million, and to extend the term of the agreement for a period of two years from January 1, 2011 through December 31, 2012. **57% General, 16% Federal, 15% Enterprise, and 12% Restricted Funds.**

STATE TREASURY

#30 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to issue a warrant from funds not otherwise appropriated in the amount of $50,781 and to issue checks in the amount of $50,780.62 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#31 Authorized to award a two year operating grant totaling $22,600 to the Colonial Theatre Group, Keene. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#32 Authorized to award a Traditional Arts Project Grant in the amount of $3,825 to Concord Community Music School. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#33 Authorized to award Conservation Number Plate Grant to City of Laconia in the amount of $10,000. Effective upon G&C approval through September 30, 2011. **100% Conservation Plate Funds.**

#34 Authorized Division of Historical Resources to award a federally funded Certified Local Government Grant to the Town of Newington, for the "Fox Point survey and assessment" in the amount of $11,250. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#35 Authorized State Library to award a Conservation Number Plate Grant in the amount of $9,388 to Boscawen Public Library, for conservation and microfilming of Patrons of Husbandry (Ezekiel Webster Grange) from 1883-1952. **100% Conservation Plate Funds.**

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

The Governor and Council acted as follows:

#36 Authorized to budget and expend carry forward funds totaling $170,000 for the Integrated Pest Management Program. Effective upon G&C approval through June 30, 2010. **100% Other Funds – IPM. Fiscal Committee approved.**

#37 Authorized Division of Pesticide Control to accept and expend grant fund revenue funds from the US Environmental Protection Agency to be utilized for the Integrated Pest Management Program within the Division of Pesticide Control in the amount of $50,000. Effective upon G&C approval through January 31, 2011. **100% Federal Funds. Fiscal Committee approved.**

ATTORNEY GENERAL – DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

#38 Authorized to amend the **sole source** License for Use of Premises Agreement with Capital Region Health Care Development Corporation, Concord, NH, (previously approved by G&C on 3-26-08, item #52B), for use of 2,150 square feet of morgue and autopsy lab space located at the Concord Hospital for use by the Chief Medical Examiner, by increasing the price from $266,671.20 to $370,925.40, and by extending the end date from March 31, 2010 to March 31, 2011. Effective April 1, 2010 through March 31, 2011. **100% General Funds.**

#39 Authorized to subgrant $7,000 to the NH Network of Child Advocacy Centers, from the FFY 2010 Children's Justice Act Grant for the purpose of coordinating statewide efforts to improve the handling of joint investigations of child abuse and exploitation cases. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#40 Authorized to enter into a subgrant with Merrimack County Department of Corrections in the amount of $120,000, utilizing funds from the US Department of Justice's Bureau of Justice Assistance Prisoner Reentry Initiative Grant, for the purpose of purchasing two drug testing machines, related consumables and other drug testing supplies. Effective upon G&C approval through March 31, 2010. **100% Federal Funds.**

#41 Authorized to **retroactively** amend the Full Service Maintenance Agreement with Xerox Corporation, Waltham, MA, (previously approved by G&C on 4-23-08, item #18), for the purpose of providing services and products for the copying machines, by increasing the amount from $35,000 to $68,000, and by extending the end date from June 30, 2009 to June 30, 2011. **68% General, 9% Federal, 6% Fees, 11% Highway, 6% Other Funds.**

DEPARTMENT OF EMPLOYMENT SECURITY

#42 Authorized to enter into a contract with FIAI d/b/a Ferdinando Insurance Associates Inc., Manchester, NH, for property (building and contents) insurance and liability coverage for NHES properties statewide in the amount not to exceed $163,266. Effective April 1, 2010 through March 31, 2013. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#43 Authorized to accept and expend Federal sub-grant funds in the amount of $59,970 from the Department of Justice, for the implementation of the Division of Community Corrections' Second Chance Act Demonstration Project. (2)Further Authorized to establish one full-time temporary Administrator II position, Labor Grade 29. Effective upon G&C approval through June 30, 2010. **100% Agency Income. Fiscal Committee approved.**

#44 Authorized to enter into a contract with Eric Joyce d/b/a Joyce Dental Laboratory, Laconia, NH, to provide Dental Laboratory Services for the NH Department of Corrections in the amount of $123,876. Effective April 5, 2010 through April 4, 2012. **100% General Funds.**

PUBLIC UTILITIES COMMISSION

#45 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to amend an award of grant funds to the Business Finance Authority of NH, Concord, NH (previously approved by G&C on 7-15-09, item #32C), to create a revolving loan funds for NH businesses by extending the end date to December 31, 2010 from March 31, 2010. No additional funding required. **100% Greenhouse Gas Emissions Reduction Fund.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#46 Authorized Bureau of Historical Sites to accept donations totaling $503.

#47 Authorized Division of Parks and Recreation to accept donations totaling $627.

#48 Authorized Division of Parks and Recreation to enter into a contract with Northern New England Field Service LLC, Stewartstown, NH, for meter pole replacement and straightening at Hampton Beach in the amount of $10,700. Effective upon G&C approval through April 2, 2010. **100% Park Funds.**

#49 Authorized Division of Parks and Recreation to accept and expend a donation in the amount of $10,000 from Reach the Beach Relay Inc., Woodsville, MA.

#50 Authorized to transfer to the Fish and Game Department, the management of 2.88 acres of state-owned land in Ossipee for the purpose of managing, maintaining and enforcing an existing public boat launch site.

#51 Authorized Division of Parks and Recreation to enter into a contract with Dave's Septic Service Inc., Bedford, NH, for septic pumping and disposal at twelve state parks facilities in the amount of $19,605.60. Effective July 1, 2010 through June 30, 2011. **98% Park, 2% General Funds.**

#52 Authorized Division of Parks and Recreation to enter into a contract with Bolen's Septic, Stewartstown, NH, for septic pumping and disposal at twelve state parks facilities in the amount of $6,350. Effective July 1, 2010 through June 30, 2011. **100% Park Account Funds.**

#52A Authorized Office of Workforce Opportunity to accept a gift of 5,625 training vouchers, at an estimated value of $300 per voucher for a total estimated value of $1,687,500 from Microsoft Corporation for the purpose of offering the vouchers to unemployed workers in NH. (2)Further Authorized to enter into a Voucher Donation Agreement with Microsoft Corporation to facilitate the distribution of Microsoft donated training vouchers to NHDRED as part of Microsoft's Elevate America initiative. Effective upon G&C approval through June 30, 2012.

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#53 Authorized to accept a $5,000 donation from the Meredith Rotary Club.

#54 Authorized to acquire the restricted fee title to 11.56 acres and an executor interest in an adjoining 229.02 acres, that surrounds Stonehouse Pond in Barrington, NH, from the Trust for Public Lands, Boston, MA, in the amount of $30,000. Effective upon G&C approval through June 30, 2010. **100% Other (Fisheries Habitat) Funds.**

#55 Authorized to enter into a **sole source** contract with the Audubon Society of NH, Concord, NH, for implementing Wildlife Action Plan strategies in the amount of $195,000. Effective upon G&C approval through March 31, 2012. **100% Federal Funds.**

PEASE INTERNATIONAL DEVELOPMENT AUTHORITY

#56 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request for **retroactive** pay from FY 2009 wages to Mr. Allen Cumings, Division of Ports and Harbor Operations Manager, for prior year overtime wages with FY 2010 funds in the amount of $1,093.50 for the period of January 30, 2009 to June 30, 2009. **100% Other – Ports & Harbor Income Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#57 Authorized to accept and place on file the Waste Management Council 2008 annual report.

#58 Authorized to amend a contract with GZA GeoEnvironmental Inc., Manchester, NH, (previously amended by G&C on 12-9-09, item #59), to oversee remediation at contaminated sites, by increasing the amount by $47,840 from $2,605,900 to $2,653,740. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#59 Authorized to enter into a **sole source** memorandum of agreement with the Oklahoma Department of Environmental Quality, for the purpose of outlining the responsibilities of the parties for tasks associated with purchasing certain software for the benefit of all partners participating in the National Environmental Information Exchange Network in the amount of $144,617. Effective upon G&C approval through August 15, 2010. **100% Federal Funds.**

#60 Authorized to amend an agreement with Forecee Advocacy LLC, Bedford, NH, (previously approved by G&C on 5-20-09, item #63), to develop an operational plan for the NH Public Works Mutual Aid program, by extending the completion date to December 31, 2010 from March 31, 2010. No additional funding required. **100% Federal Funds.**

#61 Authorized to amend a contract with Sanborn, Head and Associates Inc., Concord, NH, (previously amended by G&C on 10-21-09, item #47), to conduct environmental site assessments and clean-up planning at Brownfields sites, by increasing the amount by $150,000 from $2,919,662 to $3,069,662. Effective July 1, 2010 through June 30, 2011. **100% Hazardous Waste Cleanup Funds.**

#62 Authorized Robert H. Strough Revocable Trust's request to conduct work on frontage on Tuftonboro Neck, in Lake Winnipesaukee in Tuftonboro.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of the Commissioner

#63 Authorized General Fund transfers in the amount of $8,721,583 and decrease related revenue adjustments of $295,751 in Federal Funds and decrease revenue adjustments of $486,846 in Other Funds. Effective upon G&C approval through June 30, 2010. **Fiscal Committee approved.**

#64 Authorized General Fund transfers in the amount of $935,919 and increase related revenue adjustments of $580,352 in Federal Funds and increase revenue adjustments of $256,967 in Other Funds. Effective upon G&C approval through June 30, 2010. **Fiscal Committee approved.**

Information Technology Unit

#65 Authorized to accept and expend federal funds in the amount of $2,605,873 from the US Department of Health and Human Services, Office of the National Coordinator for Health Information Technology through the ARRA 2009. Effective upon G&C approval through June 30, 2011. **100% Federal ARRA Funds. Fiscal Committee approved.**

Office of Medicaid Business and Policy

#66 Authorized to **retroactively** pay a membership fee to the American Public Human Services Association, Washington, DC, for annual membership dues in the amount of $7,350. Effective January 1, 2010 through December 31, 2010. **50% Federal, 50% General Funds.**

Division of Family Assistance

#67 Authorized to accept and expend Project Grant funds of $729,685 awarded by the US Department of Agriculture, Food and Nutrition Services, to promote Supplemental Nutrition Assistance Program Participation, and decrease related revenue adjustments of $25,549 federal funds and decrease related revenue adjustments of $25,550 general funds. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

#68 Authorized to accept and expend $160,143.64 of US Office of Refugee Resettlement funds granted to the NH Office of Energy and Planning. Effective upon G&C approval through June 30, 2011d. **100% Other (Federal from the NH Office of Energy & Planning) Funds. Fiscal Committee approved.**

#69 Authorized Department of Information Technology on behalf of the Division of Family Assistance to execute a **sole source** amendment to its purchase with Deloitte Consulting LLP, Pittsburgh, PA (previously amended by G&C on 10-17-07, item #88), to provide enhancements to the New HEIGHTS public assistance eligibility system, by increasing the price by $581,415 from $28,149,890 to $28,731,305, and by extending the end date to June 30, 2011. **100% Federal Funds.**

Division for Children, Youth & Families

#70 Authorized to award a one-time-only seed grant totaling $8,500 to the NH Foster and Adoptive Parent Association, Concord, NH, for collaboration with support groups and community programs statewide in the areas of foster, and adoptive parent support, appreciation and retention activities. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#71 Authorized to pay a subscription fee to Chapin Hall Center for Children at the University of Chicago, Chicago, IL, in the amount of $20,000 for annual subscription to access the Center for State Foster Care and Adoptive Data service. Effective April 1, 2010 through March 31, 2011. **100% Federal Funds.**

Division of Public Health Services

#72 **TABLED** – The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Shea, voted to **table** the request of the Bureau of Laboratory Services, Healthcare Associated Infections Program to enter into a **sole source** agreement with the Foundation for Health Communities, Concord, NH, to coordinate a hand hygiene collaborative project with all acute care hospitals in NH for the purpose of increasing hand hygiene compliance and reducing healthcare-associated infections in an amount not to exceed $50,000. Effective upon G&C approval through December 31, 2011. **100% Federal ARRA Funds.**

#73 Authorized Bureau of Prevention Services, Obesity Prevention Program to enter into an agreement with the Mary Hitchcock Memorial Hospital, Dartmouth-Hitchcock Medical Center, Lebanon, NH, to access current nutrition and physical activity policies and environments in child care settings in an amount not to exceed $10,000. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#74 Authorized Bureau of Prevention Services, Obesity Prevention Program to enter into an agreement with the Community Action Program of Belknap-Merrimack Counties Inc., Concord, NH, to access current nutrition and physical activity policies and environments in child care settings in an amount not to exceed $10,000. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#75 Authorized Bureau of Prevention Services, Obesity Prevention Program to enter into an agreement with the Keene State College, Keene, NH, to access current nutrition and physical activity policies and environments in child care settings in an amount not to exceed $10,000. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#76 Authorized Rural Health and Primary Care to enter into an agreement with Trustees of Dartmouth College, Hanover, NH, to increase the number of primary care physicians prepared to work in rural communities in an amount not to exceed $35,000. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#77 Authorized Health Statistics Section to exercise a contract renew and amend option with the Trustees of Dartmouth College, Hanover, NH (previously amended by G&C on 4-9-08, item #75), to provide cancer registry services, by increasing the amount by $1,161,066 from $2,521,547 to $3,682,613, and by extending the completion date to June 30, 2012 . Effective July 1, 2010 or upon G&C approval, whichever is later. **78% Federal, 22% General Funds.**

#78 Authorized Bureau of Prevention Services, Chronic Disease Prevention and Control Section, Comprehensive Cancer Control Program to amend an agreement with the Foundation for Health Communities, Concord, NH (previously amended by G&C on 5-6-09, item #100), to provide professional management, administrative support, and fiscal management to the Comprehensive Cancer Collaboration, by increasing the price by $10,000 from $465,145 to $475,145. Effective upon G&C approval. **100% Federal Funds.**

#79 Authorized Bureau of Community Health Services, Rural Health and Primary Care Section to enter into an agreement with Deborah A. Cross, Advanced Practical Registered Nurse, North Conway, NH, to receive reimbursement for payment of educational loans through the State Loan Repayment Program in an amount not to exceed $24,000. Effective upon G&C approval through December 31, 2011. **100% General Funds.**

#80 Authorized Bureau of Prevention Services, Chronic Disease Prevention and Control Section, Breast and Cervical Cancer Program to amend an agreement with Trustees of Dartmouth College, Hanover, NH, (previously amended by G&C on 5-20-09, item #73), to provide breast and cervical cancer screening tests and case management services for 120 additional women, and to provide support for the Comprehensive Cancer Collaboration's statewide cancer control plan, by increasing the price by $28,816 from $1,213,240 to $1,242,056. **100% Federal Funds.**

Bureau of Elderly & Adult Services

#81 Authorized to enter into a **sole source** agreement with the University System of NH, Institute on Disability, Concord, NH, to provide project and fiscal management of the Community Living Program in an amount not to exceed $300,354. Effective upon G&C approval through September 29, 2011. **100% Federal Funds.**

#82 Authorized to enter into a **sole source** agreement with National Council on Crime and Delinquency, Madison, WI, to develop an Actuarial Risk Assessment for Adult Protective Services. Effective **retroactive** to October 1, 2009 through June 30, 2012. This agreement does not include any financial obligations as funding is from a grant award by the US Department of Justice, Office of Justice Programs, National Institute of Justice.

#83 Authorized to enter into a **sole source** agreement with the Trustees of Dartmouth College, Hanover, NH, to provide education, training, and primary care redesign for early identification, assessment, and care management of Alzheimer's Disease and Related Dementias in an amount not to exceed $102,573. Effective upon G&C approval through March 31, 2011. **100% Federal Funds.**

#84 Authorized to enter into a **sole source** agreement with the University System of NH, Institute on Disability, Concord, NH, to provide project and fiscal management of the Alzheimer's Disease Supportive Services Program in an amount not to exceed $159,760. Effective upon G&C approval through March 31, 2011. **100% Federal Funds.**

#85 Authorized to amend a **sole source** agreement with the University System of NH, Institute on Disability, Concord, NH (previously approved by G&C on 4-15-09, item #53), to continue to provide project and fiscal management of the NH Nursing Home Diversion Modernization Grant, by extending the end date from March 31, 2010 to September 30, 2010. **100% Federal Funds.**

Bureau of Developmental Services

#86 Authorized to enter into a **sole source** agreement with Moore Center Services Inc., Manchester, NH, to provide Provider Training Services in an amount not to exceed $38,574. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

Division of Community Based Care Services

#87 Authorized to accept and expend additional Other Funds in the amount of $3,100,000 awarded by the Adjutant General's Department. Effective upon G&C approval through June 30, 2011. **100% Other (Federal from the Adjutant General) Funds. Fiscal Committee approved.**

#88 Authorized to enter into an agreement with Easter Seals NH Inc., Manchester, NH, to implement and manage the statewide Deployment Cycle Support Program in an amount not to exceed $1,492,841. Effective upon G&C approval through September 30, 2010. **100% Other (Federal from the National Guard) Funds.**

#89 Authorized Bureau of Drug and Alcohol Services to accept and expend other funds in the amount of $193,750 from client fees. Effective upon G&C approval through June 30, 2010. **100% Other (Client Fees) Funds. Fiscal Committee approved.**

#90 Authorized Bureau of Drug and Alcohol Services to enter into a **sole source** agreement with the University of NH, Office of Sponsored Research, Durham, NH, to provide substance abuse prevention services in an amount not to exceed $26,648. Effective upon G&C approval through June 30, 2010. **100% General Funds.**

#91 The Governor and Council on motion of Councilor Pignatelli, seconded by Councilor Burton voted to table this item. After discussion the Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Shea, voted to remove this item from the table. Then the Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Shea voted to approve this item with Councilor Burton, Councilor Wieczorek, and Councilor Pignatelli voting no, the request failed. A request was then made to reconsider on motion of Councilor Shea, seconded by Councilor Hollingworth, and with Councilor Wieczorek voting no, the request of the Bureau of Drug and Alcohol Services to amend an agreement with Amethyst Foundation Inc., Epping, NH, (previously approved by G&C on 12-9-09, late item G), to provide Multiple Offender Program Services, by increasing the price by $130,000 from $78,000 to $208,000 was approved. **100% Other (Client Fees) Funds.**

#92 Authorized to amend a **retroactive sole source** agreement with Easter Seals NH Inc., Manchester, NH, (previously amended by G&C on 12-9-09, late item F), to continue providing support services to NH reserve military families and military members deployed or returning from combat, by increasing the price by $500,000 to a revised amount not to exceed $2,098,500. Effective January 1, 2010 through March 31, 2010. **100% Other (Federal from the Adjutant General) Funds.**

Bureau of Homeless and Housing Services

#93 Authorized to enter into an agreement with Southwestern Community Services Inc., Keene, NH, to provide services to homeless individuals in the amount of $78,720. Effective **retroactive** to July 1, 2009 through June 30, 2010. **100% Federal Funds.**

#94 Authorized to enter into an agreement with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, to provide services to homeless individuals in the amount of $66,519. Effective **retroactive** to December 1, 2009 through November 30, 2010. **100% Federal Funds.**

Bureau of Human Resource Management

#95 Authorized to make a **retroactive** one-time payment from SFY 2010 to Raymond Caouette, Teacher III, Anna Philbrook Center NH Hospital in the amount of $15,694.04 to compensate for wages that were not paid in SFY 2007, 2008 & 2009. **30% Federal, 70% General Funds.**

#96 Authorized to make a **retroactive** one-time payment from SFY 2010 funds to Neil Pinard, Mental Health Worker II, NH Designated Receiving Facility in the amount of $651.57 to compensate for wages that were not paid in SFY 2009. **100% General Funds.**

#97 Authorized to make a **retroactive** one-time payment from SFY 2010 funds to Tania Barrett, Executive Secretary, Division of Family Assistance, in the amount of $264.53 to compensate for wages that were not paid in SFY 2009. **78% Federal, 52% General Funds.**

#98 Authorized to make a **retroactive** one-time payment from SFY 2010 funds to Todd Riel, Mental Health Worker II, NH Hospital, Acute Psychiatric Services, in the amount of $512.20 to compensate for wages that were not paid for SFY 2009. **30% Federal, 70% General Funds.**

#99 Authorized to make a **retroactive** one-time payment from SFY 2010 funds to Therese Smith, Program Specialist II, Division of Public Health Services in the amount of $10,906.98 to compensate for wages that were not paid for SFY 2002, 2003, 2004, 2005, 2006, 2007, 2008, and 2009. **40% Federal, 60% General Funds.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#100 Authorized to amend a grant to Second Start, Concord, NH, (previously amended by G&C on 11-4-09, item #68), to provide additional services to NH high schools and adult education programs, by increasing the amount from $165,084 by $98,454.93 to an amount not to exceed $263,538.93. Effective upon G&C approval through June 30, 2010. **100% General Funds.**

#101 Authorized to exercise a renewal option with Southeastern Regional Education Service Center Inc., Bedford, NH, (previously amended by G&C on 5-6-09, item #157), to develop and implement a regionally-based Statewide Early Childhood Professional Development Technical Assistance Network, in an amount not to exceed $185,000. (2)Further Authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the contract. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#102 Authorized to grant funds through a cooperative project agreement, on a **sole source** basis, to the Institute on Disability, University of NH, Office of Sponsored Research, to provide opportunities for individuals with disabilities and their families to develop leadership skills in an amount not to exceed $25,000. (2)Further Authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the contract. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#102A Authorized to amend a **sole source** contract with Nimble Assessment Systems Inc., Newton, MA, to design and deliver computer-based accommodation software and secure online test procedures allowing the NHCAP (New England Common Assessment Program) tests to be administered online to students who need more meaningful access to statewide academic assessments, by extending the completion date through March 31, 2011, in an amount not to exceed the unexpended funds remaining in the original contract. (2)Further Authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the contract. No additional Funds required. **100% Federal Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#103 Authorized Division of Safety Services to enter into a contract with Northeast Electrical Solutions LLC, Laconia, NH, for the repair and/or replacement of the navigational lights at three bridges on Lake Winnipesaukee and one bridge on Lake Winnisquam in the amount of $25,000. Effective upon G&C approval. **100% Watercraft Safety Funds.**

#104 Authorized Division of Fire Standards & Training and Emergency Medical Services to enter into a **sole source** agreement with Kidde Fire Trainers Inc., Montvale, NJ, to provide maintenance services for the Fire Trainer T2000 and A2000 Live Fire Training Systems in the amount of $86,138. Effective upon G&C approval through June 30, 2012. **100% Fire and EMS Funds.**

#105 Authorized Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Windham, for purchase and installation of a generator for the Town's Police Department in the amount of $16,217. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#106 Authorized Division of Homeland Security and Emergency Management to enter into grant agreements with the communities as detailed in letter dated February 17, 2010, to update their local multi-hazard mitigation plans for a total amount of $30,000. Effective upon G&C approval through July 10, 2012. **100% Federal Funds.**

#107 Authorized the permit application of Beachwood Association Inc., located on Newfound Lake in Hebron, NH, for a congregate mooring field with a renewal of 15 moorings.

#108 Authorized the permit application of Camp Greenwood Estates located on Newfound Lake in Bristol, NH, for a congregate mooring field with a renewal of 12 moorings.

#109 Authorized the permit application of the Mallards Landing Association located on Winnisquam Lake in Belmont, NH, for a congregate mooring field with a renewal of 33 moorings.

#110 Authorized the permit application of the YMCA of Greater Boston, Northwoods and Pleasant Valley Camps located on Lake Winnipesaukee in Tuftonboro, NH, for a congregate mooring field with a renewal of 14 moorings.

#111 Authorized the permit application of the Port Wedeln Association located on Lake Winnipesaukee in Wolfeboro, NH, for a congregate mooring field with a renewal of 10 moorings.

#112 Authorized the permit application of Eugene C. Brune d/b/a Lakeside Cottages located on Newfound Lake in Bristol, NH, for a congregate mooring field with a renewal of 4 moorings plus an addition 3, for a total of 7 moorings.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#113 Authorized with Councilor Wieczorek voting **no,** to reclassify position numbers 18375 and 21638, both Toll Attendant I, labor grade 9, each to Program Assistant II, labor grade 15. **100% Turnpike Funds.**

#114 Authorized to accept and place on file the Monthly Equipment Acquisition Plan status report for the period ending January 31, 2010.

#115 Authorized Bureau of Finance and Contracts to pay Small Claims for individual amounts less than $600. Effective upon G&C approval through June 30, 2010. **100% Highway Funds.**

#116 Authorized with Councilor Wieczorek voting **no,** to **retroactively** pay FY09 wages that were the result of reclassifications from March 27, 2009 through June 4, 2009 in the amount of $18,055.82 with FY2010 funds. Effective upon G&C approval. **23% Local, 77% Highway Funds.**

#117 Authorized Bureau of Rail and Transit to budget and expend revenue in the amount of $573,230.27 from the Special Railroad Fund for maintenance and repair of active State-owned railroad lines. (2)Further Authorized to expend an amount not to exceed $573,230.27 for maintenance and repairs to active state-owned railroad lines. Effective upon G&C approval through June 30, 2011. **100% Other (Special Railroad) Funds. Fiscal Committee approved.**

#118 Authorized Bureau of Rail & Transit to enter into an agreement with Cooperative Alliance for Seacoast Transportation, to provide a portion of the match for Federal Transit Administration funds for transit operating expenses for an amount not to exceed $19,511. Effective upon G&C approval through June 30, 2011. **100% General Funds.**

#119 Authorized Bureau of Highway Design to amend a contract with McFarland-Johnson Inc., Concord, NH, for preliminary and final design for the rehabilitation for four red-listed bridges along the Interstate 93 corridor in the Town of Bow and the City of Concord, by increasing the amount by $942,821.51 from $393,255 to $1,336,076.51, and by extending the completion date from June 30, 2010 to December 31, 2011. **100% Turnpike Funds.**

#120 Authorized Bureau of Rail & Transit to amend a contract with Tri-County Community Action Program Inc., Berlin, NH, (previously approved by G&C on 6-17-09, item #315), for additional transportation services for the general public and elderly and disabled citizens in Coos and Carroll County, by increasing the amount by $211,689 from $586,237 to $797,926. Effective upon G&C approval through June 30, 2011. **98.56% Federal, 1.44% General Funds.**

#121 Authorized Bureau of Traffic to enter into a contract with Interstate Electrical Services Corporation, Bedford, NH, for providing electrical services, electrical inspection, maintenance, repairs and alterations, on the basis of a low bid not to exceed $12,900. Effective upon G&C approval through June 30, 2011. **100% Highway Funds.**

#122 Authorized Bureau of Right of Way to pay various owners $223,805.12 as documented in the Contemplated Awards List for amounts greater than $5,000 for the period extending from February 24, 2010 through March 9, 2010. Effective upon G&C approval.

#123 Authorized Bureau of Highway Design to enter into an agreement with McFarland-Johnson Inc., Concord, NH, for the final design for the replacement or removal of six red list bridges over the US Rte 1 Bypass in the City of Portsmouth, for a total fee of $2,244,746.28. Effective upon G&C approval through December 31, 2013. **100% Federal Funds.**

#124 Authorized with Councilor Shea abstaining, the Bureau of Construction to enter into a contract with Continental Paving Inc., Londonderry, NH, for pavement rehabilitation of US Route 302 in Conway beginning at the intersection of NH Route 16 with US Route 302 proceeding to the intersection of US Route 302 with NH Route 113 on the basis of a low bid of $2,028,385.61. (2)Further Authorized a contingency in the amount of $141,986.99 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through October 1, 2010. **100% Federal Funds.**

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Pignatelli, voted to remove item #15- which was tabled at the March 10, 2010 Meeting

OFFICE OF ENERGY AND PLANNING

#15 The Governor and Council on motion of Councilor Pignatelli, seconded by Councilor Hollingworth, approved 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.**

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Pignatelli, seconded by Councilor Wieczorek, voted to remove item #117- which was tabled at the March 10, 2010 Meeting

DEPARTMENT OF EDUCATION

#117 The Governor and Council on motion of Councilor Pignatelli, seconded by Councilor Shea, voted to approve 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.**

LATE ITEMS

DEPARTMENT OF ADMINISTRATIVE SERVICES

A. Authorized to enter into a **retroactive sole source** contract with Meridian Construction, Gilford, NH, for emergency response repair for roof failure, Concord, NH, for a total not to exceed $282,000. Effective February 25, 2010 through March 31, 2010. **100% General Funds – Capital. Pending Capital Budget Overview Committee authorization.**

DEPARTMENT OF TRANSPORTATION

B. Authorized to enter into an agreement with the Town of Alstead to provide funding and services under Betterment funds through a municipally-managed process to construct the foundations required for the Alstead Pedestrian Bridge in the amount of $60,000. Effective upon G&C approval through September 30, 2010. **100% Betterment Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

C. Authorized Forum Group LLC's request to construct a tidal dock structure on the Piscataqua River in Portsmouth.

Next regular Governor and Executive Council meeting is scheduled for Wednesday, April 14, 2010 at 10:00 a.m. at the State House in Concord, New Hampshire.

The Honorable Board then Adjourned at 2:00 p.m.