

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
May 12, 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 Wieczorek, seconded by Councilor Shea, accepted the minutes of April 28, 2010.

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The Governor and Executive Council, on motion of Councilor Shea, seconded by Councilor Hollingworth approved the appointment of several persons nominated for Civil Commissions from the April 28, 2010 meeting.

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RESIGNATIONS

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

Department of Revenue, Division of Audits: Director

Santo M. Presti, Penacook

Effective: January 31, 2010

CONFIRMATIONS

The Governor and Council confirmed the following:

State Committee on Aging

(Rockingham County)

Gerri Beck, (i), Salem

Succeeding: Alfreda Smith, (d), Salem, (resigned)

Effective: June 24, 2010

Term: June 24, 2013

State Committee on Aging

(Grafton County)

Richard Crocker, (i), Plymouth

Reappointment

Effective: June 24, 2010

Term: June 24, 2013

State Committee on Aging

(Grafton County)

Edwin C. Engborg, (d), Ashland

Succeeding: Ally McNair (i), Bedford (resigned)

Effective: May 12, 2010

Term: June 24, 2011

Board of Alcohol and Other Drug Use Professionals

(Licensed Alcohol and Drug Counselor)

Peter A. DalPra, Penacook

Succeeding: Judith E. Cooper, Hollis (term limited)

Effective: May 12, 2010

Term: January 28, 2013

New Hampshire State Council on the Arts

Roger C. Brooks, Concord

Succeeding: Robert Duff, Etna (resigned)

Effective: May 12, 2010

Term: October 14, 2011

Community College System of New Hampshire

(High School Vocational Director)

Stephen Guyer, Gilford

Reappointment

Effective: June 30, 2010

Term: June 30, 2014

Community College System of New Hampshire

(Technology Sector)

Jeremy Hitchcock, Manchester

Reappointment

Effective: June 30, 2010

Term: June 30, 2014

Board of Licensure of Interpreters for the Deaf and Hard of Hearing

(Recommended by the NH Association of the Deaf)

Michael Schock, Sanbornville

Reappointment

Effective: May 12, 2010

Term: October 10, 2012

Board of Medicine

(Osteopath)

John H. Wheeler, Bow

Vacancy

Effective: May 12, 2010

Term: May 12, 2015

NOMINATIONS

The Governor placed into nomination the following:

State Committee on Aging

(Merrimack County)

Stephen Gorin, d, Canterbury

Reappointment

Effective: June 24, 2010

Term: June 24, 2013

State Apprenticeship Advisory Council

(Labor)

Dennis E. E. Adams, Deerfield

Reappointment

Effective: June 25, 2010

Term: June 25, 2014

State Apprenticeship Advisory Council

(Employer)

Gerard D. Perron, New Boston

Reappointment

Effective: June 25, 2010

Term: June 25, 2014

Community College System of New Hampshire Board of Trustees

(Public Member)

Robert A. Duhaime, Manchester

Reappointment

Effective: June 30, 2010

Term: June 30, 2014

Community College System of New Hampshire Board of Trustees

(Public Member)

Kristie L. Palestino, Goffstown

Reappointment

Effective: June 30, 2010

Term: June 30, 2014

State Conservation Committee

(Cheshire/Sullivan)

Peter T. Throop, Keene

Succeeding: David L. Grobe, Plainfield

Effective: Upon confirmation

Term: August 1, 2013

Pre-Engineering Technology Advisory Council

(Public Member)

Thelma J. Brown, Manchester

Succeeding: Jennifer Ng, Merrimack

Effective: Upon confirmation

Term: September 4, 2011

Director: Division of Audits, Department of Revenue Administration

Nominated by the Commissioner of the Department of Revenue Administration

Kathleen J. Sher, Bedford

Succeeding: Santo M. Presti, Penacook (resigned)

Salary: HH, Step 4 \$93,812

Effective: Upon confirmation

Term: At the pleasure of the Commissioner

School Building Authority

Jane M. Bergeron-Beaulieu, Litchfield
Reappointment

Effective: July 1, 2010
Term: July 1, 2013

University System of New Hampshire Board of Trustees

George Epstein, Conway
Reappointment

Effective: June 30, 2010
Term: June 30, 2014

#1 **CONSENT CALENDAR - DONATIONS:** The Governor and Council acted as follows:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

New Hampshire Hospital

- A. Authorized to accept donations from January 1, 2010 through March 31, 2010 from contributors in the amount of \$2,867.48.
- B. Authorized accept nonmonetary donations received from January 1, 2010 through March 31, 2010.

NEW HAMPSHIRE VETERANS HOME

- C. Authorized to accept monies totaling \$39,682.20 received during the period of January 1, 2010 to March 31, 2010 as a result of fundraising drives from various organizations and from personal contributions.

DEPARTMENT OF ADMINISTRATIVE SERVICES

- D. Authorized to accept one 14' Elm Tree from Filtrine Manufacturing of Keene, to be planted at the State House, with an approximate value of \$1,500.

BUSINESS FINANCE AUTHORITY

#2 The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Shea and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13 with respect to a loan of up to \$3,400,000 from Centrix Bank and Trust to Sabbow & Company, Inc. located in Concord, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON MAY 12, 2010
COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE**

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At approximately 11:30 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Guaranteed Asset Program of the Business Finance Authority in connection with a loan to be made by Centrix Bank & Trust to Sabbow & Company, Inc., and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Michael B. Donahue, Senior Credit Officer of the Authority who briefly explained the project . The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Wieczorek introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM CENTRIX BANK & TRUST TO SABBOW & COMPANY, INC." and moved its adoption, which was seconded by Councilor Shea. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Shea, Councilor Hollingworth, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor (s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-A:18
AWARDING A STATE GUARANTEE UNDER RSA 162-A:13
WITH RESPECT TO A LOAN FROM
CENTRIX BANK & TRUST TO SABBOW & COMPANY, INC.**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to eighty percent (80%) of the principal amount of a loan up to \$3,100,000 from Centrix Bank & Trust to Sabbow & Company, Inc., pursuant to RSA 162-A:13 (the Guaranteed Asset Program or the "GAP Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed eighty percent (80%) of the proposed financing;

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

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

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

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

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

(a) Special Findings.

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

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

(b) General Findings.

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

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

(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

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

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

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

Passed and Agreed to May 12, 2010.

#3 The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13 with respect to a loan of up to \$3,100,000 from Centrix Bank and Trust to Sabbow & Company, Inc. located in Concord, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON MAY 12, 2010
COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE**

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At approximately 11:35 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Guaranteed Asset Program of the Business Finance Authority in connection with a loan to be made by Centrix Bank & Trust to Sabbow & Company, Inc., and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Michael B. Donahue, Senior Credit Officer of the Authority who briefly explained the project . The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Wieczorek introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM CENTRIX BANK & TRUST TO SABBOW & COMPANY, INC." and moved its adoption, which was seconded by Councilor Shea. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Shea, Councilor Hollingworth, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor (s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-A:18
AWARDING A STATE GUARANTEE UNDER RSA 162-A:13
WITH RESPECT TO A LOAN FROM
CENTRIX BANK & TRUST TO SABBOW & COMPANY, INC.**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to eighty percent (80%) of the principal amount of a loan up to \$3,400,000 from Centrix Bank & Trust to Sabbow & Company, Inc., pursuant to RSA 162-A:13 (the Guaranteed Asset Program or the "GAP Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed eighty percent (80%) of the proposed financing;

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

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

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

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

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

(a) Special Findings.

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

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

(b) General Findings.

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

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

(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

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

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

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

Passed and Agreed to May 12, 2010.

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#4 Authorized to enter into a **sole source retroactive** contract with Strafford County Community Action Committee Inc., Dover, NH, for the federal Weatherization Assistance Program in the amount of \$122,649. (2) Further authorized to advance to the vendor \$18,397. Effective April 1, 2010 through March 31, 2011. **100% Federal Funds.**

#5 Authorized to amend a **sole source** contract with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, (previously amended by G&C on 3-10-10, item #20), for the Fuel Assistance Program, by increasing the amount by \$100,000 from \$7,391,607 to \$7,491,607. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#6 Authorized to amend a **sole source** contract with International Institute of Boston, Boston, MA, through its subsidiary the International Institute of NH, Manchester, NH, (previously approved by G&C on 12-9-09, item #9), to provide direct services to NH refugees, by increasing the amount by \$55,000 from \$100,000 to \$155,000. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#7 Authorized to amend a **sole source** contract with Tri-County Community Action Program Inc., Berlin, NH, (previously amended by G&C on 4-28-10, item #4), for the Fuel Assistance Program, by increasing the amount by \$900,000 from \$8,203,428 to \$9,103,428. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

JUDICIAL COUNCIL

The Governor and Council acted as follows:

#8 Authorized to receive additional General Funds from funds not otherwise appropriated in the amount of \$350,000. Effective upon G&C approval through June 30, 2011. **100% General Funds. Contingent up Fiscal Committee approval on May 18, 2010.**

#9 Authorized to receive additional General Funds from funds not otherwise appropriated in the amount of \$75,000. Effective upon G&C approval through June 30, 2011. **100% General Funds. Contingent up Fiscal Committee approval on May 18, 2010.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#10 Authorized Lieutenant Colonel Scott W. Normandeau, Hooksett, NH, be nominated for promotion 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.

#11 Authorized Captain Heidi A. Lelke, Somersworth, NH, be nominated for promotion 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.

#12 Authorized Craig E. Bennett, Naperville, IL, be nominated for promotion to the rank of Brigadier General, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

#13 Authorized Dr. James H. Kelly, Hollis, NH, be confirmed to the rank of Lieutenant Colonel, NH Army National Guard.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#14 Authorized Bureau of Court Facilities to increase its fleet to purchase and assign a permanent vehicle not to exceed \$9,000 for a maintenance Technician-Southern NH. Effective upon G&C approval through July 2010. **12% General, 86% Transfer, 2% Agency Income Funds.**

#15 Authorized the State Suggestion and Extraordinary Service Award Evaluation Committee's recommendation of Christine Adamski and Marcella Bobinsky of the Department of Health and Human Services for monetary awards under the Suggestion and Extraordinary Service Award Program in the amount of \$500 each. Effective upon G&C approval.

#16 Authorized the Bureau of Court Facilities to amend a lease agreement with the County of Grafton, North Haverhill, NH, (previously approved by G&C on 6-13-07, item #38), for courtroom and office space for the Grafton County Superior and Probate Court in an amount not to exceed \$568,801.92. Effective July 1, 2010 through June 30, 2012. **100% Transfer Funds – transfer from AOC, Rent from Other Agencies.**

#17 Authorized the Bureau of Court Facilities to amend a lease agreement with the County of Strafford, (previously approved by G&C on 6-27-07, item #46D), for courtroom and office space for the Strafford County Superior and Probate Court in an amount not to exceed \$992,461.44. Effective July 1, 2010 through June 30, 2012. **100% Transfer Funds – transfer from AOC, Rent from Other Agencies.**

#18 Authorized Bureau of Public Works Design and Construction to enter into a contract with Meridian Construction Corporation, Gilford, NH, for ARRA – Windows/Insulation Phase I, Statewide, as part of the US Department of Energy, ARRA Grant in an amount not to exceed \$960,641. Effective upon G&C approval through December 1, 2010. **100% Federal ARRA Funds.**

STATE TREASURY

The Governor and Council acted as follows:

#19 Authorized to issue a warrant from funds not otherwise appropriated in the amount of \$26,933 and the State Treasurer to issue checks in the amount of \$26,932.53 to the rightful owners of abandoned or unclaimed funds.

#20 Authorized the award of an unconditional state guarantee of Qualified School Construction Bonds to be issued by the Salem School District in an amount not to exceed \$10,879,620, which is 75% of the total Authorized principal borrowing of \$14,506,160. **ARRA Funds.**

#21 Authorized the award of an unconditional state guarantee of Qualified School Construction Bonds to be issued by the Concord School District in an amount not to exceed \$500,425, which is 75% of the total Authorized principal borrowing of \$667,234. **ARRA Funds.**

#22 Authorized the award of an unconditional state guarantee of Qualified School Construction Bonds to be issued by the Littleton School District in an amount not to exceed \$3,120,480, which is 75% of the total Authorized principal borrowing of \$4,160,640. **ARRA Funds.**

#23 Authorized the award of an unconditional state guarantee of Qualified School Construction Bonds to be issued by the Mascenic School District in an amount not to exceed \$17,717,486, which is 75% of the total Authorized principal borrowing of \$23,623,315. **ARRA Funds.**

#24 Authorized the award of an unconditional state guarantee of Qualified School Construction Bonds to be issued by the Newfound School District in an amount not to exceed \$1,992,808, which is 75% of the total Authorized principal borrowing of \$2,657,078. **ARRA Funds.**

#25 Authorized the award of an unconditional state guarantee of Qualified School Construction Bonds to be issued by the Kearsarge School District in an amount not to exceed \$2,202,429, which is 75% of the total Authorized principal borrowing of \$2,936,573. **ARRA Funds.**

#26 Authorized the award of an unconditional state guarantee of Qualified School Construction Bonds to be issued by the Northumberland School District in an amount not to exceed \$150,000, which is 75% of the total Authorized principal borrowing of \$200,000. **ARRA Funds.**

#27 NOT USED

DEPARTMENT OF REVENUE ADMINISTRATION

#28 Authorized to **retroactively** pay The Federation of Tax Administrators, Washington, DC, for organizational dues in the amount of \$8,845. Effective July 1, 2009 through June 30, 2010. **100% General Funds.**

JOINT BOARD OF LICENSURE AND CERTIFICATION

#29 The Governor and Council on motion of Councilor Shea, seconded by Councilor Hollingworth authorized the request to enter into a **sole source** contract with the National Council of Architectural Registration Boards, Washington, DC, for membership and the preparation and scoring of the national architect examinations in the amount of \$12,000. Effective July 1, 2010 through June 30, 2012. **100% General Funds.**

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

The Governor and Council acted as follows:

#30 Authorized to enter into an agreement with the Lakes Region Household Hazardous Products Facility, Town of Wolfeboro, NH, for a pesticide disposal project in the amount of \$30,000. Effective upon G&C approval through June 30, 2010. **100% Federal – Pesticide Management Funds.**

#31 Authorized to enter into an agreement with Louis Pugliano, Agawam, MA, to provide custodial and general maintenance work at the Eastern States Exposition NH Building, West Springfield, MA, in the amount of \$5,200. Effective upon G&C approval through March 31, 2011. **100% Other Funds – Big E Building.**

ATTORNEY GENERAL

The Governor and Council acted as follows:

#32 Authorized to enter into a subgrant with the Portsmouth Police Department in the amount of \$31,772 from the 2009 ARRA, Violence Against Women Formula Grant, for the purpose of assisting the agency in maintaining current staffing in their Domestic Violence Unit. Effective upon G&C approval through April 30, 2011. **100% Federal ARRA Funds.**

#33 Authorized to enter into subgrants totaling \$332,557.50 with the agencies as detailed in letter dated April 29, 2010, from the US Department of Justice's Office of Juvenile Justice and Delinquency Prevention's FFY 2009 Enforcing Underage Drinking Laws Block Grant Program for increased enforcement of NH's underage drinking laws. Effective upon G&C approval through May 31, 2011. **100% Federal Funds.**

#34 Authorized to enter into subgrants with the agencies as detailed in letter dated April 28, 2010 for a total amount of \$70,391 from the FFY 2008 Project Safe Neighborhoods Anti-Gang Initiative for the purpose of funding positions for the sub-grantees. Effective upon G&C approval through July 31, 2011. **100% Federal Funds.**

#35 Authorized to enter into subgrants with the visitation centers as detailed in letter dated April 28, 2010, totaling \$12,516.47 from the "2006 Safe Havens: Supervised Visitation and Safe Exchange Grant Program" for the purpose of providing services for women and children in NH who are victims of violent crimes. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#36 Authorized to enter into a new sub-grant with Court Appointed Special Advocates of NH from the 2007 Victims of Crime Act VOCA Assistance Formula Grant award, to fund programs providing direct services to victims of crime in the amount of \$32,599. Effective July 1, 2010 through September 30, 2010. **100% Federal Funding.**

#37 Authorized to **retroactively** amend a **sole source** contract with Dr. Vincent Tranchida, Long Island City, NY, (previously approved by G&C on 12-9-09, item #34), to provide coverage as a substitute medical examiner to conduct autopsies as needed in the absence of the State Medical Examiner and the Deputy Chief Medical Examiner, by increasing the amount by \$15,000 from \$15,000 to \$30,000. Effective upon G&C approval through June 30, 2010. **100% General Funds.**

#38 Authorized to conduct a day-long training for law enforcement scheduled for June 8, 2010 entitled "Law Enforcement Perceptions and Adult Sexual Assault Investigations" for the purpose of providing information to develop an effective, collaborative and coordinated response to adult victims of sexual assault in NH, to be held at the Nonni's CHI LLC, Concord, NH, at a cost not to exceed \$10,624. (2) Further authorized to enter into an agreement with Nonni's CHI LLC, Concord, NH, for the purpose of providing the necessary training facilities, food services and overnight accommodations for the day-long training, in an amount not to exceed \$8,449. Effective upon G&C approval through June 15, 2010. **100% Federal ARRA Funds.**

#39 **DENIED** – The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Shea, voted to **deny** the petition of Vanessa Ann Armstrong requesting a pardon hearing for the offenses of Forgery and 3 counts of Sale of a Controlled Drug.

#40 **DENIED** – The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Wieczorek, voted to **deny** the petition of Thomas J. Drever requesting a pardon hearing for the offenses of Accomplice to Burglary and Accomplice/Principal to Burglary (2counts).

NEW HAMPSHIRE EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#41 Authorized to accept and expend \$217,500 in ARRA federal funds from the US Department of Labor, Bureau of Labor Statistics through the State of VT for the purpose of developing improved labor market information, and to enhance the labor exchange infrastructure for careers within the energy efficiency and renewable energy industries. (2)Further authorized to establish two full-time temporary positions. Effective upon G&C approval through May 31, 2011. **100% ARRA Funds. Contingent upon Fiscal Committee approval on May 18, 2010.**

#42 Authorized to amend G&C item #48B approved on 6/17/09, by reallocating \$299,500 of ARRA federal funds from the US Department of Labor as detailed in letter dated April 29, 2010, to continue to assist in providing reemployment services to connect unemployment insurance claimants to employment and training opportunities. (2)Further authorized to extend fourteen full-time temporary positions, and nine part-time temporary positions. Effective upon G&C approval through September 30, 2010. **100% ARRA Funds. Contingent upon Fiscal Committee approval on May 18, 2010.**

#43 Authorized to amend G&C item #48B approved on 6/17/09, by reallocating \$30,000 of ARRA federal funds from the US Department of Labor as detailed in letter dated April 29, 2010, to continue to improve unemployment compensation benefit and tax operations. (2)Further authorized to extend six full-time temporary positions. Effective upon G&C approval through June 30, 2011. **100% ARRA Funds. Contingent upon Fiscal Committee approval on May 18, 2010.**

#44 Authorized to amend a contract with Deloitte Consulting LLP, Boston, MA, (previously amended by G&C on 12-9-09, item #38), for additional enhancements of Unemployment Insurance processes and systems, by increasing the amount by \$423,480 from \$14,498,497 to \$14,921,977. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

#45 The Governor and Council on motion of Councilor Burton, seconded by Councilor Hollingworth authorized the request to enter into a contract with Spectra Laboratories Inc., Milpitas, CA, to provide On-Site Clinical Laboratory Services for the NH Department of Corrections in the amount of \$471,662.25. Effective June 1, 2010 through May 31, 2012. **100% General Funds.**

PUBLIC UTILITIES COMMISSION

The Governor and Council acted as follows:

#46 Authorized to amend an existing allocation of \$783,538 ARRA funds from the US Department of Energy, National Energy Technology Laboratory for the Regulatory Assistance Program (previously approved by G&C on 12-9-09, late item C), to conform with the Project Management Plan, by decreasing the amount in SFY 2010 from \$195,487 to \$118,086 and to increase SFY 2011 from \$299,603 to \$322,382 and to increase SFY 2012 from \$217,901 to \$261,781 and increase SFY 2013 from \$70,547 to \$81,289. Effective upon G&C approval through December 31, 2012. **100% ARRA Funds. Contingent upon Fiscal Committee approval on May 18, 2010.**

#47 Authorized to accept and expend \$500,000 from the Office of Energy and Planning for work to be accomplished as part of the ARRA – State Energy Programs – Expanded Renewable Energy Program – Residential Central Pellet Heating System Program. Effective upon G&C approval through April 30, 2012. **100% Transfer from Other Agencies (ARRA-SEP). Contingent upon Fiscal Committee approval on May 18, 2010.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#48 Authorized to sell, by Quitclaim Deed, 6.2 acres of state property known as “Connecticut Lakes State Forest” to the US Government, in the Town of Pittsburg, for the total value of \$53,580. No cost to the State. (2)Further authorized to deposit Federal ARRA Funds in the amount of \$53,580 into the “Forest Improvement Fund”. **ARRA Funds.**

#49 Authorized Division of Parks and Recreation to enter into a contract with Rowell's Sewer & Drain, Franklin, NH, for septic pumping and disposal at nine state parks in the amount of \$16,339. Effective July 1, 2010 through June 30, 2011. **100% Park Funds.**

#50 Authorized Division of Forests and Lands to budget and expend \$20,000 from the Stone Property Trust Fund Control Account for the purpose of funding administrative and other expenses as a result of higher utility costs, immediate repair needs due to recent rain/wind storms, and reduction in Federal Funds that are used to support temporary staff. Effective upon G&C approval through June 30, 2010. **100% Stone Trust Funds.**

#51 Authorized Bureau of Trails to **retroactively** pay Napa Auto Parts, Newport, NH, for unpaid invoices from December 23, 2009 through January 19, 2010 in the amount of \$130.79. **100% OHRV and Snowmobile Funds.**

#51A Authorized Division of Forests and Lands to grant a Utilities Easement to PSNH, at no cost, at Fox Forest in Hillsborough. (2)Further authorized to accept \$1,100 of Administrative Fees.

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#52 Authorized to enter into a **sole source** contract with Daniel and Melissa Hayward d/b/a TERNS LLC, to continue ongoing endangered seabird restoration on the Isles of Shoals for a total of \$48,000. Effective upon G&C approval through March 31, 2011. **50% Federal, 50% Conservation License Plate.**

#53 Authorized to enter into a contract with Stallion Builders LLC, Nashua, NH, for the Region 3 Office Repair to Wall, Windows, Doors and Siding in the amount of \$37,000. Effective upon G&C approval through June 30, 2010. **100% Fish and Game Funds.**

#54 Authorized to acquire the fee simple title to 137 acres in Webster, NH from the NH Chapter of The Nature Conservancy in the amount of \$61,500. Effective upon G&C approval through June 30, 2010. **75% Federal, 25% Other – wildlife habitat dedicated funds.**

#55 Authorized to enter into a **retroactive** cooperative agreement with the Recreational Boating and Fishing Foundation for the purposes of implementing a direct mail marketing program targeting lapsed anglers to increase fishing license sales in the amount of \$15,000. Effective upon G&C approval through March 31, 2011. **100% Other (RBFF Grant) Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#56 Authorized to accept and expend \$50,000 from the Environmental Protection Agency to be used for the purchase of ambient air monitoring equipment. Effective upon G&C approval through March 31, 2011. **100% Federal Funds.**

#57 Authorized to accept and expend \$50,000 in federal funds from the US Fish and Wildlife Services to administer the Clean Vessel Act program. Effective upon G&C approval through June 30, 2011.

#58 Authorized to enter into a **retroactive** grant agreement with the Town of Raymond, NH, to fund a Household Hazardous Waste Collection project for a total of \$3,175. Effective October 31, 2009 through June 30, 2010. **100% Hazardous Waste Funds.**

#59 Authorized to accept and expend an additional \$3,000 in Federal Funds from the US Department of Labor, Occupational Safety and Health Administration for workplace safety and health consultations. Effective upon G&C approval through September 30, 2010.

#60 Authorized to approve a loan agreement with the City of Manchester in the amount of \$7,000,000 to finance a wastewater improvements project. **100% CWSRF Repayment Funds.**

#61 Authorized to amend a loan agreement with the Town of Winchester (previously approved by G&C on 6-17-09, late item A-2) which increases the loan agreement by \$500,000 from \$3,400,000 to \$3,900,000 due to an increase in the scope of work for the Wastewater Treatment Plant Upgrades Project. Effective upon G&C approval. **83% Federal, 17% Capital (General) Funds.**

#62 Authorized to award a Brownfields Revolving Loan Fund Cleanup grant totaling \$200,000 to the City of Lebanon for addressing environmental contamination. Effective upon G&C approval through July 30, 2012. **100% Federal Funds.**

#63 Authorized to enter into a contract with Windsor Solutions Inc., Lake Oswego, OR, to provide implementation and development services to upgrade DES's Exchange Network Node software to the current working standard in the amount of \$184,982. Effective upon G&C approval through April 30, 2011 with the option to extend for a one year period. **100% Federal Funds.**

#64 Authorized Barry Podmore's request to perform work on an average of 105 ft of frontage on Lake Winnepesaukee in Alton.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of Minority Health

#65 Authorized to accept and expend \$18,549 of Federal Funds. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#66 Authorized to enter into an agreement with Altarum Institute, Ann Arbor, MI, to provide Second Phase Coordination, Management and Development of The NH State Plan to Reduce Health Disparities and Promote Health Equity in an amount not to exceed \$19,934. Effective upon G&C approval through August 31, 2010. **100% Federal Funds.**

Division of Family Assistance

#67 Authorized to **retroactively** award a one-year grant totaling \$24,300 to the Tri-County Community Action Program Inc., Berlin, NH, to provide matching funds for TCCAP's North County Transportation, Federal Department of Transportation's Job Access Reverse Commute grant. Effective July 1, 2009 through June 30, 2010. **100% Federal Funds.**

#68 Authorized to amend a contract with Second Start, Concord, NH, (previously amended by G&C on 8-19-09, item #126), to provide job skills instruction for employment training and work experience for NH Employment Program participants, by increasing the amount by \$1,269,619.77 from \$3,566,508.17 to \$4,836,127.94, and by extending the end date from June 30, 2010 to June 30, 2011. **87% Federal, 13% General Funds.**

#69 **WITHDRAWN** – The Agency withdrew the request to make a one-time payment to renew agency membership in the American Public Human Services Association, Washington, NH, in the amount of \$12,405. Effective **retroactive** to January 1, 2010 through December 31, 2010. **65% General, 35% Federal Funds.**

Division for Children, Youth & Families

#70 Authorized to enter into an agreement with PlusTime NH, Concord, NH, for School Age Child Care Programs, in an amount not to exceed \$350,000. Effective July 1, 2010 through June 30, 2012. **100% Federal Funds.**

Bureau of Homeless and Housing Services

#71 Authorized to enter into a **retroactive** contract renewal with Harbor Homes Inc., Nashua, NH, (previously approved by G&C on 6-17-09, item #205K), to provide services to homeless individuals in an amount not to exceed \$20,248. Effective January 1, 2010 through December 31, 2010. **100% Federal Funds.**

#72 Authorized to amend an agreement with Center for Life Management, Derry, NH, (previously approved by G&C on 1-13-10, item #89), to provide services to homeless individuals, by increasing the price by \$11,508 from \$276,192 to \$287,700. Effective upon G&C approval through August 25, 2010. **100% Federal Funds.**

Disability Determination Unit

#73 Authorized to enter into an agreement with Susan T. Clark, RN, New Boston, NH, to provide services as a Disability Determination Reviewer in an amount not to exceed \$20,800. Effective July 1, 2010 through June 30, 2011. **75% Federal, 25% General Funds.**

#74 Authorized to enter into an agreement with Joyce E. Butterworth, RN, Penacook, NH, to provide services as a Disability Determination Reviewer in an amount not to exceed \$13,000. Effective July 1, 2010 through June 30, 2011. **75% Federal, 25% General Funds.**

#75 Authorized to enter into an agreement with Jane B. Turgeon, RN, NH, to provide services as a Disability Determination Reviewer in an amount not to exceed \$18,096. Effective upon G&C approval through June 30, 2011. **75% Federal, 25% General Funds.**

#76 Authorized to amend an agreement with J. David Brand, MD, Chocorua, NH, (previously amended by G&C on 6-17-09, item #186), to function as a Medical Disability Determination Reviewer, by increase the price by an amount not to exceed \$80,000 from \$182,400 to \$262,400, and by extending the completion date to June 30, 2011. **75% Federal, 25% General Funds.**

#77 Authorized to amend an agreement with Lee Winslow, RN, Concord, NH, (previously approved by G&C on 6-17-09, item #191), to function as a Disability Determination Reviewer, by increase the price by an amount not to exceed \$15,600 from \$15,600 to \$31,200, and by extending the completion date to June 30, 2011. **75% Federal, 25% General Funds.**

#78 Authorized to amend an agreement with Arthur J. Walsh, MD, Pembroke, NH, (previously amended by G&C on 7-15-09, item #78), to function as a Medical Disability Determination Reviewer, by increase the price by an amount not to exceed \$12,500 from \$30,500 to \$43,000, and by extending the completion date to June 30, 2011. **75% Federal, 25% General Funds.**

#79 Authorized to amend an agreement with Toni Paul, RN, Merrimack, NH, (previously approved by G&C on 8-19-09, item #163), to function as a Disability Determination Reviewer, by increase the price by an amount not to exceed \$19,500 from \$17,500 to \$37,000, and by extending the completion date to June 30, 2011. **75% Federal, 25% General Funds.**

Bureau of Development Services

#80 Authorized to enter into an agreement with Community Council of Nashua, NH, d/b/a Greater Nashua Mental Health Center at Community Council, Nashua, NH, to provide grant project services to the State of NH's Medicaid Infrastructure Grant in an amount not to exceed \$22,500. Effective upon G&C approval through December 31, 2010. **100% Federal Funds.**

#81 Authorized to enter into an agreement with Behavioral Health & Developmental Services of Strafford County Inc., d/b/a Community Partners of Strafford County, Dover, NH, to provide grant project services to the State of NH's Medicaid Infrastructure Grant in an amount not to exceed \$22,500. Effective upon G&C approval through December 31, 2010. **100% Federal Funds.**

#82 Authorized to enter into an agreement with The Lakes Region Mental Health Center Inc., d/b/a Genesis Behavioral Health, Laconia, NH, to provide grant project services to the State of NH's Medicaid Infrastructure Grant in an amount not to exceed \$22,500. Effective upon G&C approval through December 31, 2010. **100% Federal Funds.**

#83 Authorized to enter into an agreement with West Central Services Inc., d/b/a West Central Behavioral Health, Lebanon, NH, to provide grant project services to the State of NH's Medicaid Infrastructure Grant in an amount not to exceed \$22,500. Effective upon G&C approval through December 31, 2010. **100% Federal Funds.**

#84 Authorized to enter into an agreement with The Mental Health Center of Greater Manchester, Manchester, NH, to provide grant project services to the State of NH's Medicaid Infrastructure Grant in an amount not to exceed \$22,500. Effective upon G&C approval through December 31, 2010. **100% Federal Funds.**

#85 Authorized to enter into an agreement with Monadnock Family Services, Keene, NH, to provide grant project services to the State of NH's Medicaid Infrastructure Grant in an amount not to exceed \$22,500. Effective upon G&C approval through December 31, 2010. **100% Federal Funds.**

#86 Authorized to enter into an agreement with Northern Human Services, Conway, NH, to provide grant project services to the State of NH's Medicaid Infrastructure Grant in an amount not to exceed \$60,000. Effective **retroactive** to March 1, 2010 through December 31, 2010. **100% Federal Funds.**

#87 Authorized to enter into an agreement with Riverbend Community Mental Health Inc., Concord, NH, to provide grant project services to the State of NH's Medicaid Infrastructure Grant in an amount not to exceed \$54,151. Effective **retroactive** to March 1, 2010 through December 31, 2010. **100% Federal Funds.**

#88 Authorized to enter into an agreement with The Mental Health Center For Southern NH, d/b/a CLM Centger Center for Life Management, Derry, NH, to provide grant project services to the State of NH's Medicaid Infrastructure Grant in an amount not to exceed \$49,156. Effective **retroactive** to March 1, 2010 through December 31, 2010. **100% Federal Funds.**

#89 Authorized to enter into an agreement with Seacoast Mental Health Center Inc., Portsmouth, NH, to provide grant project services to the State of NH's Medicaid Infrastructure Grant in an amount not to exceed \$44,242. Effective **retroactive** to March 1, 2010 through December 31, 2010. **100% Federal Funds.**

Division of Public Health Services

#90 Authorized Bureau of Community Health Services, Community Public Health Development Section to enter into a **sole source** amendment to an agreement with JSI Research and Training Institute Inc., d/b/a Community Health Institute, Bow, NH, (previously amended by G&C on 11-18-09, item #51), to provide technical assistance and logistical support to improve local public health emergency planning and response capabilities to include completing an After Action Report and provide support to regional Medical Reserve Corps statewide, by increasing the price by \$121,000 from \$489,315 to \$610,315. Effective upon G&C approval. **100% Federal Funds.**

#91 Authorized Bureau of Prevention Services, Nutrition and Health Promotion Section, to exercise a contract renew and amend option with Southwestern Community Services Inc., Keene, NH, (previously amended by G&C on 6-3-09, item#103), to provide Women, Infants and Children, Commodity Supplemental Food Program, and Farmers' Market Nutrition Program nutrition services, by increasing the price by \$420,267 from \$1,269,152.93 to \$1,689,419.93, and by extending the completion date to June 30, 2011. **99.8% Federal, 0.2% General Funds.**

#92 Authorized Bureau of Prevention Services, Nutrition and Health Promotion Section, to exercise a contract renew and amend option with Avis Goodwin Community Health Center, Rochester, NH, (previously amended by G&C on 5-20-09, item#82), to provide Women, Infants and Children, Commodity Supplemental Food Program, and Farmers' Market Nutrition Program nutrition services, by increasing the price by \$321,836 from \$991,678.71 to \$1,313,514.71, and by extending the completion date to June 30, 2011. **99.8% Federal, 0.2% General Funds.**

#93 Authorized Bureau of Prevention Services, Nutrition and Health Promotion Section, to exercise a contract renew and amend option with Ammonoosuc Community Health Services Inc., Littleton, NH, (previously amended by G&C on 6-3-09, item#102), to provide Women, Infants and Children, Commodity Supplemental Food Program, and Farmers' Market Nutrition Program nutrition services, by increasing the price by \$134,288 from \$478,789 to \$613,077, and by extending the completion date to June 30, 2011. **99.8% Federal, 0.2% General Funds.**

#94 Authorized Maternal and Child Health Section, Newborn Screening Program, to establish a list of specialty medical consultants to be used on an as needed basis related to the management of clinically significant newborn screening results in an amount not to exceed \$36,000. Effective July 1, 2010 through June 30, 2012. **63% General, 37% Federal Funds.**

#95 Authorized Bureau of Community Health Services, Community Public Health Development Section to exercise a contract renew and amend option with Lakes Region Partnership for Public Health, Laconia, NH, (previously amended by G&C on 12-9-09, item #134), to procure the services of a local organization to serve as a regional sponsoring site for the NH Public Health Network, by increasing the price by \$140,000 from \$208,273 to \$348,273, and by extending the completion date to June 30, 2012. (2)Further authorized an advance payment in SFY 2011, not to exceed 25% of the amendment amount, for costs for projects within the agreement, which includes the burden of a program coordinator and associated program costs. **79% Federal, 21% General Funds.**

#96 Authorized Bureau of Community Health Services, Community Public Health Development Section to exercise a contract renew and amend option with Health and Safety Council of Strafford County, Rochester, NH, (previously amended by G&C on 12-9-09, item #131), to procure the services of a local organization to serve as a regional sponsoring site for the NH Public Health Network, by increasing the price by \$173,764 from \$267,008 to \$440,772, and by extending the completion date to June 30, 2012. **90% Federal, 10% General Funds.**

#97 Authorized Bureau of Community Health Services, Community Public Health Development Section to exercise a contract renew and amend option with the Town of Derry, NH, (previously amended by G&C on 12-9-09, item #127), to procure the services of a local organization to serve as a regional sponsoring site for the NH Public Health Network, by increasing the price by \$140,000 from \$263,357 to \$403,357, and by extending the completion date to June 30, 2012. **92.4% Federal, 7.6% General Funds.**

#98 Authorized Sexually Transmitted Disease/Human Immunodeficiency Virus Section to exercise a contract renew and amend option with the Southern NH HIV/AIDS Task Force, Nashua, NH, (previously approved by G&C on 6-25-08, item #220), to provide Human Immunodeficiency Virus prevention services, by increasing the price by \$122,748 from \$192,748 to \$315,496, and by extending the completion date to June 30, 2012. **100% Federal Funds.**

BOARD OF PHARMACY

#99 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to exercise a **retroactive** contract renewal option with the NH PharmAssist Foundation, Manchester, NH, (previously approved by G&C on 12-18-08, item #67), for the purpose of administering a peer assistance program for the identification of and development of a treatment plan for impaired pharmacists in the amount of \$13,000. Effective January 1, 2010 through December 31, 2011. **100% Other Funds.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#100 Authorized to grant funds in the amount of \$15,000 to the NH School Administrators Association, Concord, NH, to support the NHSAA Commissioner's June Conference and Annual Meeting being held June 27-30, 2010 at the Mountain View Grand Resort and Spa in Whitefield, NH. **100% Title II-A Federal Funds.**

#101 Authorized to exercise the third and last renewal option with Bernard R. Davis, Contoocook, NH, for the purpose of assisting the Bureau of School Approval and Facility Management in the amount of \$10,000. (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% General Funds.**

#102 Authorized to exercise a renewal option to a **sole source** grant to the University of NH, Durham, NH, (previously approved by G&C on 11-19-09, item #155), to reform and improve pre-service personnel preparation in the areas of literacy instruction, positive behavior interventions and supports, and secondary transition supports for students with emotional/behavioral challenges in the amount of \$14,000. (2)Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the grant. Effective July 1, 2010 through June 30, 2012. **100% Federal Funds.**

#103 Authorized to exercise the renewal option to contract with the NH Coalition for Citizens with Disabilities Inc., d/b/a Parent Information Center, Concord, NH (previously approved by G&C on 1-14-09, item #82), to continue to strengthen the partnership between schools and families through high quality professional development and materials in the areas of literacy, behavior and secondary transition services and supports for youth with disabilities and their families in an amount not to exceed \$22,008. (2)Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the grant. Effective July 1, 2010 through June 30, 2012. **100% Federal Funds.**

#104 Authorized to exercise the renewal option to grant with Keene State College, Keene, NH, (previously approved by G&C on 11-19-08, item #154), to reform and improve pre-service personnel preparation in the areas of literacy instruction, positive behavior interventions and support, and secondary transition supports for students with emotional/behavioral challenges, in the amount of \$14,000. Effective July 1, 2010 through June 30, 2012. (2)Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the grant. **100% Federal Funds.**

#105 Authorized to exercise the renewal option to contract with Allyson Vignola, Barnstead, NH (previously approved by G&C on 10-7-09, item #78), to provide targeted technical assistance services to school districts around the State of NH in an amount not to exceed \$50,000. (2)Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the budget. Effective July 1, 2010 through June 30, 2011. **100% Federal Funds.**

#106 Authorized to enter into a contract with Measurement Incorporated, White Plains, NY, to collect parent involvement surveys from parents of students with disabilities in the amount not to exceed \$143,091. (2)Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the budget. Effective July 1, 2010 through December 30, 2011. **100% Federal Funds.**

#107 Authorized to amend a contract with The National Center for the Improvement of Educational Assessment Inc., Dover, NH, (previously amended by G&C on 8-19-09, item #188), to continue the work being done on the development of a Performance-Based System for Schools Accountability, by adding \$42,000 received from the Nellie Mae Education Foundation. (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% Grant Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#108 Authorized Division of State Police to **retroactively** pay Certifion Corporation d/b/a Entersect, Santa Ana, CA, for online services provided in SFY 2007, 2008 and 2009 using SFY 2010 funds in the amount of \$3,450. Effective upon G&C approval. **100% Federal Funds.**

#109 Authorized Division of State Police to **retroactively** pay Lefebvre's Towing, LLC, Derry, NH, for payment of an invoice for towing services provided in SFY 2009 using SFY 2010 funds in the amount of \$311. Effective upon G&C approval. **100% Highway Funds.**

#110 Authorized to **retroactively** pay a total of \$1,864.36 from SFY 2010 funds for SFY 2009 wages and benefits for the individuals, as detailed in letter dated April 27, 2010, which represents payroll periods from January 9, 2009 through June 4, 2009 for increments that were not received as required. Effective upon G&C approval.

#111 Authorized Division of Administration to enter into a **sole source** contract with Northeast Mailing Systems LLC, West Lebanon, NH, for maintenance of mailing equipment in the amount of \$16,716.08. Effective July 1, 2010 through June 30, 2012. **SFY 2011 20% Agency Income, 80% Highway Funds. SFY 2012 TBD.**

#112 Authorized Division of Homeland Security and Emergency Management to enter into a grant agreement with the Newfields Village Water and Sewer District to install a generator and a security fence for the generator for \$43,638.50. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#113 Authorized Division of Homeland Security and Emergency Management to accept and expend Flood Mitigation Assistance funds from the Federal Emergency Management Agency in the amount of \$12,307. (2)Further authorized to enter into a grant agreement with the Town of Bartlett, NH, for the development of a multi-hazard mitigation plan by conducting an evaluation of natural hazards that affect the community, for the total amount of \$12,306.75. Effective upon G&C approval through December 15, 2010. **100% Federal Funds.**

#114 Authorized Division of Homeland Security and Emergency Management to enter into a contract with JPA III, Management Co Inc., d/b/a the Radisson Hotel Manchester, for the purpose of providing conference facilities and food services, in an amount not to exceed \$21,973. (2)Further authorized to conduct the training conference entitled "Emergency Preparedness: New Decade, New Momentum" on June 17, 2010. Effective upon G&C approval. **50% Transfer from Other Agencies; 48.5% Federal, 1.5% Agency Income Funds.**

#115 Authorized Division of Fire Standards & Training and Emergency Medical Services to enter into an agreement with Interstate Electrical Services Corporation of North Billerica, MA, to provide electrical maintenance services in the amount not to exceed \$30,000. Effective July 1, 2010 through June 30, 2013. **100% Fire and EMS Funds.**

#116 Authorized Division of Motor Vehicles to enter into a contract with Tri-Town Ice Arena Limited Partnership, Hooksett, NH, to provide parking area and classroom space for the Motorcycle Rider Education Program in an amount not to exceed \$26,000. Effective upon G&C approval through December 31, 2011. **100% Motorcycle Rider Education Program Funds.**

#117 Authorized the permit application of the Camp Winaukee located on Lake Winnepesaukee in Moultonboro, NH, for a congregate mooring field, with a renewal of 18 moorings.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#118 Authorized to accept and place on file the Comparative Statement of Operating & Capital Undesignated Surplus for fiscal years 2009, 2010 and 2011 updated for actual appropriations activity and revenue projections through March 31, 2010.

#119 Authorized Bureau of Right of Way to sell a 1.9 acre portion of State owned US Route 3 right of way located in Pittsburg to the US Government for \$16,420 which includes a \$1,100 Administrative Fee. Effective upon G&C approval. **ARRA Funds.**

#120 Authorized Bureau of Aeronautics to provide funding to the City of Concord, NH, to conduct an Environmental Assessment, update the National Pollutant Discharge Elimination System Multi-Sector General Permit and Spill Prevention Control and Countermeasures plan in the amount of \$286,872. Effective upon G&C approval through May 31, 2013. **97.44% Federal, 2.56% General Funds.**

#121 Authorized Bureau of Aeronautics to amend a grant to provide additional funding to the City of Lebanon, for AIP-39 to install additional airfield lighting equipment at the Lebanon Municipal Airport in the amount of \$11,253. Effective upon G&C approval through May 31, 2012. **97.44% Federal, 2.56% General – Capital Funds.**

#122 Authorized Bureau of Right of Way to remove a deed restriction placed by the State of NH on two parcels of land formerly owned by the State of NH and now owned by the City of Concord. Effective upon G&C approval. No Cost Transaction.

#123 Authorized Bureau of Right of Way petition for a public hearing on the replacement of the NH 10 Bridge over the Ashuelot River in the Towns of Winchester and Swanzey. (2)Further authorized that a three person Special Committee made up of three members of the Executive Council be appointed to hold the hearing and determine whether there is necessity for the project. (3)Further authorized that a Commission of three persons should be appointed at this time to conduct negotiation with property owners if the Special Committee finds necessity for the project. (4)Further authorized \$2,100 to pay the Commission.

#124 Authorized to accept and place on file the Bureau of Right of Way's Contemplated Award List for amounts less than \$5,000 for the sum total of \$26,252.62 for the period extending from January 1, 2010 through March 31, 2010.

#125 Authorized Bureau of Right of Way's request to pay various owners \$272,222.72 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period of April 13, 2010 through April 26, 2010. Effective upon G&C approval.

#126 Authorized Bureau of Right of Way's request to pay various owners \$236,518.21 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period of March 30, 2010 through April 12, 2010. Effective upon G&C approval.

#127 Authorized Bureau of Highway Maintenance, Well Section, to enter into a contract with Kriester Artesian Well Co., Inc., Henniker, NH, for a 6-inch drilled well and pump on the property of Matthew Seamans, Warner, NH, in the amount \$17,417. Effective upon G&C approval through May 28, 2010. **100% Highway Funds.**

#128 Authorized with Councilor Shea abstaining, the Bureau of Highway Maintenance to enter into a contract with Continental Paving Inc., Londonderry, NH, to rehabilitate 0.5 miles of Route 43, based on a single bid of \$295,955.63. Effective upon G&C approval through June 30, 2010. **100% Betterment Funds.**

#129 Authorized Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for median guardrail replacement on the F.E. Everett (I-293) in Hooksett, on the basis of a low bid of \$2,229,370. (2)Further authorized a contingency in the amount of \$156,055.90 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through October 15, 2010. **100% Turnpike Funds.**

#130 Authorized Bureau of Construction to enter into a contract with Brox Industries Inc., Dracut, MA, for pavement rehabilitation of approximately 4 miles on NH Route 111 in Hampstead and Atkinson, on the basis of a low bid of \$1,248,032.90. (2)Further authorized a contingency in the amount of \$124,803.29 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through October 8, 2010. **100% Federal Funds.**

#131 Authorized Bureau of Construction to enter into a contract with Alvin J. Coleman & Son Inc., Conway, NH, for reconstruction and widening of the northbound and southbound barrels of the Spaulding Turnpike (NH Route 16) in the Exit 14 area and removal and replacement of the existing bridge carrying Spaulding Turnpike over Ten Rod Road in Rochester, on the basis of a low bid of \$16,595,672.18. (2)Further authorized a contingency in the amount of \$829,783.61 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through June 28, 2013. **100% Turnpike Funds.**

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Burton, seconded by Councilor Hollingworth, voted to remove item #96- which was tabled at the April 14, 2010 Meeting

DEPARTMENT OF SAFETY

#96 The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Burton and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – **no**, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – **no**, voted to approve the request of the Division of Motor Vehicles to amend an existing contract with Gordon-Darby NHOST Services Inc., Louisville, KY, to support the OBD II electronic emissions and safety inspection program, by extending the end date through June 30, 2012. No additional Funding.

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton and with Councilor Pignatelli abstaining, voted to remove item #29B- which was tabled at the April 28, 2010 Meeting

DEPARTMENT OF ADMINISTRATIVE SERVICES

#29B **WITHDRAWN** – The Agency withdrew the request 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.**

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Shea, and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, voted to move into non-public session under RSA 91-A:3, II (a) and (c) to discuss a personnel matter.

The Governor and Council met in non-public session. After coming out of the non-public session the Governor announced that a vote was taken to seal the minutes of the non-public session pursuant to RSA 91-A:3, III and another vote to conclude the non-public session.

Next regular Governor and Executive Council meeting is scheduled for Wednesday, May 26, 2010 at 10:00 a.m. at the State House in Concord, New Hampshire.

On motion of Councilor Wieczorek, seconded by Councilor Pignatelli,
The Honorable Board then Adjourned at 1:55 p.m.