GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
March 4, 2009 10:00 a.m.

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

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The Governor and Executive Council on motion of Councilor Hollingworth, seconded by Councilor Wieczorek, accepted the minutes of February 18, 2009.

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The Governor and Executive Council, on motion of Councilor Shea, seconded by Councilor Burton approved the appointment of several persons nominated for Civil Commissions from the February 18, 2009 meeting.

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The Governor placed in nomination the several persons who applied for Civil Commissions.

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The Governor and Council, on motion of Councilor Hollingworth, seconded by Councilor Wieczorek, voted to set the date for a ***special election for state senate District No.3 (Brookfield, Chatham, Conway, Eaton, Effingham, Farmington, Freedom, Madison, Middleton, Milton, Moultonborough, Ossipee, Sandwich, Tamworth, Tuftonboro, Wakefield and Wolfeboro).***

The filing period will begin on March 9, 2009 and end on March 16, 2009. The primary election will be April 21, 2009. The special election will be May 26, 2009.

RESIGNATIONS

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

Community Development Finance Authority
(Community Development Organization)
Richard Ingram, North Hampton — Effective: March 4, 2009

CONFIRMATIONS

The Governor and Council confirmed the following:

Education and Training Officer, Division of Personnel, Department of Administrative Services,
Nominated by the Director of Personnel
Dennis T. Martino, Hopkinton — Effective: March 22, 2009
Reappointment — Term: March 22, 2013
Salary: DD, Step 5, $74,060

Agricultural Advisory Board
(Cheshire County)
Tracie Smith, Fitzwilliam — Effective: March 4, 2009
Succeeding: Ellen R. Clement, Westmoreland — Term: January 31, 2014

Connecticut River Valley Resource Commission
(Public Member)
Nominated by the Connecticut River Valley Resources Commission
Glenn E. English, North Haverhill — Effective: March 4, 2009
Reappointment — Term: February 10, 2012

Board of Licensed Dietitians
Margaret Lynott, Swanzey — Effective: March 28, 2009
Reappointment — Term: March 28, 2012

Invasive Species Committee
(Livestock Owners and Feed Growers Interest)
Brandon Smith, Rye — Effective: March 4, 2009
Succeeding: Carl J. Majewski, Westmoreland — Term: September 21, 2011

Poet Laureate
Walter E. Butts, Manchester — Effective: March 22, 2009
Succeeding: Patricia Fargnoli, Walpole — Term: March 22, 2014

Rivers Management Advisory Committee
Nominated by the Granite State Hydro Association
Gary L. Kerr, Chichester — Effective: March 4, 2009
Succeeding: William Heinz, Boscawen — Term: January 5, 2012

Director of the Division of Fire Standards and Training and Emergency Medical Services
Nominated by the Commissioner of the Department of Safety in consultation with the Fire Standards and Training Commission and Emergency and Trauma Services Coordinating Council
Richard A. Mason, Portsmouth — Effective: March 31, 2009
Reappointment — Term: March 31, 2013
Salary: GG, Step 5, $90,606

Advisory Committee on Travel and Tourism
(Member-at-Large)
Nominated by the Commissioner of the Department of Resources and Economic Development
Mary Rose Boswell, Franklin — Effective: March 4, 2009
Succeeding: Michelline Dufort, Concord — Term: December 1, 2011

Advisory Committee on Travel and Tourism
(Member-at-Large)
Nominated by the Commissioner of the Department of Resources and Economic Development
John P. Grandmaison, Hampton — Effective: March 4, 2009
Succeeding: Nancy F. Kilbride, Bedford — Term: December 1, 2011

Advisory Committee on Travel and Tourism
(Transportation)
Nominated by the Commissioner of the Department of Resources and Economic Development
Thomas J. Malafronte, Epsom — Effective: March 4, 2009
Succeeding: Collette Crisp, Nashua — Term: December 1, 2011

Advisory Committee on Travel and Tourism
(Represents Statewide Trade Association)
Nominated by the Commissioner of the Department of Resources and Economic Development
Michael Somers, Hooksett — Effective: March 4, 2009
Succeeding: Katherine J. LaPlante, Pembroke — Term: December 1, 2010

Advisory Council on Unemployment Compensation
(Employers)
Kevin P. Sullivan, Hampton — Effective: March 26, 2009
Reappointment — Term: March 26, 2012

State Commission on the Status of Women
Mary Johanna Brown, Rye — Effective: March 4, 2009
Succeeding: Laurie L. Chandler, East Kingston (term limited) — Term: October 20, 2011

NOMINATIONS

The Governor placed into nomination the following:

Director : Division of Plant & Property Management: Department of Administrative Services
Nominated by the Commissioner of Administrative Services
Michael P. Connor, Pembroke — Effective: May 1, 2009
Reappointment — Term: May 1, 2013
Salary: HH, Step 5, $98,691

Attorney General
Kelly A. Ayotte, Nashua — Effective: Upon confirmation
Reappointment — Term: March 31, 2013
Salary: LL, $116,170

State Advisory Board for the Division for Children, Youth and Families
(Strafford County)
Steven H. Slovenski, Lee — Effective: Upon confirmation
Reappointment — Term: December 2, 2011

Community College System of New Hampshire
(Business and Industry)
Harvey D. Hill, Charlestown — Effective: Upon confirmation
Reappointment — Term: June 30, 2013

Community College System of New Hampshire
(Health)
Claudette L. Mahar, Amherst — Effective: Upon confirmation
Reappointment — Term: June 30, 2013

Community College System of New Hampshire
(Labor)
David C. Paquette, Hooksett — Effective: Upon confirmation
Reappointment — Term: June 30, 2013

Community College System of New Hampshire
(General Public)
Ann M. Torr, Dover — Effective: Upon confirmation
Reappointment — Term: June 30, 2013

Community Development Finance Authority
(Community Development Organization)
Ignatius MacLellan, Bow — Effective: Upon confirmation
Succeeding: Richard Ingram, North Hampton (resigned) — Term: July 1, 2012

Connecticut River Valley Resource Commission
(HydroElectric Concern)
Cleve P. Kapala, Hopkinton — Effective: Upon confirmation
Reappointment — Term: January 22, 2012

Connecticut River Valley Resource Commission
(Public Member)
Nominated by the Connecticut River Valley Resource Commission
William E. Roberts, Hinsdale — Effective: Upon confirmation
Reappointment — Term: February 10, 2012

Health Services Planning and Review Board
(Nominated by the Ambulatory Surgery Association)
Nicholas Vailas, Bedford — Effective: Upon confirmation
Reappointment — Term: December 1, 2011

Board of Hearing Care Providers
(Public Member)
A. Hope MacDonald, Wolfeboro — Effective: April 23, 2009
Reappointment — Term: April 23, 2011

Board of Home Inspectors
(Public Member)
Donald Lavallee, Hampton — Effective: Upon confirmation
Vacancy — Term: One year from confirmation

Racing & Charitable Gaming Commission
(Thoroughbred and Harness Horse Racing Interests)
Timothy J. Connors, Newington — Effective: April 9, 2009
Reappointment — Term: April 9, 2012

Skyhaven Airport Operation Commission
Richard C. Jackson, Rochester — Effective: Upon confirmation
Reappointment — Term: August 14, 2011

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#1 Authorized to enter into a **retroactive** contract with Saint Benedict of NH Inc., d/b/a St. Anselm College, Manchester, NH, to provide direct services to NH refugees in the amount of $3,960. Effective October 1, 2008 through September 30, 2009. **100% Federal Funds.**

#1A Authorized to enter into a **retroactive** contract with International Institute of Boston, Boston, MA, through its subsidiary the International Institute of NH, to provide direct services to NH refugees in the amount of $38,764. Effective October 1, 2008 through September 30, 2009. **100% Federal Funds.**

#1B Authorized to enter into a **retroactive** contract with Lutheran Community Services of NH Inc., Concord, NH, to provide direct services to NH refugees in the amount of $27,276. Effective October 1, 2008 through September 30, 2009. **100% Federal Funds.**

JUDICIAL COUNCIL

#2 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Hollingworth authorized the request to receive additional General Funds from funds not otherwise appropriated in the amount of $415,000. Effective upon G&C approval through June 30, 2009. **100% General Funds. Fiscal Committee approved.**

DEPARTMENT OF INFORMATION TECHNOLOGY

#2A The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to amend a contract with Lottery Commission Network Security Project, with Akibia Network Solutions Inc., Westborough, MA (previously approved by G&C on 6-21-06, item #18), for security assessment services for the NH Lottery Commission's information technology security model and practices, by decreasing the amount by $130,000 from $283,100 to $153,100. Effective upon G&C approval through March 31, 2011. **100% Other (Agency Class 27) funds: the agency class 27 funds used by the Lottery Commission to reimburse DoIT for this contract is 100% General Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#3 Authorized that Lieutenant Colonel Richard P. Greenwood, Stratham, NH, be confirmed for promotion to the rank of Colonel, NH Air National Guard.

#4 Authorized that Captain Alyn L. Theriault, Milford, NH, be confirmed for promotion to the rank of Major, NH Air National Guard.

#5 Authorized that Lieutenant Colonel Peter F. Sullivan Jr., Hampton, 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.

#6 Authorized to enter into a **sole source** contract with Konecranes Inc., Chelmsford, MA, for the purpose of overhead crane repairs in the amount of $5,050. Effective upon G&C approval through June 30, 2009. **100% Federal Funds.**

LIQUOR COMMISSION

#6A The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea, and with Councilor Wieczorek voting **no,** authorized the request to reclassify position #43303, License Clerk, salary grade 11, to Equipment Control Officer, labor grade 17 at an estimated cost of $8,541. **100% General Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#7 Authorized a Working Capital Warrant in the amount of $390,000,000 to cover expenditures for the Month of April 2009. (2)Further Authorized a Working Capital Warrant in the amount of $400,000,000 to cover expenditures for the Month of May 2009. (3)Further Authorized a Working Capital Warrant in the amount of $400,000,000 to cover expenditures for the Month of June 2009. (4)Further Authorized to amend a Working Capital Warrant previously approved by G&C on 1-14-09, by increasing the amount by $667,250.74 bringing the total amount to $400,667,250.74.

#7A Authorized to enter into a contract with Snowden Associates/SCI, Portsmouth, NH, to provide executive search services in an amount not to exceed $27,500. Effective upon G&C approval through March 31, 2010. **100% General Funds.**

#7B Authorized to amend a Cooperative Project Agreement with the University of NH Institute for Health Policy and Practice, Durham, NH, to provide facilitation services to the members of the NH Purchasers Group on Health so as to expand the scope of services, by increasing the amount by $17,475 from $11,250 to $28,725. Effective upon G&C approval through June 30, 2009. **Employee Benefit Risk Funds (60).**

#7C Authorized to enter into a **retroactive** agreement with the Rowley Agency Inc., Concord, NH, for the provision of providing an insurance policy for the commercial property, general liability and umbrella insurance for the Franklin, Derry and Jaffrey District Courthouses at an annual cost of $5,663. Effective January 14, 2009 through January 14, 2010. **100% Transfer (Transfers from ADC, Rents from Other Agencies – General Funds).**

#7D Authorized to amend a contract agreement with Robert Half International Inc., Manchester, NH, (previously approved by G&C on 12-1-07, item #20C), for professional assistance in the areas of accounting and technical policy and procedure documentation in conjunction with the implementation of the new Enterprise Resource Planning system, by increasing the price by $54,000 from $134,768 to $188,768 and by extending the termination date from June 30, 2009 to October 9, 2009. **100% Capital – General Funds.**

#7E Authorized with Councilor Wieczorek voting **no,** to reclassify position #43085 Program Specialist IV, labor grade 25, to a Business Systems Analyst II, labor grade 30, for a total cost of $5,070. **100% General Funds.**

#7F Authorized Bureau of Public Works Design and Construction to enter into a contract with Thibeault Corp of NE, Londonderry, NH, for Demolition of Huntress & Lodge Houses, Concord, NH, for a total price not to exceed $59,250. Effective upon G&C approval through June 25, 2009. **100% Capital Funds (100% General Funds).**

TREASURY DEPARTMENT

The Governor and Council acted as follows:

#8 Authorized a resolution permitting the State Treasurer to negotiate the sale and issue of general obligation bonds to refund outstanding bonds to produce net present value debt service savings of at least three percent of the par value of the refunded bonds.

#9 Authorized to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of $43,182.50 to the rightful owners of abandoned or unclaimed funds.

#9A Authorized to accept, on behalf of the State, a donation in the amount of $250.

NEW HAMPSHIRE DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

The Governor and Council acted as follows:

#10 Authorized to grant an annual salary increment to Lorraine S. Merrill, Commissioner, from Group HH, step 3 $88,933 to Group HH, step 4 $93,812. Effective **retroactive** to December 6, 2008.

#11 Authorized Division of Pesticide Control to enter into a Cooperative Project Agreement with the University of NH, Office of Sponsored Research, for the advancement of research and assist in the promotion of Integrated Pest Management practices in NH in the amount of $19,609. Effective upon G&C approval through December 31, 2009. **100% Other (Integrated Pest Management) Funds.**

#12 Authorized Division of Pesticide Control to enter into a Cooperative Project Agreement with the University of NH, Office of Sponsored Research, for the advancement of research in Hillsborough County and assist in the promotion of Integrated Pest Management practices in NH in the amount of $29,992. Effective upon G&C approval through December 31, 2009. **100% Other (Integrated Pest Management) Funds.**

#12A Authorized to accept and expend additional funds in the amount of $40,491 for Transfers to Other State Agencies to fulfill the scope of work with NH Department of Environmental Services. (2)Further Authorized to enter into a memorandum of understanding with the NH Department of Environmental Services to purchase lab equipment necessary for analyzing pesticide samples in the amount of $40,450. Effective upon G&C approval through June 30, 2009. **100% Federal Funds.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#13 Authorized to **retroactively** enter into a lease agreement with Mascoma Rivermill Enterprises LLC, Lebanon, NH for rental of 3,388 square feet of office space, in the amount of $169,008.60. Effective February 1, 2009 through January 31, 2012. **100% Federal Funds.**

#14 Authorized to amend a contract with Deloitte Consulting LLP, Boston, MA (previously amended by G&C on 5-7-08, item #23), for additional enhancements of Unemployment Insurance processes and systems, by increasing the contract by $525,000 from $11,888,647 to $12,413,647. Effective upon G&C approval through December 31, 2010. **100% Federal Funds.**

#14A Authorized to continue one Interviewer I, position #8T176, salary grade 16 on a full time temporary basis for an additional period from March 22, 2009 through June 30, 2009 at an estimated cost of $8,986.50. **100% Federal Funds.**

RACING AND CHARITABLE GAMING COMMISSION

The Governor and Council acted as follows:

#15 Authorized to exercise a renewal option with the University of Florida, Gainesville, FL, (previously approved by G&C on 3-5-08, item #65), for the sole purpose of providing laboratory testing services (chemical analysis of racing animals' blood and urine samples) in the amount of $299,800. Effective July 1, 2009 through June 30, 2010. **There is no state funding involved. The entire contract amount will be paid by the race tracks licensed by the RCGC.**

#16 Authorized to accept and place on file the report of activities for the year ending December 31, 2008.

DEPARTMENT OF CORRECTIONS

#16A The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to **retroactively** amend a **sole source** agreement with Oliver Weiss, Ossipee, NH, for office space for the purpose of housing a Probation/Parole District Office, by extending the end date from February 28, 2009 to June 30, 2009 in the amount not to exceed $6,292.80. **100% General Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#17 Authorized to accept and expend $9,238.86 from the Federal Emergency Management Agency via the State Office of Emergency Management in order to reimburse eligible expense for mitigating wind-related damages suffered on public lands in Belknap and Rockingham counties during the July 24, 2008 tornado. **100% Transfer – FEMA Funds.**

#18 Authorized to accept and expend $12,982.50 from the Federal Emergency Management Agency via the State Office of Emergency Management in order to reimburse eligible expenses for mitigating water related damages suffered on public lands in Belknap, Coos and Grafton counties during the July 24, 2008 through August 14, 2008 flooding. **100% Transfer – FEMA Funds.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#19 Authorized to hold a Hunter Education Volunteer Recognition and Training Seminar on March 21, 2009 in the amount of $10,145. (2)Further Authorized to purchase volunteer recognition awards for a cost not to exceed $1,708 to be presented to volunteer instructors at this event. (3)Further Authorized to pay C.R. Sparks Restaurants Inc. $8,437 to provide facilities, morning refreshments and a lunch buffet for the Hunter Education Volunteer Recognition and Training Seminar at the C.R. Sparks Event Center in Bedford, NH on March 21, 2009. **100% Federal Funds.**

#20 Authorized to pay $4,056.72 to the Wildlife Management Institute in support of the regional Northeast Wildlife Teamwork Strategy. Effective upon G&C approval through June 30, 2009. **100% Federal Funds.**

#21 Authorized to enter into a **sole source** contract with Stonehearth Open Learning Opportunities Inc, Conway, NH, to provide wilderness emergency medical training to Conservation Officers in the amount of $14,925. Effective upon G&C approval through June 30, 2010. **100% Other (Search and Rescue) Funds.**

#22 Authorized to enter into a contract with MSC Civil Engineers & Land Surveyors, Portsmouth, NH, to conduct boundary survey work on the Bellamy River (Dover) and Connor Farm (Exeter) Wildlife Management Areas in the amount of $10,600. Effective upon G&C approval through June 15, 2009. **100% Wildlife Habitat Conservation Funds.**

#23 Authorized to enter into an Off Highway Recreational Vehicle Law Enforcement contract with the Manchester Police Department to provide OHRV enforcement for a total of $5,400. Effective upon G&C approval through June 30, 3009. **100% Other (OHRV) Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#24 Authorized to enter into an agreement with Aquatic Control Technology Inc., Sutton, MA, for the purpose of milfoil control activities in Long Pond, Danville, NH, in the amount of $12,200. Effective upon G&C approval through December 31, 2009. **100% Lake Restoration Funds.**

#25 Authorized to award a Local Source Water Protection grant to Gunstock Acres Village Water District, Gilford, NH, to complete a project to protect drinking water from contamination in the amount of $14,988. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#26 Authorized to award a Local Source Water Protection grant to LifeWise Community Projects Inc., Hampton, NH, to complete a project to protect drinking water from contamination in the amount of $20,000. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#27 Authorized to award a Local Source Water Protection grant to the City of Claremont, NH, to complete a project to protect drinking water from contamination in the amount of $9,300. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#28 Authorized to award a Local Source Water Protection grant to the Upper Valley Lake Sunapee Regional Planning Commission, Lebanon, NH, to complete a project to protect drinking water from contamination in the amount of $17,080. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#29 Authorized a Supplemental Loan Agreement with the City of Portsmouth, which lowers the Original Loan Agreement by $24,801.43 from $759,000 to $734,198.57, and finalizes the loan amount used to finance sewerage improvements. Effective upon G&C approval.

#30 Authorized a Supplemental Loan Agreement with the City of Portsmouth, which lowers the Original Loan Agreement by $3,591,862.79 from $9,100,000 to $5,508,137.21, and finalizes the loan amount used to finance the Long Term Control Plan, Phase III. Effective upon G&C approval. **100% Loan Repayment Funds.**

#31 Authorized a Supplemental Loan Agreement with the City of Portsmouth, which lowers the Original Loan Agreement by $11,437.53 from $700,000 to $668,562.47, and finalizes the loan amount used to finance the Lower Court Street Reconstruction/Utilities Upgrade. Effective upon G&C approval. **100% Loan Repayment Funds.**

#32 Authorized a Supplemental Loan Agreement with the City of Claremont, which lowers the Original Loan Agreement by $.01 from $336,000 to $335,999.99, and finalizes the loan amount used to finance a Wastewater Collection System Evaluation. Effective upon G&C approval.

#33 Authorized a Supplemental Loan Agreement with the City of Rochester, which lowers the Original Loan Agreement by $172,613.06 from $2,025,000 to $1,852,386.94, and finalizes the loan amount used to finance the East Rochester Infiltration/Inflow Elimination project. Effective upon G&C approval.

#34 Authorized Akwa Marina Yacht Club LLC's request to perform work within a major docking facility providing 76 slips on Lake Winnipesaukee in Laconia.

#35 Authorized with Councilor Pignatelli voting **no,** Janice Carine's request to excavate bank along shoreline to construct a two slip dug in boathouse and to dredge from lakebed to provide access to the boathouse on Pleasant Island on Lake Winnipesaukee in Tuftonboro.

#35A Authorized to amend a **sole source** contract with Camp, Dresser & McKee Inc., Manchester, NH, (previously approved by G&C on 6-25-08, item #156), for professional engineering services for improvements to the aeration blowers and priority improvements at the Franklin wastewater treatment plant by increasing the amount by $188,000 from $436,000 to $624,000. **100% WRBP Funds.**

#35B Authorized Mountain View Yacht Club's request to dredge from manmade channel and sedimentation basin on Lake Winnipesaukee in Gilford.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of the Commissioner

#36 Authorized to pay the Association of State and Territorial Health Officials, Washington, DC, $15,668 for annual membership dues. Effective **retroactive** to July 1, 2008 through June 30, 2009. **55% Federal, 45% General Funds.**

Bureau of Human Resource Management

#37 Authorized to make a one-time payment from SFY 2009 funds to Jay Apicelli, Administrator I, Multiple Offender Program in the amount of $685.80, for wages that were not paid for SFY 2008. **100% Other (Fee Income) Funds.**

#38 Authorized to make a one-time payment from SFY 2009 funds to Stephen Sarausky, Teacher I, NH Hospital in the amount of $19,424.85, for wages that were not paid for SFY 2007 & 2008. **70% General, 30% Federal Funds.**

Division for Children, Youth & Families

#39 Authorized to provide Licensed Plus quality child care awards in the amount of $1,411 to two Licensed Plus child care providers throughout the State of NH. Effective upon G&C approval through June 30, 2009. **100% Federal Funds.**

Division for Juvenile Justice Services

#40 Authorized to accept and expend carryover balances from the previous fiscal year from the US Department of Justice, Office of Juvenile Justice and Delinquency Prevention in the amount of $416,517. Effective upon G&C approval through June 30, 2009. **100% Federal Funds. Fiscal Committee approved.**

Office of Medicaid Business and Policy

#41 Authorized to amend a **sole source** contract with Schaller Anderson Medical Administrators, Incorporated, Phoenix, AZ, (previously approved by G&C on 1-10-07,item #74), to expand the existing scope of services. Effective **retroactive** to January 1, 2009 through February 28, 2010. No additional Funds are required for this amendment. **50% Federal, 50% General Funds.**

Division of Public Health Services

#42 Authorized Bureau of Community Health Services, Rural Health and Primary Care Section to enter into an agreement with Steven Youngs, DO, Penacook, NH, to receive reimbursement for payment of educational loans through the State Loan Repayment Program in an amount not to exceed $75,000. Effective upon G&C approval through June 30, 2012. **100% General Funds.**

#43 Authorized Bureau of Community Health Services, Sexually Transmitted Disease and Human Immunodeficiency Virus Section, to exercise a contract renew and amend option with Concord Hospital Inc., Concord, NH, (previously approved by G&C on 5-16-07, item #107), to provide voluntary, confidential HIV counseling, testing, and referral services and STD testing and treatment, by increasing the price by $46,220 from $46,220 to $92,440, and by extending the completion date to June 30, 2011. Effective upon G&C approval. **51% Federal, 49% General Funds.**

#44 Authorized Bureau of Community Health Services, Sexually Transmitted Disease and Human Immunodeficiency Virus Section, to exercise a contract renew and amend option with Lamprey Health Cre Inc., Newmarket, NH, (previously approved by G&C on 5-16-07, item #103), to provide voluntary, confidential HIV counseling, testing, and referral services and STD testing and treatment, by increasing the price by $13,000 from $13,000 to $26,000, and by extending the completion date to June 30, 2011. Effective upon G&C approval. **46% Federal, 54% General Funds.**

New Hampshire Hospital

#45 Authorized to amend the annual subscription fee and on-site survey fee with The Joint Commission, Oakbrook Terrace, IL, (previously approved by G&C on 1-30-08, item #57), by increasing the amount by $205. Effective upon G&C approval through June 30, 2009. **68.4% General, 31.6% Federal Funds.**

#46 Authorized with Councilor Wieczorek voting **no,** to reclassify position #30887 Maintenance Mechanic I, salary grade 8 to Automotive Service Technician, salary grade 10, for an increase of $1,046 . **100% General Funds.**

Bureau of Elderly & Adult Services

#47 Authorized to amend an agreement with the University System of NH, Institute on Disability, Concord, NH (previously amended by G&C on 8-13-08, item #118), to continue to provide project and fiscal management of the NH Nursing Home Diversion Modernization Grant, by extending the completion date from March 31, 2009 to September 30, 2009.

STATE VETERANS COUNCIL

#48 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to accept and expend monetary contributions received during the period of January 1, 2009 and February 19, 2009, in the amount of $1,050 for the use of the Veterans Council service delivery programs.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#49 Authorized to accept, budget and expend grant funds received in the amount of $916,879.88 from the US Department of Education, Office of Elementary and Secondary Education, Washington, D.C., for the Enhanced Assessment Instruments Grant, to help build more effective procedures and materials for the meaningful assessment of students; including students with limited English proficiency and students with disabilities. Effective upon G&C approval through June 30, 2009. **100% Federal Funds. Fiscal Committee approved.**

#50 Authorized to accept, budget and expend grant funds received in the amount of $67,652.27 from the Corporation for National and Community Service, Philadelphia, PA, for the School Based Service Learning Program, to help foster civic responsibility through the enhancement of the academic curriculum of students, or through the enhancement of the education components of the community service program in which the students are enrolled. Effective upon G&C approval through June 30, 2009. **100% Federal Funds. Fiscal Committee approved.**

#51 Authorized to enter into a **sole source** contract with the Institute on Disability, University of NH, Office of Sponsored Research, Durham, NH, to complete dropout prevention grant work entitled Achievement for Dropout Prevention and Excellence II, in the amount of $435,723. Effective upon G&C approval through September 30, 2009. **100% Federal Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#52 Authorized Division of Homeland Security and Emergency Management to accept and expend Legislative Pre-disaster Mitigation Grant Funds from the Federal Emergency Management Agency in the amount of $67,865.75. Effective upon G&C approval through June 30, 2009. (2)Further Authorized Division of Homeland Security and Emergency Management and the Town of Epsom, to replace a culvert, which will increase capacity and allow a higher volume of water to flow through, for a total of $47,793.75. Effective upon G&C approval through September 30, 2010. **100% Federal Funds. Fiscal Committee approved.**

#53 Authorized Division of Homeland Security and Emergency Management to accept and expend Hazard Mitigation Grant Program funds from the Federal Emergency Management Agency in the amount of $212,515. Effective upon G&C approval through June 30, 2009. (2)Further Authorized Division of Homeland Security and Emergency Management to award funds to the Town of Epsom, for a total amount of $207,813 for implementation of projects identified through the evaluation of natural hazards. Effective upon G&C approval through September 30, 2009. **100% Federal Funds. Fiscal Committee approved.**

#54 Authorized Division of Homeland Security and Emergency Management to amend item #93E previously approved by G&C on March 5, 2008, to accept and expend additional Pre-disaster Mitigation Competitive Grant Program funds from the Federal Emergency Management Agency in the amount of $83,328. Effective upon G&C approval through June 30, 2009. (2)Further Authorized a grant agreement between the Division of Homeland Security and Emergency Management and the City of Claremont, for implementation of projects identified through the evaluation of natural hazards, for a total of $61,500. Effective upon G&C approval through September 30, 2010. **100% Federal Funds. Fiscal Committee approved.**

#55 Authorized Division of State Police to **retroactively** pay Northeast Scales Company Inc., Auburn, NH, the amount of $4,470.37 for emergency repairs to the southbound weigh station in Windham, NH, in SFY 2008, using SFY 2009 funds. Effective upon G&C approval. **100% Highway Funds.**

#56 Authorized to make unencumbered payments to reimburse local public safety and health organizations for the actual costs of participating in series of public health emergency preparedness exercises in May 2009 at a cost not to exceed $57,500. Effective May 1, 2009 through August 29, 2009. **100% Federal Funds.**

#57 Authorized Division of State Police to enter into a **sole source** multi-year contract with Northeast Scale Company Inc., Auburn, NH, for the purpose of providing preventive maintenance, certification and repair to the scale systems located at the weigh stations on Interstate 93 in Windham in an amount not to exceed $114,005. Effective upon G&C approval through June 30, 2011. **100% Highway Funds.**

#58 Authorized Division of Homeland Security and Emergency Management to enter into a memorandum of agreement with the Department of Environmental Services for the purpose of activities associated with all-hazard mitigation planning in the amount of $9,394.50. (2)Further Authorized to accept and expend $9,394.50 in Emergency Management Performance Grant funds from the Department of Safety, Division of Homeland Security and Emergency Management in order to enhance an existing data collection and transmission system at the Murphy Dam. Effective upon G&C approval through June 30, 2009. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

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

#60 Authorized Bureau of Finance and Contracts to pay Small Claims for individuals amounts less than $600. Effective upon G&C approval through June 30, 2009. **100% Highway Funds.**

#61 Authorized Bureau of Finance & Contracts to **retroactively** pay Timothy Ray, prior year increment wages that were not processed from May 30, 2003 through June 5, 2008 in the amount of $2,162.40 with FY 2009 Funds. Effective upon G&C approval. **100% Highway Funds.**

#62 Authorized Bureau of Finance & Contract to **retroactively** pay Rose Marie Churchill, prior year increment wages that were not processed from September 18, 2004 through June 5, 2008 in the amount of $1,529.56 with Fiscal Year 2009 funds. Effective upon G&C approval. **100% Highway Funds**

#63 Authorized Bureau of Finance & Contracts to **retroactively** pay Stephen Gray, prior year increment wages that were not processed from September 1, 2005 through June 5, 2008 in the amount of $7,123.94 with Fiscal Year 2009 funds. Effective upon G&C approval. **100% Highway Funds**

#64 Authorized Bureau of Highway Design to enter into an agreement with CLD Consulting Engineers Inc., Manchester, NH, for the preliminary design for the replacement of one bridge and rehabilitation of four bridges in the area of Exit 4, Queen City Ave, on I-293 (the FE Everett Turnpike) in the City of Manchester in the amount of $728,222. Effective upon G&C approval through March 31, 2011. **100% Turnpike Funds.**

#65 Authorized Bureau of Aeronautics to provide additional funding to the City of Manchester, for AIP-62 to cover costs for additional work on the navigational aids as part of the reconstruction of Runway 6-24 in the amount of $107,237. Effective upon G&C approval through July 31, 2013. **93.75% Federal, 6.25% General Funds.**

#66 Authorized Bureau of Rail & Transit to sell the Estate of Melony Osgood a parcel, of land 0.1 acre in size in Wolfeboro for $1,500, a $4,500 in-kind contribution and an administrative fee of $500. **100% Other – Railroad Funds.**

#67 Authorized Bureau of Rail & Transit to sell to the Town of Andover a parcel of land 0.75 acre in size for $6,800 and a one-time administrative fee of $1,100.

#68 Authorized Bureau of Rail & Transit to enter into an agreement with Contoocook Valley Transportation Company, Peterborough, NH, to develop and implement a volunteer driver program providing accessible transportation to people with disabilities in the eastern Monadnock region in the amount not to exceed $55,000. Effective upon G&C approval through February 28, 2010. **100% Federal Funds.**

#69 Authorized Bureau of Construction to enter into a contract with Pike Industries, Inc., Belmont, NH, for pavement rehabilitation of I-89 (both barrels) in Grantham and Enfield, on the basis of a low bid of $5,520,521.50. (2)Further Authorized a contingency in the amount of $276,026.08 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through October 2, 2009. **80% Federal, 20% Highway Funds.**

DEPARTMENT OF CULTURAL RESOURCES *(Tabled at 2-18-09 G&C Meeting)*

#23 **TABLED** – On motion of Councilor Burton, Seconded by Councilor Shea, the item was removed from the table. A motion to approve the item was made by Councilor Shea, seconded by Councilor Burton. After discussion all Councilors voted **no** to approve the motion. Councilor Pignatelli, seconded by Councilor Hollingworth voted to place back on the **table,** the request of the Division of Arts to accept and expend $10,000 from the Nashua Community College for the Percent for Arts program. Effective upon G&C approval. **100% Donated Funds.**

LATE ITEMS

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

A. Authorized the Department of Resources and Economic Development, Division of Parks and Recreation to enter into a contract with Cale Parking Systems USA, Inc. of Clearwater for the purchase, installation and technical support of 17 wireless pay stations for Hampton Beach State Park in the amount of $279,437.88, upon G&C approval though October 31, 2009. **89% Capital Funds (Hampton Beach Capital Improvement Fund), 11% Parking Meter Fee Account.**

DEPARTMENT OF TRANSPORTATION

B. Authorized the Department to amend a contract with HNTB Corporation, Westbrook, ME and Kansas City, MO for Turnpike-related consulting services statewide, by increasing the amount payable by $1,000,000.00 from $400,000.00 to $1,400,000.00 for final design for the implementation of open road tolling at the Hampton Toll Plaza. 2) Further authorize to amend the contract's completion date from May 31, 2009 to June 30, 2010, effective upon G&C approval. **100% Turnpike funds**

DEPARTMENT OF TRANSPORTATION

C. Authorized the Department to enter into agreement with the City of Nashua involving $50,907,000.00 and delineating duties and responsibilities of both State and the municipality for providing funding and services necessary for completing the project known as "Broad Street Parkway". Effective upon G&C approval though June 30, 2014. **80% Federal funds, 20% City of Nashua**

Next Governor and Executive Council meeting is scheduled for Wednesday, April 1, 2009 at 10:00 a.m. at the State House, Concord, New Hampshire.

The Honorable Board then Adjourned at 11:50 a.m.