GOVERNOR AND EXECUTIVE COUNCIL MINUTES
Alyson's Orchard, Walpole, New Hampshire
October 21, 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 Shea, seconded by Councilor Hollingworth, accepted the minutes of October 7, 2009.

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The Governor and Executive Council, on motion of Councilor Hollingworth, seconded by Councilor Burton approved the appointment of several persons nominated for Civil Commissions from the October 7, 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 Burton, voted to set the date for a ***special election for state representative in Rockingham County District No.8 (Hampstead, Kingston, Plaistow).***

The filing period will begin on October 26, 2009 and end on November 2, 2009. The primary election will be December 8, 2009. The special election will be January 12, 2010.

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The Governor and Council, on motion of Councilor Burton, seconded by Councilor Shea, voted to set the date for a ***special election for state representative in Sullivan County District No.2 (Croydon, Goshen, Newport, Springfield, Washington).***

The filing period will begin on October 26, 2009 and end on November 2, 2009. The primary election will be December 8, 2009. The special election will be January 12, 2010.

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RESIGNATIONS

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

Compensation Appeals Board
(Attorney)
Gregory Robbins, Barrington — Effective: November 1, 2009

CONFIRMATIONS

The Governor and Council confirmed the following:

Department of Administrative Services: Accounting Services Director
Nominated by the Commissioner of Administrative Services
Edgar R. Carter, North Reading, MA — Effective: October 21, 2009
Vacancy — Term: June 29, 2012
Salary: HH $105,000 (pre-approved)

Air Resources Council
(Steam Power Generating Industry)
William H. Smagula, Bedford — Effective: October 24, 2009
Reappointment — Term: October 24, 2013

Board of Architects
David Udelsman, Hollis — Effective: October 21, 2009
Succeeding: Patricia Sherman, Newbury (term limited) — Term: July 26, 2014

Department of Corrections: Director of Community Corrections – Confirmation made on roll call vote as follows: Councilor Burton – **no**, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – **no,** Councilor Pignatelli – yes.
Nominated by the Commissioner of the Department of Corrections
Joseph Diament, Newfields — Effective: October 21, 2009
Vacancy — Term: Serves at Commissioners
pleasure
Salary: GG Max - $90,606

Board of Court Reporters
Michele R. York, Candia — Effective: October 21, 2009
Reappointment — Term: October 3, 2014

Board of Professional Geologists
Paul L. Rydel, Concord — Effective: October 21, 2009
Succeeding: Timothy T. Allen, Keene (term limited) — Term: October 4, 2014

Invasive Species Committee
(Public Member)
Lynette Lombard, New Boston — Effective: October 21, 2009
Succeeding: Deborah Lievens, Londonderry — Term: August 9, 2012

Board of Mental Health Practice
(Psychologist)
Deborah Warner, Littleton — Effective: October 31, 2009
Succeeding: Karen Jennings, Hudson (term limited) — Term: October 31, 2012

Mount Washington Commission
Paul T. Fitzgerald, Laconia — Effective: October 21, 2009
Reappointment — Term: July 2, 2014

Mount Washington Commission
Guy Gosselin, Gorham — Effective: October 21, 2009
Reappointment — Term: July 2, 2014

Board of Natural Scientists
Damon E. Burt, Strafford — Effective: October 21, 2009
Succeeding: Craig Wood, Deerfield (resigned) — Term: October 26, 2012

Board of Natural Scientists
(Public Member)
Thomas B. Merritt, Littleton — Effective: November 1, 2009
Reappointment — Term: November 1, 2014

Board of Pharmacy – Councilor Pignatelli voted **no.**
(Hospital Pharmacist)
Gary Merchant, Claremont — Effective: October 21, 2009
Vacancy — Term: October 21, 2014

State Radiation Advisory Council
(Physical Science)
James P. Tarzia, East Hampstead — Effective: October 21, 2009
Reappointment — Term: October 14, 2013

Recreational Therapy Governing Board
Sharon Nichols, Portsmouth — Effective: October 25, 2009
Reappointment — Term: October 25, 2012

Recreational Therapy Governing Board
(Public Member)
John J. Preve, Concord — Effective: October 25, 2009
Reappointment — Term: October 25, 2012

Traffic Safety Commission
Russell E. MacCleery, Chichester — Effective: October 21, 2009
Reappointment — Term: September 16, 2014

NOMINATIONS

The Governor placed into nomination the following:

Air Resources Council
(Municipal Government)
Raymond R. Donald, Kingston — Effective: Upon confirmation
Reappointment — Term: October 24, 2013

Business Finance Authority
Howard Keegan, Manchester — Effective: Upon confirmation
Reappointment — Term: November 3, 2012

Business Finance Authority
Katherine Williams Kane, Portsmouth — Effective: Upon confirmation
Reappointment — Term: November 3, 2012

Fire Standards and Training Commission
(Volunteer Fire Chief)
Jason B. Lyon, Wilmot — Effective: November 12, 2009
Succeeding: Francis X. Fraitzl III, Bedford — Term: November 12, 2012

Land and Community Heritage Authority
(Business)
Doris C. Burke, Goffstown — Effective: Upon confirmation
Succeeding: Craig Welch, Durham — Term: September 6, 2013

Marital Mediator Certification Board
Nominated by the Conflict Resolution Association
Candace F. Dochstader, Hollis — Effective: Upon confirmation
Vacancy (new position) — Term: 3 years from confirmation

Mount Washington Commission
Paul H. Ingersoll, Berlin — Effective: Upon confirmation
Reappointment — Term: July 2, 2014

Board of Nursing
(LPN)
Sharon P. Dyer, Greenfield — Effective: November 16, 2009
Reappointment — Term: November 16, 2012

Physical Therapy Governing Board
(Public Member)
Martha B. Aguiar, Campton — Effective: Upon confirmation
Reappointment — Term: October 28, 2012

Traffic Safety Commission
Patti Fowler, Franklin — Effective: Upon confirmation
Succeeding: John Stephen, Manchester — Term: September 16, 2014

Traffic Safety Commission
Jeremiah P. Gearan, Concord — Effective: Upon confirmation
Reappointment — Term: September 16, 2014

Commission on the Status of Women
Patricia M. Gormley, Portsmouth — Effective: Upon confirmation
Succeeding: Bonnie White, Hopkinton (term limited) — Term: October 20, 2012

Commission on the Status of Women
Mary Ellen Hettinger, Amherst — Effective: Upon confirmation
Succeeding: Janice Markey, Center Tuftonboro (term limited) — Term: October 20, 2012

BUSINESS FINANCE AUTHORITY

#1 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 with respect to the purchase by the Business Finance Authority of a loan made by Monadnock Economic Development Corporation to Lucci Holdings, LLC. located in Keene, NH. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD ON OCTOBER 21, 2009 ALYSON'S ORCHARD, WALPOLE, NEW HAMPSHIRE

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At approximately 11:45 a.m., the Governor announced that the next matter to be considered would be the purchase by the Business Finance Authority of a loan to be made by Monadnock Economic Development Corporation and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loan. The Governor said that the meeting would then hear anyone wishing to speak on the subject. Jack Donovan, Executive Director of the AuthoritY, briefly explained the project and emphasized the credit of the State was not involved. 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 AWARDING A LOAN PURCHASE UNDER RSA 162-A:7 WITH RESPECT TO A CERTAIN LOAN TO MONADNOCK ECONOMIC DEVELOPMENT CORPORATION TO LUCCI HOLDINGS, LLC." and moved its adoption, which was seconded by Councilor Burton. 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, and Councilor Wieczorek; those abstaining were Councilor (s): None; and those voting against were Councilor(s): None. Not voting: Councilor Pignatelli. The Governor declared that the resolution was passed.

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A RESOLUTION UNDER RSA 162-A:18 AWARDING A LOAN PURCHASE UNDER RSA 162-A:10 WITH RESPECT TO A CERTAIN LOAN FROM THE MONADNOCK ECONOMIC DEVELOPMENT CORPORATION TO LUCCI HOLDINGS, LLC.

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 purchase and acquisition by the Authority of a loan in the principal amount of up to One Hundred Ninety-Five Thousand Dollars ($195,000) (the "Loan") made by the Monadnock Economic Development Corporation, a municipal corporation, organized and existing under the laws of the State of New Hampshire and a local development organization (the "Lender") to Lucci Holdings, LLC, a New Hampshire limited liability corporation (the "Borrower") to be used to purchase the land and buildings at 375 Jaffrey Road, Peterborough, New Hampshire.

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is authorized to approve the recommendation of the Authority and to authorize and approve the purchase of the Loan by the Authority 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 purchase of the Loan by the Authority; and

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

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and 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 purchase and acquisition of the Loan will make available funds for the local or regional promotion, encouragement, or development of business activities in an area where such funds are needed; and

(ii) The Loan to be purchased by the Authority does not impose an undue risk of loss to the Authority.

(b) General Findings.

(i) The purchase of the Loan by the Authority as proposed will serve a public use and provide a public benefit.

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

(iii) The purchase of the Loan by the Authority 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 purchase of the Loan by the Authority 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 purchase of the Loan by the Authority as recommended by the Authority and authorize the Authority to cause the execution and delivery of a Loan Purchase Agreement substantially in the form submitted to the Governor and Council and to take such further action under the Act with respect to the transaction as may be required.

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

Passed and Agreed to October 21, 2009.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

#2 The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Wieczorek authorized the request to award a grant to the Town of Exeter, NH, for the purpose of completing site work improvements for The Meeting Place affordable housing development near downtown Exeter in the amount of $500,000. Effective upon G&C approval through December 31, 2011. **100% Federal Funds.**

HIGHWAY SAFETY AGENCY

#3 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to enter into an agreement with the Hampshire Hospitality Holdings Inc., d/b/a The Inns and Spa at Mill Falls, Meredith, NH, to serve as the host site for the 2009 Annual Drunk and Drugged Driving Awareness Month Lunch scheduled for November 23, 2009 in the amount of $4,050. Effective upon G&C approval through December 31, 2009. **100% Federal Funds.**

OFFICE OF ECONOMIC STIMULUS

#3A The Governor and Council on motion of Councilor Burton, seconded by Councilor Hollingworth authorized the request to **retroactively** amend a grant received from the Federal Department of Education, federal fiscal year 2009 ARRA State Fiscal Stabilization Fund, Government Services Program (previously approved by G&C on 6-30-09), used to provide guidance, oversight, compliance, and reporting on NH's implementation of ARRA as well as to provide funding for public safety and other government services for the Department of Corrections, the Judicial Branch, the Department of Revenue Administration and the Department of Education, by realigning the budget for $18,366,514 of the $36,543,276 award as well as adjusting the beginning effective date from February 18, 2009 to February 17, 2009. Effective through September 30, 2011. **100% Federal Funds. Contingent upon Fiscal Committee approval of October 20, 2009.**

OFFICE OF ENERGY AND PLANNING

#3B The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to enter into a memorandum of agreement with the Department of Environmental Services, Concord, NH, for the continued operation of the Granite State Clean Cities Coalition and required annual reporting related to the Energy Policy Act and Energy Information Administration in the amount of $24,100. Effective upon G&C approval through June 30, 2010. **93% Other, 7% Federal Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#4 Authorized that Jeffrey G. Walz, Derry, NH, be confirmed to the rank of Major, NH Army National Guard.

#5 Authorized that Andrew C. Anderson, Nottingham, NH, be confirmed to the rank of Lieutenant Colonel, NH Army National Guard.

#6 Authorized to pay an unencumbered, **retroactive** invoice from Terminex of Manchester, NH, for fly lights installed at the NHNG Training Site in Center Strafford in the amount of $1,800. Effective upon G&C approval. **100% Federal Funds.**

#7 Authorized to accept and expend a monetary contribution in the amount of $800 for the NH State Veterans Cemetery to be used for the betterment of the cemetery.

#8 Authorized to reclassify position #41828, Engineering Technician V, labor grade 22, to a program Specialist II, labor grade 21. **100% Federal Funds.**

#9 Authorized to accept donations of a 2009 Chevrolet truck, computer monitor, and monument engraving in the amount of $30,385.98 for the NH State Veterans Cemetery to be used for the betterment of the cemetery.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#10 **WITHDRAWN** – The Agency withdrew the request to accept and place on file the Report and Findings of Councilor Raymond J. Wieczorek with regard to financing of construction, renovation, furnishing and equipping of certain new and existing facilities, the financing of certain routine capital expenditures and in the refinancing of certain existing indebtedness in connection with the Elliot Hospital of the City of Manchester, NH.

#11 Authorized Bureau of Court Facilities to enter into an agreement with the Department of Health and Human Services, Concord, NH, to provide the Division of Juvenile Probation and Parole Office with 130 SF of office space in the Rochester District Court in an amount not to exceed $5,991.72. Effective November 1, 2009 through October 31, 2012. **100% Agency Income.**

#12 Authorized State Surplus Distribution to enter into a service contract with James R. St. Jean Auctioneers, Manchester, NH, for auctioneer services for the State of NH, in an amount not to exceed $80,000. Effective upon G&C approval through October 31, 2012. **100% Other (State Surplus Distribution) Funds.**

#12A Authorized with Councilor Wiezcorek voting **no,** to reclassify position #11594 Data Control Clerk III, labor grade 12, to Senior Management Analyst, labor grade 26 in the Bureau of Plant and Property.

#12B **WITHDRAWN –** The Agency withdrew the request for the Bureau of Public Works Design and Construction to enter into a contract with Englewood Construction Inc., Manchester, NH, for Mothballing of 13 buildings and Tank Removal at Lakes Region Facility, Mothballing of Tobey Building at State Office Park South, NH, for a total price not to exceed $286,100. (2)Further Authorized a contingency in the amount of $25,000 for additional, unanticipated expenses, bringing the total to $311,100. Effective upon G&C approval through December 21, 2009. **100% General Funds.**

STATE TREASURY

The Governor and Council acted as follows:

#13 Authorized to accept and place on file the Annual Report for the fiscal year ended June 30, 2009.

#14 Authorized the Supplemental Resolution authorizing the issuance of up to $230 million of turnpike revenue bonds, 2009 series, which will include $150 million of new money bonds and may also include up to $80 million of refunding bonds, as detailed in letter dated October 8, 2009.

#15 Authorized to issue a warrant from funds not otherwise appropriated in the amount of $78,230 and the State Treasurer to issue checks in the amount of $78,229.27 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#16 Authorized Division of the Arts to award two year operating grants totaling $50,800 to the organizations as detailed in letter dated October 5, 2009. Effective upon G&C approval through June 30, 2011. **100% General Funds.**

#17 Authorized Division of Arts to award grants through the ARRA totaling $230,000 to the organizations as detailed in letter dated September 29, 2009. **100% Federal ARRA Funds.**

#18 Authorized Division of the Arts to award two year operating grants totaling $113,600 to the organizations as detailed in letter dated October 5, 2009. Effective upon G&C approval through June 30, 2011. **100% General Funds.**

#19 Authorized Division of the Arts to award a two year operating grant totaling $27,600 to the Nashua Symphony Association, Nashua, NH. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#20 Division of the Arts to award two year operating grants totaling $37,600 to the organizations as detailed in letter dated October 5, 2009. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#21 Authorized the State Library to award a Conservation Number Plate Grant in the amount of $9,993 to the City of Lebanon, for restoration and encapsulation of Lebanon Historic and Vital Records. **100% Conservation Plates Fund.**

#22 Authorized to award FY 2010 American Masterpieces grants totaling $13,300 to the Currier Museum of Art and the Arts Alliance of Northern NH. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#23 Authorized Division of the Arts to award two year operating grants totaling $48,000 to Monadnock Music, Peterborough and to Sharon Arts Center, Sharon, NH. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

DEPARTMENT OF REVENUE ADMINISTRATION

#24 The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton authorized the request to enter into a contract with NCO Financial Systems Inc., Horsham, PA, to perform debt collection services for debts accumulated by out of state residents. Effective upon G&C approval through September 30, 2010.

ATTORNEY GENERAL

The Governor and Council acted as follows:

#25 Authorized to **retroactively** amend a grant received from the Consumer Protection and Education Fund (Sears Fund), (previously approved by G&C on 10-8-08, item #50), to purchase specialized equipment for the distribution of information for outreach and consumer education in the Consumer Protection Bureau, by extending the end date from June 30, 2009 to November 3, 2009. **100% Agency Income.**

#26 Authorized to reappoint Susan G. Morrell as a Senior Assistant Attorney General for a term effective October 27, 2009 through October 27, 2014.

NEW HAMPSHIRE EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#27 Authorized to make a **retroactive** payment to Limmer Landscaping & Property Services Inc., Glen, NH, for landscaping maintenance services provided during the month of June 2009 at the Conway Local office in the amount of $736.58. **100% Federal Funds.**

#28 Authorized to accept and place on file the 2008-2009 Biennial Report.

DEPARTMENT OF CORRECTIONS

#29 The Governor and Council on motion of Councilor Hollingworth, seconded by Councilor Shea authorized the request to accept and expend sub-grant funding from the NH Department of Justice, under the federally funded ARRA 2009 in the amount of $15,095 to support services to victims of crimes. Effective upon G&C approval through June 30, 2010. **100% Agency Income. ARRA Funds.**

PUBLIC UTILITIES COMMISSION

The Governor and Council acted as follows:

#30 Authorized to award grant funds in the amount of $394,000 to the City of Rochester, NH, for the purpose of lowering energy costs and reducing CO_2 emissions. (2)Further Authorized to make an advance payment of $59,100. Effective upon G&C approval through June 30, 2011. **100% Greenhouse Gas Emissions Reduction Fund.**

#31 Authorized to award grant funds in the amount of $11,150 to the Town of Warner, NH, for the purpose of lowering energy costs and reducing CO_2 emissions. (2)Further Authorized to make an advance payment of $5,575. Effective upon G&C approval through June 30, 2010. **100% Greenhouse Gas Emissions Reduction Fund.**

#32 Authorized to award grant funds in the amount of $8,000 to the Town of Fremont, NH, for the purpose of lowering energy costs and reducing CO_2 emissions. (2)Further Authorized to make an advance payment of $4,000. Effective upon G&C approval through June 30, 2010. **100% Greenhouse Gas Emissions Reduction Fund.**

#33 Authorized to award grant funds in the amount of $332,100 to the Town of Temple, NH, for the purpose of lowering energy costs and reducing CO_2 emissions. (2)Further Authorized to make an advance payment of $99,630. Effective upon G&C approval through June 30, 2011. **100% Greenhouse Gas Emissions Reduction Fund.**

#34 Authorized to award grant funds in the amount of $330,936 to Dartmouth College, NH, for the purpose of lowering energy costs and reducing CO_2 emissions. (2)Further Authorized to make an advance payment of $33,094. Effective upon G&C approval through December 31, 2011. **100% Greenhouse Gas Emissions Reduction Fund.**

#35 Authorized to award grant funds in the amount of $138,345 to the Town of Walpole, NH, for the purpose of lowering energy costs and reducing CO_2 emissions. (2)Further Authorized to make an advance payment of $41,504. Effective upon G&C approval through September 30, 2010. **100% Greenhouse Gas Emissions Reduction Fund.**

#36 Authorized to award grant funds **retroactively** in the amount of $146,060 to the NH Institute of Art, NH, for the purpose of lowering energy costs and reducing CO_2 emissions. Effective May 1, 2009 through June 30, 2011. **100% Greenhouse Gas Emissions Reduction Fund.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#37 Authorized Division of Forests and Lands to enter into a contract with Christopher Kane, Concord, NH, for ecological services in support of the NH Natural Heritage Bureau in the amount of $5,250. Effective upon G&C approval through March 30, 2010. **100% Federal Funds.**

#38 Authorized Division of Parks and Recreation to renew membership with the White Mountains Attractions Association, Woodstock, NH, in the amount of $17,000 for fiscal years 2010 and 2011. (2)Further Authorized to expend an amount not to exceed $6,000 for cooperative marketing and promotional programs with WMAA. **100% Park Funds.**

#39 Authorized to accept and place on file the report regarding season passes issued for Cannon Mountain during fiscal year 2010.

#39A Authorized to enter into a contract with GDS Associates Inc., Marietta, GA, for energy efficiency audits in the amount of $42,100. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#39B Authorized Division of Economic Development to accept and expend $70,874 from the Office of Economic Stimulus for support expenses for the Director of Broadband and Technology Planning and Development. (2)Further Authorized to establish a full-time temporary position of an Administrator II. Effective upon G&C approval through September 30, 2010. **100% ARRA Funds. Contingent upon Fiscal Committee approval of October 20, 2009.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#40 Authorized to accept fee title transfer of seven properties totaling 497.1 acres of high quality habitat land in the Great Bay region from The Nature Conservancy (2)Further Authorized to accept two conservation easement deeds for properties totaling 104 acres of high quality habitat land in the Great Bay region from The Nature Conservancy. As detailed in letter dated October 1, 2009.

#41 Authorized to amend a Cooperative Project Agreement with the University of NH, (previously approved by G&C on 8-22-07, item #122), for the purpose of changing the end date of the agreement from October 31, 2009 to April 30, 2010. **100% Agency Income (grant funds from the State of Maine).**

#42 Authorized to enter into a grant agreement with the Connecticut River Joint Commissions Inc., Charlestown, NH, to restore and enhance fish habitat in the Mohawk and Connecticut Rivers in the amount of $30,000. Effective upon G&C approval through December 31, 2010. **100% Other (Fisheries Habitat Account).**

#43 Authorized to accept and expend $26,350 from the Department of Environmental Services for red tide outreach activities. Effective upon G&CJ approval through June 30, 2011. **100% Transfer Funds (DES).**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#44 Authorized Winnipesaukee River Basin Program to accept and expend $2,523,000 in ARRA 2009 Clean Water State Revolving Loan Funds for the purpose of funding the Aeration Blower Upgrade and Energy Efficiency Improvements Project at the Franklin wastewater treatment plant. Effective upon G&C approval through December 31, 2011. **Fiscal Committee approved. ARRA Funds.**

#45 Authorized to amend a **sole source** contract with Camp, Dresser & McKee Inc., Manchester, NH, (previously amended by G&C on 3-4-09, item #36A), for professional engineering services associated with performing a cost recovery system assessment by increasing the contract amount by $425,000 from $889,000 to $1,314,000. Effective upon G&C approval. **100% WRBP Funds.**

#46 Authorized to enter into a contract with the City of Keene, NH, to provide financial support for a voluntary woodstove change-out program in an amount not to exceed $106,000. Effective upon G&C approval through June 30, 2010. **100% AEP Settlement Funds.**

#47 Authorized to amend a **sole source** contract with Sanborn, Head and Associates Inc., Concord, NH, (previously amended by G&C on 9-23-09), to continue oversight of environmental cleanup activities at the Beede Waste Oil Superfund Site in Plaistow, NH, by increasing the amount by $200,000 from $2,719,662 to $2,919,662. Effective upon G&C approval through June 30, 2011.

#48 Authorized to amend a **sole source** contract with Woodard & Curran Environmental Services Inc., Portland, ME, (previously approved by G&C on 8-19-09, item #98), for optimizing the operation of the groundwater treatment facility at the Keefe Environmental Services Hazardous Waste Site in Epping, by extending the end date from September 1, 2010 to March 31, 2011, and by increasing the amount by $218,224 from $4,334,475 to $4,552,699. **100% Federal Funds.**

#49 Authorized to amend a **sole source** contract with GZA GeoEnvironmental Inc., Manchester, NH, (previously amended by G&C on 9-9-09, item #53), to conduct environmental site assessments and site cleanup planning at Brownfields sites, by increasing the amount by $355,400 from $2,000,500 to $2,355,900. **72% Federal, 28% Other – Hazardous Waste Remediation Funds.**

#50 NOT USED

#51 Authorized to amend an agreement with the Rockingham County Conservation District, Brentwood, NH, (previously approved by G&C on 10-22-08, item #37), to restore tidal connectivity to the upper reaches of the southern portion of Little River marsh, by increasing the amount by $10,000 from $70,193 to $80,193, and by extending the end date to December 31, 2009 from October 31, 2009. **100% Federal Funds.**

#52 Authorized to accept and expend $582,298 in federal funds from the US Environmental Protection Agency for purposes of funding remediation efforts at Comprehensive Environmental Response, Compensation and Liability Action sites. Effective upon G&C approval through June 30, 2010. **100% Federal Funds. Fiscal Committee approved.**

#53 Authorized to accept and expend $244,963 from American Electric Power funds to be sued in accordance with the settlement agreement. Effective upon G&C approval through June 30, 2011. **100% Other Funds. Fiscal Committee approved.**

#54 Authorized to accept and expend $1,800,000 in ARRA 2009 federal funds from the US Environmental Protection Agency for the purpose of funding the Brownfields Revolving Loan Fund Program. Effective upon G&C approval through September 30, 2014. **ARRA Funds. Fiscal Committee approved.**

#55 Authorized to **retroactively** amend a grant received from the National Oceanic and Atmospheric Administration (previously approved by G&C on 2-25-08), for support of the NH Instream Flow Pilot program, by extending the date to September 30, 2010 from September 20, 2009. (2)Further Authorized to **retroactively** amend a contract with Normandeau Associates Inc., Bedford, NH, for the Lamprey Instream Flow Pilot Program (previously amended by G&C on 9-3-08, item #53), by extending the end date to September 30, 2010 from September 30, 2009. **100% Federal Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Facilities and Assets Management

#56 Authorized to enter into a new lease with Riverside Properties of Nashua Inc., Nashua, NH, to house 165 employees at the Nashua District Office, in the amount of $3,000,420. Effective November 1, 2009 through February 28, 2015. **60% General, 40% Federal Funds.**

Bureau of Homeless and Housing Services

#57 Authorized to enter into an agreement with Seacoast Mental Health Center, Portsmouth, NH, to provide services to homeless individuals in an amount not to exceed $13,817. Effective **retroactive** to July 1, 2009 through June 30, 2010. **100% Federal Funds.**

Division of Public Health Services

#58 Authorized Bureau of Disease Control, Diseased Surveillance Section to accept and expend federal funds in the amount of $737,551 from the Centers for Disease Control and Prevention through the ARRA 2009 to fund healthcare-associated infection prevention activities. Effective upon G&C approval through SFY 2010, 2011 and anticipate to be available in 2012. (2)Further Authorized to establish one part time temporary position. **Fiscal Committee approved.**

#59 Authorized Bureau of Prevention Services, Nutrition and Health Promotion Section, Women, Infants and Children Program to accept and expend federal funds in the amount of $60,000 from US Department of Agriculture to fund the WIC Program. Effective upon G&C approval through June 30, 2010. **Fiscal Committee approved.**

#60 NOT USED

#61 Authorized Community Public Health Development Section to amend a **sole source** agreement with North Country Health Consortium Purchase, Whitefield, NH, (previously approved by G&C on 6-17-09, item #109), to improve readiness for, and response to, the H1N1 Influenza pandemic, by increasing the price by $42,495 from $95,000 to $137,495. Effective **retroactive** to September 9, 2009. (2)Further Authorized to advance payment in SFY 2010, not to exceed 25% of the amendment amount, for costs for projects within the agreement which includes the burden of a new position and purchasing of medical supplies. **100% Federal Funds.**

#62 Authorized Office of Health Statistics and Data Management to enter into a memorandum of agreement with the Department of Environmental Services, Concord, NH, for the development of a state-based system to measure the impact of environmental health outcomes in an amount not to exceed $204,791. Effective **retroactive** to July 1, 2009 through June 30, 2011. **100% Federal Funds.**

#63 Authorized Bureau of Disease Control and Health Statistics to enter into a **sole source** agreement with Glen Group Inc., North Conway, NH, to provide swine flu public information campaign services to assist the Division of Public Health Services to reach the general public and specific targeted audiences in NH regarding swine flu issues including vaccination in an amount not to exceed $453,000. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#64 Authorized Bureau of Community Health Services, Rural Health and Primary Care Section to enter into an agreement with Sonya R. Gilbert, licensed Physician Assistant, Lancaster, NH, to receive reimbursement for payment of education loans through the State Loan Repayment Program in an amount not to exceed $13,000. Effective upon G&C approval through June 30, 2012. **100% General Funds.**

#65 Authorized with Councilors Hollingworth and Pignatelli voting **no,** the Bureau of Community Health Services, Maternal and Child Health Section to enter into an agreement with Catholic Medical Center, Manchester, NH, to provide a statewide Leadership in Abstinence Education Program in an amount not to exceed $180,000. Effective upon G&C approval through June 30, 2011. **100% Federal Funds.**

#66 Authorized Office of Health Statistics and Data Management, Behavioral Risk Factor Surveillance System Program, to **retroactively** amend an agreement with Macro International Inc., Burlington, VT, (previously approved by G&C on 12-3-08, item #54), to add questions to the 2009 and 2010 BRFSS questionnaires regarding H1N1 symptoms and vaccination and to increase the frequency of submission of data files for the H1N1 results from monthly to weekly, by increasing the price by $27,453 from $582,984 to $610,437. **100% Federal Funds.**

#67 Authorized Bureau of Community Health Services, Sexually Transmitted Disease and Human Immunodeficiency Virus Section, to exercise a contract renew and amend option with the Division of Public Health and Community Services/City of Nashua, NH (previously approved by G&C on 6-13-07, item #252), to provide voluntary, confidential HIV counseling, testing, and referral services and STD resting and treatment, by increasing the price by $138,000 from $126,000 to $264,000, and by extending the completion date to June 30, 2011 to be effective **retroactive** to July 1, 2009. **51% General, 49% Federal Funds.**

#68 Authorized Bureau of Community Health Services, Maternal and Child Health Section to exercise a contract renew and amend option with VNA at HCS Inc., Keene, NH, (previously approved by G&C on 6-13-07, item #230), to provide home visiting services, by increasing the amount by $30,353 from $60,704 to $91,056, and by extending the completion date to June 30, 2010 effective **retroactive** to July 1, 2009. **100% Federal Funds.**

#69 **TABLED –** The Governor and Council on motion of Councilor Pignatelli, seconded by Councilor Hollingworth voted to **table** the request of the Bureau of Community Health Services, Rural Health and Primary Care Section to enter into an agreement with Performance Management Institute LLC, Portland, ME, to assist rural and underserved stakeholders in developing and sustaining creative, effective access to quality health care services in their rural NH communities in an amount not to exceed $786,000. Effective October 21, 2009 through August 31, 2011. **100% Federal Funds.**

#70 Authorized Bureau of Community Health Services, Maternal and Child Health Section to exercise a contract renew and amend option with Visiting Nurse Association and Hospice of VT and NH Inc., Springfield, VT (previously approved by G&C on 6-13-07, item #233), to provide home visiting services, by increasing the price by $30,352 from $60,704 to $91,056 and by extending the completion date to June 30, 2010 effective **retroactive** to July 1, 2009. **100% Federal Funds.**

#71 Authorized Bureau of Disease Control to enter into an agreement with General Physics Corporation, Tullahoma, TN, to design, conduct and evaluate a one day tabletop exercise of State food defense response plans in NH in an amount not to exceed $29,692. Effective upon G&C approval through June 30, 2010. **80% Federal, 20% General Funds.**

Bureau of Elderly & Adult Services

#72 Authorized to enter into a **sole source** contract with Tri-County Community Action Program Inc., to provide Nutrition Services/Home Delivered and Congregate meals to elderly individuals in an amount not to exceed $48,027.42. Effective upon G&C approval through September 30, 2010. **100% Federal ARRA Funds.**

#73 Authorized to enter into a **sole source** contract with St. Joseph Community Services Inc., Merrimack, to provide Nutrition Services/Home Delivered and Congregate meals to elderly individuals in an amount not to exceed $121,881.20. Effective upon G&C approval through September 30, 2010. **100% Federal ARRA Funds.**

#74 Authorized to enter into a **sole source** contract with Grafton County Senior Citizen's Council Inc., Lebanon, NH, to provide Nutrition Services/Home Delivered and Congregate meals to elderly individuals in an amount not to exceed $11,948.72. Effective upon G&C approval through June 30, 2010. **100% Federal ARRA Funds.**

#75 Authorized to enter into a **sole source** contract with Greater Wakefield Resource Center, Union, NH, to provide Nutrition Services/Home Delivered and Congregate meals to elderly individuals in an amount not to exceed $9,800. Effective upon G&C approval through September 30, 2010. **100% Federal ARRA Funds.**

#76 Authorized to enter into a **sole source** contract with Gibson Center for Senior Services Inc., North Conway, NH, to provide Nutrition Services/Home Delivered meals to elderly individuals in an amount not to exceed $11,948.72. Effective upon G&C approval through June 30, 2010. **100% Federal ARRA Funds.**

#77 Authorized to enter into a **sole source** contract with Somersworth Housing Authority, Somersworth, NH, to provide Nutrition Services/Home Delivered meals to elderly individuals in an amount not to exceed $17,561.32. Effective upon G&C approval through June 30, 2010. **100% Federal ARRA Funds.**

#78 Authorized to enter into a **sole source** contract with Community Action Program Belknap and Merrimack Counties Inc., Concord, NH, to provide Nutrition Services/Home Delivered meals to elderly individuals in an amount not to exceed $28,781.20. Effective upon G&C approval through June 30, 2010. **100% Federal ARRA Funds.**

#79 Authorized to enter into a **sole source** contract with Rockingham Nutrition and Meals on Wheels Program Inc., Brentwood, NH, to provide Nutrition Services/Home Delivered and Congregate meals to elderly individuals in an amount not to exceed $101,850.56. Effective upon G&C approval through September 30, 2010. **100% Federal ARRA Funds.**

#80 Authorized to enter into a **sole source** contract with VNA @ HCS Inc., Keene, NH, to provide Nutrition Services/Home Delivered meals to elderly individuals in an amount not to exceed $11,948.72. Effective upon G&C approval through June 30, 2010. **100% Federal ARRA Funds.**

#81 Authorized to enter into a **sole source** contract with Ossipee Concerned Citizens Inc., Center Ossipee, NH, to provide Nutrition Services/Home Delivered and Congregate meals to elderly individuals in an amount not to exceed $48,909.84. Effective upon G&C approval through September 30, 2010. **100% Federal ARRA Funds.**

Bureau of Behavioral Health

#82 Authorized to accept and expend Title XIX Medicaid federal funds through the ARRA 2009 from the Centers for Medicare and Medicaid Services in the amount of $1,948,781. Effective **retroactive** to July 1,2009 through June 30, 2010. **100% Federal ARRA Funds. Fiscal Committee approved.**

Bureau of Developmental Services

#83 Authorized to accept and expend Title XIX Medicaid federal funds through the ARRA 2009 from the Centers for Medicare and Medicaid Services in the amount of $4,692,092. Effective **retroactive** to July 1, 2009 through June 30, 2010. **100% Federal ARRA Funds. Fiscal Committee approved.**

Glencliff Home

#84 Authorized to make two **retroactive** payments to Royal Electric, Woodsville, NH, in the total amount of $4,935.41 for two emergency repairs necessitated by lightning strikes. **100% General Funds.**

POSTSECONDARY EDUCATION COMMISSION

The Governor and Council acted as follows:

#85 Authorized to award a $25,000 grant to Plymouth State University for the purpose of granting scholarships to NH residents who have completed their freshman year and who will be selected for scholarships by the college on the basis of financial need or merit. Effective upon G&C approval through June 30, 2010. **100% General Funds.**

#86 Authorized to award a $30,000 grant to Keene State College for the purpose of granting scholarships to NH residents who have completed their freshman year and who will be selected for scholarships by the college on the basis of financial need or merit. Effective upon G&C approval through June 30, 2010. **100% General Funds.**

#87 Authorized to award a $80,000 grant to the University of NH for the purpose of granting scholarships to NH residents who have completed their freshman year and who will be selected for scholarships by the college on the basis of financial need or merit. Effective upon G&C approval through June 30, 2010. **100% General Funds.**

#88 Authorized to award a $11,000 grant to Hesser College for the purpose of granting scholarships to NH residents who have completed their freshman year and who will be selected for scholarships by the college on the basis of financial need or merit. Effective upon G&C approval through June 30, 2010. **100% General Funds.**

#89 Authorized to award a $5,000 grant to Colby-Sawyer College for the purpose of granting scholarships to NH residents who have completed their freshman year and who will be selected for scholarships by the college on the basis of financial need or merit. Effective upon G&C approval through June 30, 2010. **100% General Funds.**

#90 Authorized to award a $53,000 grant to Community College System of NH for the purpose of granting scholarships to NH residents who have completed their freshman year and who will be selected for scholarships by the college on the basis of financial need or merit. Effective upon G&C approval through June 30, 2010. **100% General Funds.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#91 Authorized to enter into a contract with Northeast Deaf and Hard of Hearing Services Inc., Concord, NH, to provide independent living services in an amount not to exceed $70,388. (2)Further Authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the contract. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#92 Authorized to enter into a contract with Plymouth State University, Plymouth, NH, to implement the Math Science Partnership Project entitled Partnership for Science Inquiry to improve the teaching and learning of science among K-12 students in the NH schools by enhancing the science understanding and the inquiry teaching skills of their teachers in an amount not to exceed $75,000. (2)Further Authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the contract. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#93 Authorized to enter into a contract with Plymouth State University, Plymouth, NH, to implement the Math Science Partnership Project entitled Helping High Schools Navigate the NECAPs to work with high school mathematics teachers in high-need schools or districts to help them improve the performance scores of their students on the NECAP mathematics test in an amount not to exceed $75,000. (2)Further Authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the contract. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

#94 Authorized to enter into a contract with Granite State Independent Living, Concord, NH, to provide independent living services in an amount not to exceed $180,000. (2)Further Authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the contract. Effective upon G&C approval through September 30, 2010. **81% Federal, 19% General Funds.**

#95 **FAILED** – The Governor and Council on motion of Councilor Pignatelli, seconded by Councilor Hollingworth unanimously voted not to authorize the request to contract with Shannon Harken, Pleasantville, Iowa, to pay for services as presenter of two days of Response to Intervention Cohort Follow-up sessions in the amount of $9,000. Effective upon G&C approval through June 30, 2010. **100% Federal Funds.**

POLICE STANDARDS & TRAINING COUNCIL

The Governor and Council acted as follows:

#96 Authorized to enter into a service agreement with the Institute of Police Technology Management of the University of North Florida to provide instruction in 1 ten-day session of Command Training: Mid-Manager Training at a cost of $12,500, 1 five-day session of First Line Supervision at a cost of $9,000, and 1 five-day sessions of Field Training Officer, at a cost of $10,500, for a total cost of $32,000, to be held at the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, NH. Effective upon G&C approval through June 30, 2010. **100% Penalty Assessment Funds.**

#97 Authorized to enter into a service agreement with the NH chapter of the National Alliance for the Mentally Ill, Concord, NH, to provide two one-half day classes of Handling Calls Involving the Mentally Ill to our two Part-Time Police Academies in the amount of $1,720 to be held at the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, NH. Effective upon G&C approval through June 30, 2010. **100% Penalty Assessment Funds.**

#98 Authorized to enter into a service agreement with Human Dynamics Associates Inc., Concord, NH, to provide instruction in a one day session of Vicarious Traumatization and Compassion Fatigue at a cost of $1,650 and a one day session of Conflict Resolution at a cost of $1,650 for a total of $3,300 to be held at the Arthur D. Kehas Law Enforcement Training Facility and Campus in Concord, NH. Effective upon G&C approval through June 30, 2010. **100% Penalty Assessment Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#99 Authorized Division of Safety Services to **retroactively** pay annual membership dues of $6,000 to the National Association of State Boating Law Administrators Inc., Lexington, KY. Effective October 1, 2009 through September 30, 2010. **100% Federal Funds.**

#100 Authorized to enter into a **retroactive** memorandum of Agreement with the Department of Transportation defining the allocation of operating expenses, for the building located on East Point Drive in the Town of Bedford, NH, occupied by the State Police Troop B and the DOT District 5 office. Effective upon G&C approval through July 15, 2009.

#101 Authorized Division of Fire Safety to accept the donation of one 2-year old male black Labrador retriever from the State Farm Fire and Casualty Insurance Company value at $20,000 and meets the criteria for a hydrocarbon detection canine. Effective **retroactive** to August 24, 2009.

#102 Authorized with Councilor Pignatelli voting **no,** to enter into a **retroactive** one-year inter-agency rental agreement with the Department of Transportation (previously approved by G&C on 2-7-07, item #119), to provide the Division of State Police with vehicle storage space located in the Stickney Avenue Facility, Concord, NH in the amount of $24,000. Effective July 1, 2009 through June 30, 2010. **100% Revolving Funds.**

#103 Authorized Division of Homeland Security and Emergency Management to amend local grant agreements, (previously approved by G&C on 6-3-09, item #197), by extending the completion date from December 1, 2009 and December 10, 2009 to December 31, 2010 as detailed in letter dated October 2, 2009. (2)Further Authorized Division of Homeland Security and Emergency Management to amend a local grant agreement, (previously approved by G&C on 6-17-09, item #296J), by extending the completion date from January 31, 2010 to December 31, 2010 as detailed in letter dated October 2, 2009. **100% Federal Funds.**

#104 Authorized with Councilor Burton voting **no,** to deny the permit application of Delang-Boyce Corporation d/b/a The Inn on Newfound Lake located on Newfound Lake in Bridgewater, NH, as recommended by the Department of Safety, Division of Safety Services, for a congregate mooring field permit renewal request of 4 mooring plus an additional 5 moorings, for a total of 9 moorings.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#105 Authorized Bureau of Human Resources to enter into a **sole source** agreement with Federal Highway Administration Finance Division, National Highway Institute, Washington, DC, for an amount not to exceed $57,100 for training. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#106 Authorized Bureau of Aeronautics to provide funding to the City of Keene, NH, to replace a hazard beacon in the vicinity of the Dillant-Hopkins Airport in the amount of $191,100. Effective upon G&C approval through October 31, 2012. **97.44% Federal, 2.56% General Funds.**

#107 Authorized Bureau of Aeronautics to award a grant to the City of Lebanon for AIP-43 to conduct a wildlife hazard assessment at the Lebanon Municipal Airport in the amount of $47,943. Effective upon G&C approval through October 31, 2012. **97.44% Federal, 2.56% General Funds.**

#108 Authorized Bureau of Aeronautics to amend a grant to provide additional funding to the Town of Wakefield, NH, to construct, mark, light, and sign partial parallel Taxiway "A" at the Mount Washington Regional Airport in the amount of $3,364.26. Effective upon G&C approval through October 31, 2012. **97.44% Federal, 2.56% General Funds.**

#109 Authorized Bureau of Aeronautics to provide funding to the City of Concord, NH, to install wildlife perimeter fencing at the Concord Municipal Airport in the amount of $119,927. Effective upon G&C approval through October 31, 2013. **97.44% Federal, 2.56% General Funds.**

#110 Authorized Bureau of Aeronautics to award a grant to the Pease Development Authority for AIP-44 to design residential sound installation project for the Portsmouth International Airport at Pease in the amount of $181,000. Effective upon G&C approval through October 31, 2013. **95% Federal, 5% General Funds.**

#111 Authorized Bureau of Aeronautics to award a grant to the Pease Development Authority for AIP-43 to conduct a wildlife hazard assessment at the Portsmouth International Airport at Pease in the amount of $37,000. Effective upon G&C approval through October 31, 2013. **95% Federal, 5% General Funds.**

#112 Authorized to provide funding to the City of Concord, NH, to install airfield lighting and signage at the Concord Municipal Airport in the amount of $195,122. Effective upon G&C approval through October 31, 2012. **97.44% Federal, 2.56% General Funds.**

#113 Authorized Bureau of Right of Way to sell a 0.44-acre parcel of State owned land improved with a single family residence located at Elizabeth Lane in Salem to Krista Lemieux for $236,000 plus a $1,100 Administrative Fee. (2)Further Authorized to compensate The Masiello Group from the proceeds of the subject sale in the amount of $11,800 for real estate services. Effective upon G&C approval.

#114 Authorized Bureau of Right of Way to sell a 0.6 +/- of an acre parcel of State owned land in Auburn to CMS Limited Partnership for $40,000 which includes an Administrative Fee of $1,100. Effective upon G&C approval.

#115 Authorized Bureau of Right of Way to pay various owners $1,268,700 as documented in the Contemplated Awards List for amounts greater than $5,000 for the period extending from September 4, 2009 through October 7, 2009. Effective upon G&C approval.

#116 Authorized Bureau of Rail & Transit to enter into an agreement with the Central NH Regional Planning Commission, Concord, NH, to administer a comprehensive service analysis of Concord Area Transit for an amount not to exceed $32,000. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#117 Authorized Bureau of Rail & Transit to sell to the estate of Howard Laware a parcel of land 18,405 square feet in size in Lebanon for $70,000 and a one-time administrative fee of $1,100.

#118 Authorized Bureau of Construction to enter into a contract with E.D. Swett Inc., Concord, NH, for replacement of the existing concrete deck, and repairs to the abutment facing of the I-93 bridge over Loudon Road at Exit 14 in Concord on the basis of a low bid of $4,562,667. (2)Further Authorized a contingency in the amount of $319,386.69 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.**

#119 Authorized to accept and place on file the Bureau of Construction's quarterly summary of active projects that may require contingencies for the period through September 30, 2009.

#120 Authorized Bureau of Highway Maintenance (Well Section) to enter into a contract with Capital Well Company, Inc., Dunbarton, NH, for a 6-inch drilled well and pump at the NH Department of Transportation, Shelburne Rest Area, Route 2, Shelburne, NH. Effective upon G&C approval through November 30, 2009. **80% Federal, 20% State Funds.**

#121 Authorized with Councilor Pignatelli voting **no,** Bureau of Highway Design to amend a contract with The Louis Berger Group Inc., Manchester, NH, and Morristown, NJ (previously amended by G&C on 10-8-08, item #172), for the final design for the Southern section of the reconstruction and widening of I-93 from Salem to Manchester, by increasing the amount by $4,080,962.54 from $16,186,101.63 to $20,267,064.17. Effective upon G&C approval through June 30, 2010. **80% Federal, 20% Highway Funds.**

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Shea, voted to remove item #25A - which was tabled at the October 7, 2009 Meeting

DEFERRED COMPENSATION COMMISSION

#25A The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Shea voted to approve the request to enter into a contract with Great-West Life & Annuity, Greenwood Village, CO, or

its approved affiliate, for the administration of the State of NH's Deferred Compensation Plan for public officers and employees. Effective upon G&C approval through October 6, 2014.

LATE ITEMS

ENVIRONMENTAL SERVICES

A. Authorized the Department to approve loan agreements with the following Public Water Systems: Manchester Water Works, Town of Newmarket, Town of Peterborough, City of Portsmouth, and Town of Greenville, in the amount of $2,349,000 to finance water system improvement projects, effective upon G&C approval**. 50% DWSRF Repayment funds, 50% Federal ARRA funds.**

HEALTH AND HUMAN SERVICES

B. Authorized the Department to enter into a **retroactive sole source** agreement with the Home Care Association of New Hampshire of Concord NH to provide medical staffing support for public H1N1 vaccinations clinics, to be effective October 7, 2009 through June 30, 2010 in an amount not to exceed $1,340,000. **100% Federal funds.**

LOTTERY COMMISSION

C. Authorized the Commission to enter into a **sole source** contract with the Center for Public Policy Studies, to provide the Governor's Gaming Study Commission with data-based analysis of the potential impact of expanded gaming in New Hampshire, including on future sales of New Hampshire Lottery ® products**.** The total fee paid for the technical assistance to be rendered in Fiscal-Year 2010 is $39,000. **100% Lottery funds.**

Next Governor and Executive Council meeting is scheduled for Wednesday, November 4, 2009 at 10:00 a.m. at the State House in Concord, New Hampshire.

The Honorable Board then Adjourned at 1:40 p.m.