GOVERNOR AND EXECUTIVE COUNCIL MINUTES
Mountain View Hotel, Whitefield, New Hampshire
October 7, 2009 10:00 a.m.

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

*

The Governor and Executive Council on motion of Councilor Hollingworth, seconded by Councilor Wieczorek, accepted the minutes of September 23, 2009.

*

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 September 23, 2009 meeting.

*

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

*

RESIGNATIONS

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

Fish & Game Commission
Patricia Costa, Center Barnstead — Effective: October 7, 2009
Represents Belknap County

CONFIRMATIONS

The Governor and Council confirmed the following:

Assessing Standards Board
(Public Member)
Thomas N. Thomson, Orford — Effective: October 7, 2009
Reappointment — Term: September 19, 2011

Community College System of New Hampshire
(General Public)
Katharine Bogle Shields, Canterbury — Effective: October 7, 2009
Vacancy — Term: June 30, 2012

Board of Licensure of Interpreters for the Deaf and Hard of Hearing
(Recommended by the New Hampshire Registry of Interpreters for the Deaf)
Nominated by the New Hampshire Registry of Interpreters for the Deaf
Jodi H. Lefort, Manchester — Effective: October 10, 2009
Succeeding: Cindy Wallace, Londonderry — Term: October 10, 2012

Board of Licensure of Interpreters for the Deaf and Hard of Hearing
Nominated by the New Hampshire Registry of interpreters for the Deaf
Maureen D. Lundergan, Raymond — Effective: October 10. 2009
Succeeding: Shannon Grundy, Pittsfield — Term: October 10, 2012

State Board of Fire Control
(Forest Fire Warden)
John DeSilva, Bow — Effective: October 7, 2009
Reappointment — Term: September 27, 2014

New Hampshire Housing Finance Authority
(Residential Mortgage Banking)
Stephen W. Ensign, (r), New London — Effective: October 7, 2009
Succeeding: Harold R. Acres. Nashua — Term: July 1, 2014

New Hampshire Housing Finance Authority
Stephanye Schuyler, (i), Portsmouth — Effective: October 7, 2009
Succeeding: Sandra Ziehm, Nashua — Term: July 1, 2014

Invasive Species Committee
(Representing Horticultural Interests)
Glenn L. Caron, Raymond — Effective: October 7, 2009
Reappointment — Term: August 9, 2012

Board of Medicine
Nick P. Perencevich, MD, Concord — Effective: October 7, 2009
Succeeding: James A Sise, Keene (resigned) — Term: April 21, 2010

New Motor Vehicle Arbitration Board
Clarence E. Bourassa, Bow — Effective: October 7, 2009
Reappointment — Term: August 28, 2012

Public Employee Labor Relations Board
J. David McLean, Rochester — Effective: October 7, 2009
Reappointment — Term: October 2, 2015

New Hampshire Real Estate Commission
Daniel S. Jones, North Conway — Effective: October 7, 2009
Reappointment — Term: September 15, 2014

New Hampshire Retirement System
Nominated by the New Hampshire Police Association
Jill C. Rockey, Dover — Effective: October 7, 2009
Succeeding: Stephen J. Arnold, Sr., Portsmouth — Term: July 1, 2011

Site Selection Committee
Nominated by the Nature Conservancy
Douglas A. Bechtel, Penacook — Effective: October 7, 2009
Succeeding: Mark Zandel, Hopkinton — Term: September 27, 2012

Site Selection Committee
Nominated by the New Hampshire Association of Natural Resource Scientists
Nancy B. Rendall, Gilmanton — Effective: October 7, 2009
Reappointment — Term: October 11, 2012

Site Selection Committee
Nominated by the New Hampshire Association of Conservation Commission
Rick Van de Poll, Center Sandwich — Effective: October 11, 2009
Reappointment — Term: October 11, 2012

Site Selection Committee
Nominated by the Society for Protection of New Hampshire Forests
Christopher L. Wells, Wilmot — Effective: October 7, 2009
Reappointment — Term: September 27, 2012

Associate Justice of the Superior Court
Jacalyn A. Colburn, Concord — Effective: October 7, 2009
Term: Until 70 years of age

Associate Justice of the Superior Court
David A. Garfunkel, Canterbury — Effective: October 7, 2009
Term: Until 70 years of age

Associate Justice of the Superior Court
Richard B. McNamara, Bedford — Effective: October 7, 2009
Term: Until 70 years of age

Associate Justice of the Superior Court
Marguerite L. Wageling, Manchester — Effective: October 7, 2009
Term: Until 70 years of age

Volunteer New Hampshire Board of Directors
Ralph Littlefield, North Hampton — Effective: October 7, 2009
Vacancy — Term: October 7, 2012

Wetlands Council
Nominated by the New Hampshire Association of Natural Resource Scientists
Lawrence E. Morse, Somersworth — Effective: October 7, 2009
Reappointment — Term: September 3, 2012

Commission on the Status of Women
L. Ann Farnsworth, Bradford — Effective: October 20, 2009
Succeeding: Linda M. Landry, Exeter (resigned) — Term: October 20, 2012

Commission on the Status of Women
Marilyn T. Mahoney, Goffstown — Effective: October 20, 2009
Reappointment — Term: October 20, 2012

Commission on the Status of Women
A. Ronnie Sandler, Easton — Effective: October 20, 2009
Reappointment — Term: October 20, 2012

Commission on the Status of Women
Debra Simmons, Whitefield — Effective: October 20, 2009
Reappointment — Term: October 20, 2012

NOMINATIONS

The Governor placed into nomination the following:

Department of Administrative Services: Accounting Services Director
Nominated by the Commissioner of Administrative Services
Edgar R. Carter, North Reading, MA — Effective: Upon confirmation
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: Upon confirmation
Succeeding: Patricia Shermam, Newbury (term limited) — Term: July 26, 2014

Department of Corrections: Director of Community Corrections
Nominated by the Commissioner of the Department of Corrections
Joseph Diament, Newfields — Effective: Upon confirmation
Vacancy — Term: Serves at Commissioners pleasure
Salary: GG Max - $90,606

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

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

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

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: Upon confirmation
Reappointment — Term: July 2, 2014

Mount Washington Commission
Guy Gosselin, Gorham — Effective: Upon confirmation
Reappointment — Term: July 2, 2014

Board of Natural Scientists
Damon E. Burt, Strafford — Effective: Upon confirmation
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

State Radiation Advisory Council
(Physical Science)
James P. Tarzia, East Hampstead — Effective: Upon confirmation
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 MacCleery, Chichester — Effective: Upon confirmation
Reappointment — Term: September 16, 2014

BUSINESS FINANCE AUTHORITY

#1 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wieczorek and further on a roll call vote as follows: Councilor Burton – yes, Councilor Shea – yes, Councilor Hollingworth – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing with respect to the financing of a commercial facility by the Business Finance Authority for Metro Health Foundation of New Hampshire, Inc. located in Meredith, New Hampshire. Action will Authorized a Resolution under RSA 162-I:9 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 OCTOBER 7, 2009 IN THE PRESIDENTIAL BALLROOM OF THE MOUNTAIN VIEW GRAND RESORT & SPA, WHITEFIELD, NEW HAMPSHIRE

* * * * *

At 10:35 a.m., the Governor announced that the next matter to be considered would be the financing of a commercial facility project by the Business Finance Authority for Metro Health Foundation of New Hampshire, Inc. and declared that the public hearing on the subject had been commenced. He said that he and the members of the Council had received the written recommendation of the Authority and other documentation and information with respect to the project. The Governor said that the meeting would then hear anyone wishing to speak on the subject. Jack Donovan, Executive Director of the Authority, stated that a hearing had been held in Concord that morning at 8:30 a.m. and no one had attended. He then briefly explained the project and emphasized the credit of the State was not involved. The Governor explained that this meeting constituted the public hearing in compliance with Federal law and asked whether any other person wished to speak. There being none, Councilor Burton introduced a resolution entitled "A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE ISSUANCE OF UP TO $16,000,000 REVENUE BONDS BY THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE TO FINANCE A COMMERCIAL FACILITY FOR METRO HEALTH FOUNDATION OF NEW HAMPSHIRE, INC., IN MEREDITH, NEW HAMPSHIRE" and moved its adoption, which was seconded by Councilor Wieczorek. After a discussion on the resolution, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Shea, Councilor Hollingworth, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor (s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

* * * * *

A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE ISSUANCE OF UP TO $16,000,000 REVENUE BONDS BY THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE TO FINANCE A COMMERCIAL FACILITY FOR METRO HEALTH FOUNDATION OF NEW HAMPSHIRE, INC., IN MEREDITH, NEW HAMPSHIRE

WHEREAS, the Governor and Council 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 a determination under RSA 162-I:9 with respect to the financing of a commercial facility for Metro Health Foundation of New Hampshire, Inc. (the "Borrower"), in Meredith, New Hampshire, by the Authority's issuance of up to $16,000,000 in revenue bonds (the "Bonds") under RSA 162-I:1 et sec. (the "Act"); and

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

NOW, THEREFORE, in consideration of the foregoing, IT IS HEREBY RESOLVED THAT:

Section 1. Findings. On the basis of the Authority's recommendation and the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

(1) The purposes for which the Bonds are requested to be issued are the following: (i) refunding the outstanding portion of the Authority's $12,950,000 Health Care Facility Revenue Bonds (Metro Health Foundation, Inc. Project) Series 1998, consisting of $10,000,000 Health Care Facility Revenue Bonds (Metro Health Foundation, Inc. Project) Series 1998A, $1,850,000 Subordinate Health Care Facility Revenue Bonds (Metro Health Foundation, Inc. Project) Series 1998B and $1,100,000 Subordinate Health Care Facility Revenue Bonds (Metro Health Foundation, Inc. Project) Series 1998C (the "Prior Bonds"), the proceeds of which were used to (A) acquire a fee simple title to certain parcels of land located at 19 New Hampshire Route 104, Meredith, New Hampshire and the improvements thereon constituting commercial facilities known as Golden View Health Care Center (the "Facility"); (B) construct a 9,500 square-foot addition thereto; (C) fund working capital and capitalized interest for the Facility; (D) fund a debt service reserve fund for the 1998A Bonds; (E) retire certain existing indebtedness on the Facility; (F) pay the issuance costs in connection with the issuance of the Prior Bonds; and (G) pay accrued interest on the 1998A Bonds and 1998B Bonds, if any; (ii) financing costs of construction of an additional 32-bed unit at the Facility; and (iii) financing issuance costs (collectively, the project financed with the Prior Bonds and the project to be financed with the Bonds are referred to herein as the "Project"). The Facility is within the definition of "Commercial Facility" in RSA 162-I:2 and may be financed under the Act.

(2) The continued operation of the Facility, together with the establishment and operation of the 32-bed addition thereto will create or preserve employment opportunities directly or indirectly within the State of New Hampshire (the "State") and will likely be of general benefit to the community as a whole.

(b) General Findings.

(1) The Project and the proposed financing and refinancing of the Project are feasible.

(2) The Borrower has the skills and financial resources necessary to operate the Facility successfully.

(3) The Loan and Trust Agreement and the other documents to be executed in connection with the issuance of the Bonds (collectively, the "Financing Documents") contain provisions so that under no circumstances will the Authority be obligated, directly or indirectly, to pay Project costs, debt service or expenses of operation, maintenance and upkeep of the Facility except from proceeds of the Bonds or from funds received under the Financing Documents, exclusive of funds received under the Financing Documents by the Authority for its own use.

(4) The Financing Documents do not purport to create any debt of the State with respect to the Facility, other than a special obligation of the Authority acting on behalf of the State under the Act.

(5) The proposed financing and refinancing of the Project by the Authority and the continued and proposed operation and use of the Facility will serve one or more needs and implement one or more purposes set forth in RSA 162-I:1, will preserve or increase the social 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.

Section 2. Ultimate Finding and Determination. The Governor and Council find that the proposed financing, operation and use of the Facility will serve a public use and provide a public benefit and determine that the Authority's financing of the Project will be within the policy of, and the authority conferred by, the Act.

Section 3. Approval. The Governor and Council hereby approve the Authority's taking such further action under the Act with respect to the transaction involving the Facility, the Project and the Bonds as may be required.

Section 4. Effective Date. This Resolution shall take effect upon its passage.
Passed and Agreed to: October 7, 2009

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#2 Authorized to enter into an agreement with the City of Rochester, NH, for the purpose of establishing financing mechanisms for purchase and redevelopment of foreclosed upon homes and residential properties; purchasing and rehabilitating homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes and properties; demolishing blighted structures; and redeveloping demolished or vacant properties in the amount of $2,400,000. Effective upon G&C approval through March 9, 2013. **100% Federal Funds.**

#3 Authorized to award a grant to the Town of Hinsdale, NH, to conduct a study of the water and wastewater infrastructure system at Ash Brook Swamp Cooperative in the amount of $12,000. Effective upon G&C approval through December 31, 2010. **100% Federal Funds.**

#4 Authorized to amend an agreement with the City of Keene, NH, (previously amended by G&C on 7-18-07, item #2), for the purpose of making infrastructure improvements to vacant property in the Railroad Yard area of downtown Keene, by changing the end date from December 31, 2009 to December 31, 2010. **100% Federal Funds.**

#5 Authorized to award a grant to the Town of Tamworth, NH, for the purpose of performing a feasibility study on the Tamworth Pines Cooperative infrastructure system in the amount of $12,000. Effective upon G&C approval through December 31, 2010. **100% Federal Funds.**

#6 Authorized to enter into an agreement with Harbor Homes Inc., Nashua, NH, for the purpose of establishing financing mechanisms for purchase and redevelopment of foreclosed upon homes and residential properties; purchasing and rehabilitating homes and residential properties that have been abandoned or foreclosed upon in order to sell, rent, or redevelop such homes and properties; demolishing blighted structures; and redeveloping demolished or vacant properties in the amount of $2,090,000. Effective upon G&C approval through March 9, 2013. **100% Federal Funds.**

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#7 Authorized to enter into a **sole source** contract with Strafford County Community Action Committee Inc., Dover, NH, for the repair or replacement of malfunctioning heating systems in low-income households receiving Weatherization services in the amount of $57,063. (2)Further Authorized to advance to the vendor $10,271. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#8 Authorized to enter into a **sole source** contract with Southwestern Community Services Inc., Keene, NH, for the repair or replacement of malfunctioning heating systems in low-income households receiving Weatherization services in the amount of $65,047. (2)Further Authorized to advance to the vendor $11,708. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#9 Authorized to enter into a **sole source** contract with Community Action Program of Belknap-Merrimack Counties Inc., Concord, NH, for the repair or replacement of malfunctioning heating systems in low-income households receiving Weatherization services in the amount of $84,534. (2)Further Authorized to advance to the vendor $15,217. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#10 Authorized to enter into a **sole source** contract with Rockingham Community Action Inc., Portsmouth, NH, for the repair or replacement of malfunctioning heating systems in low-income households receiving Weatherization services in the amount of $66,523. (2)Further Authorized to advance to the vendor $11,974. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#11 Authorized to enter into a **sole source** contract with Southern NH Services Inc., Manchester, NH, for the repair or replacement of malfunctioning heating systems in low-income households receiving Weatherization services in the amount of $129,751. (2)Further Authorized to advance to the vendor $23,355. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#12 Authorized to enter into a **sole source** contract with Tri-County Community Action Program Inc., Berlin, NH, for the repair or replacement of malfunctioning heating systems in low-income households receiving Weatherization services in the amount of $97,082. (2)Further Authorized to advance to the vendor $17,475. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#13 Authorized to enter into a **retroactive sole source** contract with Tri-County Community Action Program Inc., Berlin, NH, for the Fuel Assistance Program in the amount of $5,453,224. (2)Further Authorized to advance $542,933. Effective October 1, 2009 through September 30, 2010. **100% Federal Funds.**

#14 Authorized to enter into a **retroactive sole source** contract with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, for the Fuel Assistance Program in the amount of $5,060,451. (2)Further Authorized to advance $504,942. Effective October 1, 2009 through September 30, 2010. **100% Federal Funds.**

#15 Authorized to enter into a **retroactive sole source** contract with Southern NH Services Inc., Manchester, NH, for the Fuel Assistance Program in the amount of $9,330,149. (2)Further Authorized to advance $937,174. Effective October 1, 2009 through September 30, 2010. **100% Federal Funds.**

#16 Authorized to enter into a **retroactive sole source** contract with Southwestern Community Services Inc., Keene, NH, for the Fuel Assistance Program in the amount of $3,668,545. (2)Further Authorized to advance $364,448. Effective October 1, 2009 through September 30, 2010. **100% Federal Funds.**

#17 Authorized to enter into a **retroactive sole source** contract with Rockingham Community Action Inc. Portsmouth, NH, for the Fuel Assistance Program in the amount of $3,771,599. (2)Further Authorized to advance $374,839. Effective October 1, 2009 through September 30, 2010. **100% Federal Funds.**

#18 Authorized to enter into a **retroactive sole source** contract with Strafford County Community Action Committee Inc., Dover, NH, for the Fuel Assistance Program in the amount of $2,812,920. (2)Further Authorized to advance $278,945. Effective October 1, 2009 through September 30, 2010. **100% Federal Funds.**

DEPARTMENT OF INFORMATION TECHNOLOGY

#19 The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton authorized the request to enter into a **sole source** cooperative project agreement with the University of NH, Granite State Distance Learning Network, for video teleconferencing networking in the amount of $44,600. Effective upon G&C approval through June 30, 2011. **100% Other (Agency Class 027) funds: the agency Class 027 used by the Department of Health and Human Services to reimburse DoIT for this work is 58% General Funds and 42% Federal Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#20 Authorized Jeffrey G. Walz, Derry, NH, be nominated for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

#21 Authorized Andrew C. Anderson, Nottingham, NH, be nominated for promotion to the rank of Lieutenant Colonel, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

#22 Authorized Major Patrick J. Racz, Bristol, NH, be confirmed for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

#23 Authorized Lieutenant Colonel Nicole L. Desilets-Bixler, Hampton, NH, be confirmed for promotion to the rank of Colonel, NH Air National Guard.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#24 Authorized Division of Plant and Property Management to enter into a contract with T-Mobile USA, Inc., Bellevue, WA, for Cellular Telephone International Services in an amount not to exceed $100,000. Effective upon G&C approval through June 17, 2012.

#25 **TABLED –** The Governor and Council on motion of Councilor Burton, seconded by Councilor Pignatelli, voted to **table** the request to exercise a one-year contract amendment option with Anthem Life Insurance Company, Worthington, OH, (previously approved by G&C on 11-15-06, item #G), for the employer-paid life insurance provided to full time employees in the amount of approximately $234,000. Effective January 1, 2010 through December 31, 2010.

DEFERRED COMPENSATION COMMISSION

#25A **TABLED -** The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton voted to **table** to the October 21, 2009 G&C Meeting, 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.

STATE TREASURY

#26 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to issue a warrant from funds not otherwise appropriated in the amount of $127,427 and the State Treasurer to issue checks in the amount of $127,427 to the rightful owners of abandoned or unclaimed funds.

#26A NOT USED

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

#26B The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request of the Division of Pesticide Control to accept and expend additional grant fund revenues from the US Environmental Protection Agency for the Pesticides Program in the amount of $84,826. Effective upon G&C approval through June 30, 2010. **100% Federal Funds. Fiscal Committee approved.**

ATTORNEY GENERAL

The Governor and Council acted as follows:

#27 Authorized to reappoint Benjamin J. Agati as an Assistant Attorney General at a salary level of $62,909 for a term effective October 14, 2009 through October 14, 2014.

#28 Authorized to reappoint Peter Hinckley as an Assistance Attorney General at a salary level of $75,500 for a term effective October 14, 2009 through October 14, 2010.

#29 Authorized to enter into subgrants with the agencies as detailed in letter date September 23, 2009, totaling $11,821 for the purpose of providing funds for technology improvements and training from the FY 2007 Violence Against Women Formula Grant, which is designed to provide services for women in NH who are victims of violent crimes. Effective upon G&C approval through February 28, 2010. **100% Federal Funds.**

#30 Authorized to enter into a **sole source** Cooperative Project Agreement with the University of NH, Office of Sponsored Research in the amount of $14,888 from the 2009 OVC Services to Families of Homicide Victims in Rural Areas Cooperative Agreement Grant Award, to support contracted services in needs assessment and program evaluation relevant to the Department of Justice, Office of Victim/Witness Assistance. Effective upon G&C approval through August 31, 2010. **100% Federal Funds.**

#30A Authorized to **retroactively** establish one part-time consultant, Elder Abuse Investigator, for the purposes for continuing the investigator for allegations of elder abuse fraud, violations of the Consumer Protection Act and to assist with other investigative needs. (2)Further Authorized to **retroactively** enter into a new sub-grant with the NH Department of Justice in the amount of $31,200 from the FFY 2007 Edward Byrne Justice Assistance Grant Program, which provides funding for programs to improve the functioning of the criminal justice system. (3)Further Authorized to **retroactively** accept and expend a sub-grant from the NH Department of Justice in the amount of $31,200 from the FFY 2007 Edward Byrne Justice Assistance Grant Program, which provides funding for programs to improve the functioning of the criminal justice system, to be used to continue the contract with the offices' Elder Abuse Investigator. Effective July 1, 2009 through June 30, 2010. **100% Federal Funds. Fiscal Committee approved.**

#30B Authorized to establish one part-time consultant, Prolaw Upgrade, for the purposes of contract with an individual to implement changes to the Prolaw records system in use by the NH Department of Justice. (2)Further Authorized to enter into a new sub-grant with the NH Department of Justice in the amount of $190,000 from the FFY 2009 Edward Byrne Justice Assistance Grant Program, which provides funding for programs to improve the functioning of the criminal justice system, to be used to enhance the agencies records management system. (3)Further Authorized to accept and expend a sub-grant from the NH Department of Justice in the amount of $190,000 from the FFY 2009 Edward Byrne Justice Assistance Grant Program, which provides funding for programs to improve the functioning of the criminal justice system, to be used to enhance the agencies records management system. Effective upon G&C approval through June 30, 2011. **100% Federal Funds. Fiscal Committee approved.**

DEPARTMENT OF CORRECTIONS

#31 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to enter into a contract with Hodges Thermal Design LLC, Concord, NH, to provide refrigeration repair and maintenance services for the locations as detailed in letter dated August 13, 2009, for a total of $60,800. Effective upon G&C approval through June 30, 2011. **100% General Funds.**

LIQUOR COMMISSION

#32 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request **retroactive** pay for Gordon J. Bunka, Warehouseman, for the period of January 8, 2009 through June 4, 2009 in the amount of $464.78. **100% Liquor Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#33 Authorized Division of Parks and Recreation, Cannon Mountain to renew membership with Ski NH Inc., Woodstock, NH, in the amount of $5,485.02 for the 2009-2010 and 2010-2011 seasons. (2)Further Authorized to expend an amount not to exceed $5,000 for marketing and promotional services. **100% Ski Area Funds.**

#34 Authorized Division of Parks and Recreation, Cannon Mountain to renew membership with White Mountain Attractions Association, Woodstock, NH, in the amount of $17,000 for the 2009-2010 and 2010-2011 seasons. (2)Further Authorized to expend an amount not to exceed $10,000 for cooperative marketing and promotional programs with WMAA. **100% Ski Area Funds.**

#35 Authorized Division of Parks and Recreation, Cannon Mountain to renew membership with New England Ski Areas Council, Lebanon, NH, in the amount of $2,656.92 for the 2009-2010 seasons. (2)Further Authorized to enter into an agreement for distribution of ski reports for an amount not to exceed $6,000. **100% Ski Area Funds.**

#36 Authorized Division of Parks and Recreation, Cannon Mountain to renew membership with National Ski Areas Association, Lakewood, CO, in the amount of $3,797.99 for the 2009-2010 seasons. **100% Ski Area Funds.**

#37 Authorized Division of Parks and Recreation, Cannon Mountain to enter into a membership with the Loon Mountain d/b/a NH Ski Group USA, in the amount of $15,108 for the 2009-2010 ski seasons. **100% Ski Area Funds.**

#38 Authorized Division of Parks and Recreation Bureau of Historic Sites to accept and expend a donation of $453.10 for the Weeks State Park in Lancaster, NH.

#39 Authorized Division of Parks and Recreation to pay an invoice from Sebastian Septic Service LLC, Milton, NH, in the amount of $1,156 for emergency pumping at Wentworth State Park on August 6, 2009. **100% Park Funds.**

#40 Authorized Division of Travel and Tourism Development to award grants to the organizations as detailed in letter dated September 10, 2009, in the total amount of $215,635.48 for their 2009/2010 in-state and out-of-state marketing projects under the Joint Promotional Program. Effective upon G&C approval through June 30, 2010. **100% General Funds.**

#40A Authorized Division of Economic Development to accept and expend $750,000 from the Office of Energy and Planning, for a Business Energy Efficiency Program. (2)Further Authorized to establish a full-time temporary position of an Administrator 1. Effective upon G&C approval through June 30, 2012. **100% Transfer from Other Agency - ARRA Funds. Fiscal Committee approved.**

#40B Authorized to accept and expend $104,795.35 from the Workforce Opportunity Council Inc., for Layoff Aversion activities. Effective upon G&C approval through June 30, 2010. **Fiscal Committee approved.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#41 Authorized to enter into a contract with Ryan MacDonald LLS, Laconia, NH, to conduct DGPS survey and boundary line maintenance work on the Enfield Wildlife Management Area in the amount of $22,000. Effective upon G&C approval through November 30, 2010. **9.41% Federal, 90.59% Other (wildlife habitat conservation) Funds.**

#42 Authorized with Councilor Pignatelli voting **no,** to enter into a contract with Mark Damian Duda & Associates Inc., Harrisonburg, VA, to survey NH residents for the purpose of determining their opinions on and attitudes towards outdoor recreation opportunities in the State and the NH Fish and Game Department's programs and services in the amount of $25,172.47. Effective upon G&C approval through January 31, 2010. **100% Other (Gifts & Donations Account) Funds.**

#43 Authorized to accept and place on file the Biennial Report for fiscal years 2008 and 2009.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#44 Authorized the nomination of the Lamprey River Water Management Planning Area Advisory Committee to continue through the completion of the Lamprey Water Management Plan. The nominee Mr. Richard Kelley will replace Mr. Richard Wellington as a local government official representative. Effective upon G&C approval.

#45 Authorized to amend a **sole source** contract with Weston Solutions Inc., Manchester, NH, (previously approved by G&C on 1-16-08, item #48), to cover additional cleanup activities at the OK Tool/Savage Well Superfund Site in Milford, NH, by increasing the amount by $100,000 from $2,708,729 to $2,808,729. Effective upon G&C approval. **90% Federal, 10% Capital (General) Funds.**

#46 Authorized loan agreements with the entities as detailed in letter dated September 14, 2009, to finance wastewater improvement projects in the amount of $6,182,975. Effective upon G&C approval. **41.5% CWSRF, 8.5% Capital (General), 50% Federal ARRA Funds.**

#47 Authorized to enter into an agreement with Methuen Construction Co., Inc., Salem, NH, for construction of energy efficiency improvements at the Franklin wastewater treatment plant in the amount of $1,471,519. (2)Further Authorized a contingency in the amount of $147,152 to cover unforeseen work that may occur during the construction of the wastewater treatment plant improvements. Effective upon G&C approval through December 31, 2011. **100% ARRA/CWSRF pass-thru funds.**

#48 Authorized to enter into a Cooperative Project Agreement with the University of NH, Durham, NH, to support the purchase and installation of seven idle reduction commuter coach heaters in an amount not to exceed $29,500. Effective upon G&C approval through September 30, 2010. **100% ARRA Federal Funds.**

#49 Authorized to award a grant to Great Bay Community College, Portsmouth, NH, to support the NH volunteer phytoplankton monitoring program in the amount of $20,681. Effective upon G&C approval through December 31, 2010. **100% Federal Funds.**

#50 Authorized William Iannazzi's request to perform work, as detailed in letter dated September 9, 2009, on property having an average of 160 ft of frontage on Governor's Island, on Lake Winnipesaukee in Gilford.

#51 Authorized Eric Katz's request to construct an extension of the existing permanent pier with an extension of the existing ramp landing on an extension of the existing seasonal float to provide all-tide water access on shoreline frontage on the Piscataqua River in New Castle.

#52 Authorized Michael Olsen's request to construct a tidal dock structure, including a landing and steps from the upland, to a permanent pier, connecting to a ramp, connecting to a float with float stops, providing one slip on frontage on Little Bay in Durham.

#53 Authorized Kevin Hill's request to construct a tidal dock structure, including a permanent pier, connecting to a ramp, connecting to a float with float stops, providing one slip on frontage on the Bellamy River in Dover.

#53A Authorized to enter into a Grant Agreement with Granite State Whale Watch Inc., Hampton, NH, to support the purchase and installation of two replacement engines in M/V Granite State in an amount not to exceed $141,000. Effective upon G&C approval through September 30, 2010. **100% ARRA Federal Funds.**

#53B Authorized Howard J. Ludington's request to construct two parallel seasonal docks connected by a walkway in an U shaped configuration, all connected to shore by a ramp, install a seasonal life system within the U shaped docking structure on frontage on Pine River Pond in Wakefield, NH.

#53C Authorized to transfer funds from the Clean Water State Revolving Fund Repayment Account to the Drinking Water State Revolving Fund Repayment Account in the amount of $8,435,000. Effective upon G&C approval. **Fiscal Committee approved.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Human Resource Management

#54 NOT USED

Division of Family Assistance

#55 Authorized to **retroactively** exercise an option to amend an agreement with Good News Garage – LSS Inc., Burlington, VT, (previously amended by G&C on 6-17-09, item #97), to provide affordable car ownership opportunities to low income individuals, by increasing the amount by $697,200 from $900,800 to $1,598,000, and by extending the completion date from October 1, 2009 to June 30, 2011. **95% Federal, 5% General Funds.**

Bureau of Behavioral Health

#56 Authorized to enter into an agreement with NAMI New Hampshire, Concord, NH, to provide technical assistance and training services in an amount not to exceed $20,000. Effective **retroactive** to October 1, 2009 through June 30, 2010. **100% Federal Funds.**

Bureau of Homeless and Housing Services

#57 Authorized to enter into an agreement with Lakes Region Mental Health Center Inc., d/b/a Genesis Behavioral Health, Laconia, NH, to provide services to homeless individuals in an amount not to exceed $97,260. Effective **retroactive** to July 1, 2009 through June 30, 2010. **100% Federal Funds.**

Division of Public Health Services

#58 Authorized Public Health Laboratories to pay various vendors for proficiency testing programs that are currently required for other proficiency testing that may become necessary, in an amount not to exceed $41,973. Effective upon G&C approval through June 30, 2011. **79% General, 21% Federal Funds.**

#59 Authorized to exercise a renew and amend option with JSI Research and Training Institute Inc., d/b/a Community Health Institute, Bow, NH, (previously approved by G&C on 11-28-07, item #128), to provide training programs for the purpose of improving the knowledge, skills and abilities of regional planning partners related to public health emergency preparedness and response, by increasing the price by $162,500 from $198,696 to $361,196, and by extending the completion date to June 30, 2011. Effective **retroactive** to August 31, 2009. **100% Federal Funds.**

#60 Authorized to exercise a contract renew and amend option with JSI Research and Training Institute Inc. d/b/a Community Health Institute, Bow, NH, (previously approved by G&C on 11-28-07, item #127), to provide technical assistance and logistical support to improve local capabilities and capacities to prepare for, and respond to, public health emergencies and threats, by increasing the price by $196,000 from $258,365 to $454,365, and by extending the completion date to June 30, 2011. Effective **retroactive** to August 31, 2009. **100% Federal Funds.**

#61 Authorized Bureau of Community Health Services, Maternal and Child Health Section to enter into an agreement with New London Hospital Association Inc., New London, NH, to provide primary care services in an amount not to exceed $264,424. Effective upon G&C approval through June 30, 2010. **90% Federal, 10% General Funds.**

#62 Authorized Bureau of Prevention Services, Nutrition & Health Promotion, Special Supplemental Nutrition Program for Women, Infants, and Children to exercise a contract renew and amend option with Nestle Infant Nutrition, a NH trade name owned by Gerber Products Company d/b/a in NH Gerber Products Company Inc., Florham Park, NJ, (previously approved by G&C on 8-23-06, item #83), by increasing the price by $3,850,000 from $9,583,796 to $13,433,796, and by extending the completion date to September 30, 2010, **retroactive** to October 1, 2009. The price limitation is the amount the WIC Program receives in rebates from Nestle Infant Nutrition for infant formula purchased with food instruments issued by the WIC Program. **100% Other (Infant Formula & Rebates) Funds.**

#63 Authorized Bureau of Community Health Services, Maternal and Child Health Section to exercise a contract renew and amend option with Community Action Program Belknap and Merrimack Counties Inc., Concord, NH, (previously approved by G&C on 6-13-07, item #226), 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.**

#64 Authorized Bureau of Community Health Services, Maternal and Child Health Section to exercise a contract renew and amend option with The HUB Family Support Center, Dover, NH, (previously approved by G&C on 6-13-07, item #227), 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.**

#65 Authorized Bureau of Community Health Services, Maternal and Child Health Section to exercise a contract renew and amend option with Visiting Nurse Association – Hospice of Southern Carroll County and Vicinity Inc., Wolfeboro, NH, (previously approved by G&C on 6-13-07, item #231), 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.**

#66 Authorized Bureau of Community Health Services, Maternal and Child Health Section to exercise a contract renew and amend option with Families First of the Greater Seacoast, Portsmouth, NH, (previously approved by G&C on 5-16-07, item #100), 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.**

#67 Authorized Bureau of Community Health Services, Maternal and Child Health Section to exercise a contract renew and amend option with Monadnock Family Services, Keene, NH, (previously approved by G&C on 6-13-07, item #225), 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.**

#68 Authorized Bureau of Community Health Services, Maternal and Child Health Section to exercise a contract renew and amend option with Weeks Medical Center, Lancaster, NH, (previously approved by G&C on 6-13-07, item #232), 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.**

#69 Authorized Bureau of Community Health Services, Maternal and Child Health Section to exercise a contract renew and amend option with Child and Family Services of NH, Manchester, NH, (previously approved by G&C on 6-27-07, item #248), to provide home visiting services, by increasing the price by $156,760 from $313,520 to $470,280, and by extending the completion date to June 30, 2010, effective **retroactive** to July 1, 2009. **52% Federal, 48% General Funds.**

#70 Authorized Community Public Health Development Section to amend a **sole source** agreement with Sullivan County, Newport, NH, (previously approved by G&C on 8-19-09, item #174), to improve readiness for, and response to, the H1N1 influenza pandemic, by increasing the price by $42,495 from $70,000 to $112,495. (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. Effective **retroactive** to September 9, 2009. **100% Federal Funds.**

#71 Authorized Community Public Health Development Section to amend a **sole source** agreement with Health First Family Care Center, Franklin, NH, as the fiscal agent for the Caring Community Network of the Twin Rivers, (previously approved by G&C on 8-19-09, item #170), to improve readiness for, and response to, the H1N1 influenza pandemic, by increasing the price by $42,495 from $75,000 to $117,495. (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. Effective **retroactive** to September 9, 2009. **100% Federal Funds.**

#72 Authorized Community Public Health Development Section to amend a **sole source** agreement with Northern Strafford County Health and Safety Council, Rochester, NH, (previously approved by G&C on 8-19-09, late item #B), to improve readiness for, and response to, the H1N1 influenza pandemic, by increasing the price by $42,495 from $86,882 to $129,337. (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. Effective **retroactive** to September 9, 2009. **100% Federal Funds.**

#73 Authorized Community Public Health Development Section to amend a **sole source** agreement with Cheshire County, Keene, NH, (previously approved by G&C on 6-17-09, item #111), to improve readiness for, and response to, the H1N1 influenza pandemic, by increasing the price by $42,495 from $95,000 to $137,495. (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. Effective **retroactive** to September 9, 2009. **100% Federal Funds.**

#74 Authorized Community Public Health Development Section to amend a **sole source** agreement with Concord Hospital Inc., Concord, NH, (previously approved by G&C on 6-17-09, item #114), to improve readiness for, and response to, the H1N1 influenza pandemic, by increasing the price by $42,495 from $70,000 to $112,495. (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. Effective **retroactive** to September 9, 2009. **100% Federal Funds.**

#75 Authorized Community Public Health Development Section to amend a **sole source** agreement with Lakes Region Partnership for Public Health Inc., Laconia, NH, (previously approved by G&C on 6-17-09, item #113), to improve readiness for, and response to, the H1N1 influenza pandemic, by increasing the price by $42,495 from $70,000 to $112,495. (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. Effective **retroactive** to September 9, 2009. **100% Federal Funds.**

NEW HAMPSHIRE BOARD OF NURSING

#75A The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Shea authorized the request to enter into a **retroactive** contract with Laurel O'Connor, Esq., Derry, NH, for investigative/prosecutorial services in an amount not to exceed $8,175. Effective September 12, 2009 through December 30, 2009. **75% General, 25% Other (Rules Publications and Nursing Assistant Fees) Funds.**

NEW HAMPSHIRE VETERANS HOME

#76 The Governor and Council on motion of Councilor Burton, seconded by Councilor Hollingworth authorized the request to accept and place on file the Annual Report of the NH Veterans Home for the Fiscal Year 2009.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#77 **WITHDRAWN** – The Agency withdrew the request to enter into a contract with Strafford Learning Center, Somersworth, NH, to provide dropout prevention and recovery activities in an amount not to exceed $299,018.71. (2)Further Authorized payment for services rendered and approved in lieu of the withholding 25% of the total value of the contract. Effective upon G&C approval through September 30, 2011. **100% Federal ARRA Funds.**

#78 Authorized to contract with Allyson Vignola, Barnstead, NH, to provide targeted technical assistance services to school districts around the State of NH in an amount not to exceed $50,000. (2)Further Authorized payment for services rendered in lieu of withholding at least 25% of the total value of the contract. Effective upon G&C approval through June 30, 2010, with the option to renew for up to one additional fiscal year. **100% Federal Funds.**

#79 Authorized to contract with Kim Stiles, Rumney, NH, to provide targeted technical assistance services to school districts around the State of NH in an amount not to exceed $47,550. (2)Further Authorized payment for services rendered in lieu of withholding at least 25% of the total value of the contract. Effective upon G&C approval through June 30, 2010, with the option to renew for up to one additional fiscal year. **100% Federal Funds.**

#80 Authorized to contract with Robert L. Wells, Nottingham, NH, to conduct impartial special education complaint investigations in an amount not to exceed $10,000. (2)Further Authorized payment for services rendered in lieu of withholding at least 25% of the total value of the contract. Effective upon G&C approval through June 30, 2010, with the option to renew for up to two additional fiscal years. **100% Federal Funds.**

#80A Authorized to contract with Bruce Thielen, Keene, NH, to provide targeted technical assistance services to school districts around the State of NH in an amount not to exceed $47,550. (2)Further Authorized payment for services rendered in lieu of withholding at least 25% of the total value of the contract. Effective upon G&C approval through June 30, 2010, with the option to renew for up to one additional fiscal year. **100% Federal Funds.**

#80B Authorized to contract with Chris Anderson, Manchester, NH, to provide targeted technical assistance services to school districts around the State of NH in an amount not to exceed $47,550. (2)Further Authorized payment for services rendered in lieu of withholding at least 25% of the total value of the contract. Effective upon G&C approval through June 30, 2010, with the option to renew for up to one additional fiscal year. **100% Federal Funds.**

NEW HAMPSHIRE LOTTERY COMMISSION

#81 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to accept and place on file the annual report for the fiscal year ended June 30, 2009.

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#82 Authorized Division of State Police to enter into a two year contract with Banks Chevrolet Cadillac Inc., Concord, NH, for the reconditioning and transport of cruisers, before auction, in an amount not to exceed $37,080. Effective upon G&C approval through June 30, 2011, with the option to renew for two, two year terms with no more than a 5% increase per term. **87.33% Highway, 12.67% Turnpike Funds.**

#83 Authorized Division of Homeland Security and Emergency Management to enter into grant agreements with the applicants as detailed in letter dated September 15, 2009, for the total amount of $156,340.62, for activities associated with enhancing local all-hazard planning. Effective upon G&C approval through September 30, 2010. **100% Federal Funds.**

#83A Authorized Division of Motor Vehicles to enter into a contract with Grafton County, North Haverhill, NH, for parking lot space and classroom space for the Motorcycle Rider Training program in an amount not to exceed $7,500. Effective upon G&C approval through December 31, 2011. **100% Agency Income.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#84 Authorized Bureau of Environment to enter into an agreement with Stantec Consulting Services Inc., Auburn, NH, for on-call services for a Statewide Underground Storage Tank Management Program in the amount of $500,000. Effective upon G&C approval through October 31, 2014. **100% Capital Funds.**

#85 Authorized to enter into a contract with Advance Transit Inc., Wilder, VT, to administer a feasibility study to determine needed bus stop improvements in the City of Lebanon, NH in the amount of $24,000. Effective upon G&C approval through September 30, 2011. **100% Federal Funds.**

#86 Authorized Bureau of Highway Design to enter into an agreement with Wilbur Smith Associates, New Haven, CT, for on-call Turnpike-related consulting services in the amount of $500,000. Effective upon G&C approval through September 30, 2012. **100% Turnpike Funds.**

#87 Authorized Bureau of Construction to amend a contract with R.S. Audley Inc., Bow, NH, (previously approved by G&C on 11-19-08, item #184), for complete replacement of two bridges on the State's Red List that carry Island Pond Road over I-93 northbound and southbound in City of Manchester, by increasing the amount by $400,000 from $5,966,233.94 to $6,366,233.94. Effective upon G&C approval. **80% Federal, 20% State Highway Funds.**

#88 Authorized Bureau of Aeronautics to award a grant to the Pease Development Authority, for AIP-42, to purchase noise-monitoring equipment for the Portsmouth International Airport at Pease in the amount of $42,997.50. Effective upon G&C approval through September 30, 2013. **97.44% Federal, 2.56% General Funds.**

#89 Authorized Bureau of Aeronautics to amend a grant to provide funding to the City of Lebanon, NH, for AIP-37 for the design and construction administration for additional airfield electrical improvements at the Lebanon Municipal Airport in the amount of $16,310. Effective upon G&C approval through September 30, 2013. **97.44% Federal, 2.56% General Funds.**

#90 Authorized Bureau of Materials & Research to enter into a **sole source** contract with Advanced Technical Support Inc., Bordentown, NJ, for the calibration and preventative maintenance of the Department's tow ATS Viscotech dynamic shear rheometers in the amount of $14,437.50. (2)Further Authorized advanced payment in the amount of $7,218.75 per year. Effective upon G&C approval through July 31, 2011. **80% Federal, 20% Highway Funds.**

#91 Authorized Bureau of Rail & Transit to enter into a **retroactive** lease agreement with Stephen F. Pearson, Cambridge, MA, for a parcel of land on the State-owned Concord to Lincoln Railroad Line in Belmont for $1,925 per year. Effective June 24, 2009 through June 30, 2010.

#92 Authorized Bureau of Construction to enter into a contract with R.S. Audley, Inc., Bow, NH, for the reconstruction of the Interstate 89 Exit 20 interchange with NH 12A in Lebanon, on the basis of a low bid of $20,297,891. (2)Further Authorized a contingency in the amount of $1,014,894.55 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through October 5, 2012. **80% Federal, 20% Highway – 100% Federal ARRA Funds.**

LATE ITEMS

TRANSPORTATION

A. Authorized the Department of Transportation to enter into a contract with Pike Industries, Inc. of Londonderry NH on the basis of a low bid of $7,433,776.00 for construction of a portion of the roadway improvements as part of the overall Hampton Toll Plaza Open Road Tolling Project (HTPORT) in the Towns of Hampton and North Hampton, from the date of G&C approval though July 30, 2010. 2) Further Authorized a contingency in the amount of $371,688.80 be approved for payment of latent conditions, which may appear during the construction of the project. **100% Turnpike Funds.**

HEALTH AND HUMAN SERVICES

B. Authorized DHHS, Division of Public Health Services (DPHS), Bureau of Disease Control, Immunizations Program, to accept and expend federal funds in the amount of $603,603 from the CDC though ARRA of 2009 to fund the Immunization Initiative effective date of G&C approval though June 30, 2011 with authority to adjust amounts if needed and justified, between State Fiscal Years and further Authorized the funds to be allocated as detailed in the letter dated September 23, 2009. **100% Federal Funds. ARRA Funds.**

HEALTH AND HUMAN SERVICES

C. Authorized DHHS, Division of Public Health Services (DPHS), Bureau of Disease Control, Immunizations Section to enter into an agreement with Mid-State Health Center of Plymouth to serve as a regional sponsoring site on behalf of the New Hampshire Immunization Program **retroactive** from September 23, 2009 through June 30, 2011 in an amount not to exceed $64,303. **100% Federal Funds. ARRA Funds.**

HEALTH AND HUMAN SERVICES

D. Authorized DHHS, Division of Public Health Services (DPHS), Bureau of Disease Control, Immunizations Section to enter into an agreement with Health First Family Care Center of Franklin as the fiscal agent for Caring Community Network of the Twin Rivers, to serve as a regional sponsoring site on behalf of the New Hampshire Immunization Program **retroactive** from September 23, 2009 through June 30, 2011 in an amount not to exceed $77,800. **100% Federal Funds. ARRA Funds.**

HEALTH AND HUMAN SERVICES

E. Authorized DHHS, Division of Public Health Services (DPHS), Bureau of Disease Control, Immunizations Section to enter into an agreement with Mascoma Valley Health Initiative of Canaan to procure services of a local organization to serve as a regional sponsoring site on behalf of the New Hampshire Immunization Program **retroactive** from September 23, 2009 through June 30, 2011 in an amount not to exceed $115,000. **100% Federal Funds. ARRA Funds.**

HEALTH AND HUMAN SERVICES

F. Authorized DHHS, Division of Public Health Services (DPHS), Bureau of Disease Control, Immunizations Section to enter into an agreement with Lakes Region Partnership for Public Health of Laconia, to serve as a regional sponsoring site on behalf of the New Hampshire Immunization Program **retroactive** from September 23, 2009 through June 30, 2011 in an amount not to exceed $115,000. **100% Federal Funds. ARRA Funds.**

HEALTH AND HUMAN SERVICES

G. Authorized DHHS, Division of Public Health Services (DPHS), Bureau of Disease Control, Immunizations Section to enter into an agreement with North Country Health Consortium of Whitefield, to serve as a regional sponsoring site on behalf of the New Hampshire Immunization Program **retroactive** from September 23, 2009 through June 30, 2011 in an amount not to exceed $115,000. **100% Federal Funds. ARRA Funds.**

HEALTH AND HUMAN SERVICES

H. Authorized DHHS, Division of Community Based Care Services, Bureau of Developmental Services, to accept and expend Part C IDEA Infants & Toddlers federal funds in the amount of $2,398,294 from the US Department of Education, Office of Special Education though ARRA of 2009 effective **retroactive** from September 1, 2009 through September 30, 2011 and further Authorized the funds to be allocated as detailed in the letter dated September 15, 2009. **100% Federal Funds. ARRA Funds.**

HEALTH AND HUMAN SERVICES

I. Authorized DHHS, Division of Community Based Care Services, Bureau of Developmental Services, to enter into an agreement with Easter Seals New Hampshire, Inc. of Manchester to provide administrative support, under the supervision of the Bureau of Developmental Services, for management and distribution of Part C IDEA ARRA Funds for services to Infants & Toddlers with disabilities, not to exceed the amount of $2,395,896.00. Effective for the period **retroactive** from September 1, 2009 through September 30, 2011. **100% Federal Funds. ARRA Funds.**

HEALTH AND HUMAN SERVICES

J. Authorized DHHS, Division of Public Health Services, Community Public Development Section to enter into a **sole source** amendment with Carroll County Coalition for Public Health of Center Ossipee, by increasing the price limitation by $42,495 from $70,000 to $112,495, to improve readiness for, and response to, the H1N1 influenza pandemic, to be effective **retroactive** to September 9, 2009. This agreement was originally approved by G&C on July 15, 2009, Late Item E. 2) Further Authorized an advance payment in State Fiscal Year 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.**

HEALTH AND HUMAN SERVICES

K. Authorized DHHS, Division of Public Health Services, Community Public Development Section to enter into a **sole source** amendment with the City of Portsmouth, by increasing the price limitation by $42,495 from $70,000 to $112,495, to improve readiness for, and response to, the H1N1 influenza pandemic, to be effective **retroactive** to September 9, 2009. This agreement was originally approved by G&C on June 17, 2009, Item #108. 2) Further Authorized an advance payment in State Fiscal Year 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.**

HEALTH AND HUMAN SERVICES

K-1. Authorized DHHS, Division of Public Health Services, Community Public Development Section to enter into a **sole source** amendment with the Town of Derry, by increasing the price limitation by $42,495 from $70,000 to $112,495, to improve readiness for, and response to, the H1N1 influenza pandemic, to be effective **retroactive** to September 9, 2009. This agreement was originally approved by G&C on June 17, 2009, Item #112. 2) Further Authorized an advance payment in State Fiscal Year 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.**

HEALTH AND HUMAN SERVICES

L. Authorized DHHS, Division of Public Health Services, Community Public Development Section to enter into a **sole source** amendment with Manchester Health Department, by increasing the price limitation by $42,495 from $479,000 to $521,495, to improve readiness for, and response to, the H1N1 influenza pandemic, to be effective **retroactive** to September 9, 2009. This agreement was originally approved by G&C on August 19, 2009, Item # 171. 2) Further Authorized an advance payment in State Fiscal Year 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.**

HEALTH AND HUMAN SERVICES

M. Authorized DHHS, Division of Public Health Services, Community Public Development Section to enter into a **sole source** amendment with Mid-State Health Center of Plymouth, by increasing the price limitation by $42,495 from $70,000 to $112,495, to improve readiness for, and response to, the H1N1 influenza pandemic, to be effective **retroactive** to September 9, 2009. This agreement was originally approved by G&C on June 17, 2009, Item #110. 2) Further Authorized an advance payment in State Fiscal Year 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.**

ENVIRONMENTAL SERVICES

N. Authorized DES to approve a loan agreement with Silver Lake Land Trust to finance renovation of a boat launch and parking areas, as well as several dirt footpaths a the southern end of Silver Lake totaling $115,000. Effective upon G&C approval. **41.5% CWSRF, 8.5% Capital Funds, 50% Federal ARRA Funds.**

ENVIRONMENTAL SERVICES

O. Authorized DES to approve a loan agreement with Public Water Systems detailed in letter dated September 28, 2009 to finance water improvements projects totaling $474,000. Effective upon G&C approval. **40% Federal Funds, 10% Capital Funds, 50% Federal ARRA Funds.**

Next Governor and Executive Council meeting is scheduled for Wednesday, October 21, 2009 at 10:00 a.m. in Walpole, New Hampshire.

The Honorable Board then Adjourned at 10:40 a.m.