

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
February 15, 2017 10:00 a.m.

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

Today's pre-meeting ceremonial items included:

- Pledge of Allegiance by Councilor Prescott; and
- A Citation for Administrative Services Budget Office.

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The Governor and Executive Council on motion of Councilor Kenney, seconded by Councilor Pappas voted to approve the minutes of February 1, 2017.

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The Governor and Executive Council, on motion of Councilor Kenney, seconded by Councilor Pappas, approved the appointment of several persons nominated for Civil Commissions from the February 1, 2017 meeting.

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

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RESIGNATIONS

The Governor and Council accepted the following resignations:

Associate Justice of the New Hampshire Supreme Court

Carol Ann Conboy, Concord

Effective: July 1, 2017

Deputy Commissioner for the NH Banking Department

Ingrid White, Bow

Effective: February 16, 2017

ITEM REMOVED FROM THE TABLE

The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Kenney voted to remove the following confirmation - which was tabled at the February 1, 2017 Meeting.

The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Kenney, and with Councilors Volinsky and Pappas voting **no**, confirmed the following:

Commissioner for the Department of Education - RSA 21-N:3

Frank Edelblut, Wilton

Succeeding: Virginia M. Barry

Salary: \$93,759.12

Effective: February 15, 2017

Term: March 23, 2017

CONFIRMATIONS

The Governor and Council confirmed the following:

Medical Review Subcommittee - RSA 329:17-V (a)

Joseph N. Bautista, Exeter

Succeeding: Ira S. Schwartz, New Castle

Effective: February 15, 2017

Term: January 1, 2020

Medical Review Subcommittee - RSA 329:17-V (a)
Joan C. Barthold, Lyme
Succeeding: David C. Conway, Henniker
Effective: February 15, 2017
Term: December 3, 2019

NH Motor Vehicle Industry Board - RSA 357-C:12
Lawrence J. Blaney, Manchester
Reappointment
Effective: February 15, 2017
Term: January 9, 2021

Board of Licensed Dietitians - RSA 326-H
Dena B. Shields, Newbury
Succeeding: Audrey L. Anastasia, New Boston
Effective: February 15, 2017
Term: December 6, 2019

Manufactured Housing Installation Standards Board - RSA 205-D:2
(Nominated by the NH Association of Fire Chiefs)
Deputy Chief John T. Powers Jr., Dover
Succeeding: Kevin J. Breen, Salem
Effective: February 15, 2017
Term: October 3, 2019

Fire Standards and Training Commission - RSA 21-P:26
(Insurance Industry)
(Recommended by the NH Assoc. of Domestic Insurance Companies)
Kerry LeBlanc, Bedford
Reappointment
Effective: February 15, 2017
Term: April 14, 2019

NOMINATIONS

The following nominations were submitted:

Public Water Access Advisory Board - RSA 233-A
(Coastal and Marine Interests)
B. David Bryan, Newmarket
Reappointment
Effective: Upon Confirmation
Term: October 5, 2017

Public Water Access Advisory Board - RSA 233-A
(Governor's Commission on Disability)
Michele L. Tremblay, Penacook
Reappointment
Effective: Upon Confirmation
Term: December 16, 2019

Advisory Council on Unemployment Compensation - RSA 282-A:128
(Employees)
Robert E. Martel, Dunbarton
Reappointment
Effective: Upon Confirmation
Term: March 26, 2020

Board of Licensing for Alcohol and Other Drug Use Professionals - RSA 330-C
(Licensed Alcohol and Drug Abuse Counselor)
Nicholas Pfeifer, Loudon
Succeeding: Cheryl Wilkie, Concord
Effective: Upon Confirmation
Term: January 28, 2020

Speech-Language Pathology Governing Board - RSA 328-F
Carissa J. Magri, Stratham
Succeeding: Maureen Heckman, Gilford
Effective: Upon Confirmation
Term: March 4, 2020

Fire Standards and Training Commission, Department of Safety - RSA 21-P:26
(Rep. Fire Instructors and Officers Association of NH)
William S. Campbell, Amherst
Reappointment
Effective: Upon Confirmation
Term: February 15, 2020

Fire Standards and Training Commission, Department of Safety - RSA 21-P:26

(Rep. NH Permanent Firefighters Association)

Chief Richard P. McGahey, Hooksett

Reappointment

Effective: Upon Confirmation

Term: February 15, 2020

Electricians Board - RSA 319-C:4

(Public Member)

William J. Infantine, Manchester

Succeeding: James Roberts, Hampton

Effective: Upon Confirmation

Term: October 28, 2021

Judicial Retirement Plan Board of Trustees - RSA 100-C

(Business Experience)

(Chair)

Deborah B. Butler, Concord

Reappointment

Effective: Upon Confirmation

Term: November 19, 2019

Judicial Retirement Plan Board of Trustees - RSA 100-C

(Business Experience)

Heather Phillips, Thornton

Succeeding: Jack R. Hutton, Concord

Effective: Upon Confirmation

Term: October 22, 2018

Occupational Therapy Governing Board - RSA 328-F

(Licensed Occupational Therapist)

Olivia R. Freeman, Hudson

Succeeding: Wendi Guillette, Auburn

Effective: Upon Confirmation

Term: January 8, 2020

Recreational Therapy Governing Board - RSA 328-F

(Public Member)

Jacqueline Rzasa, Manchester

Succeeding: Stephany M. Lavallee, Henniker

Effective: Upon Confirmation

Term: January 24, 2018

CONSENT CALENDAR AGENDA

#1 **MOP 150, I, B (1): Expenditure Approvals**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

#A. Councilor Wheeler requested that this item be removed from the consent calendar for discussion. Following discussion, the Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas, and with Councilor Wheeler voting **no**, authorized the Bureau of Human Resource Management to enter Robin Young into an educational tuition agreement with Southern NH University, Manchester, NH, to participate in the courses: Associate of Arts in General Studies with a Concentration in Business; and 24 Completed Projects in the CfA Applied Associates Business Program during the period of July 1, 2017 through December 31, 2017, and to pay said costs in the amount of \$1,500. **66% General, 34% Federal Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

#B. Councilor Wheeler requested that this item be removed from the consent calendar for discussion. Following discussion, the Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas, and with Councilor Wheeler voting **no**, authorized the Bureau of Human Resource Management to enter Marissa Berry into an educational tuition agreement with Granite State College, Concord, NH, to participate in the courses: Integrative English Language and Arts; and Career Development and Life Planning during the period of April 10, 2017 through June 30, 2017, and to pay said costs in the amount of \$1,875. **66% General, 34% Federal Funds.**

INSURANCE DEPARTMENT

#C. Councilor Wheeler requested that this item be removed from the consent calendar for discussion. Following discussion, the Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas, and with Councilor Wheeler voting **no**, authorized to enter Brendhan Harris into an educational tuition agreement with College for America at Southern NH University, to participate in 12 Completed Projects during the period of March 1, 2017 through August 31, 2017, and to pay costs not to exceed \$1,500. **100% Other (Insurance Department Administrative Assessment).**

NEW HAMPSHIRE LOTTERY COMMISSION

#D. Authorized to enter Sandy Goulet into an educational tuition agreement with Southern NH University, Manchester, NH, to participate in online courses: Intermediate Accounting III; Introduction to International Business; and Operations Management during the period of March 6, 2017 through July 7, 2017, and to pay costs not to exceed \$2,592. **Lottery Funds.**

STATE TREASURY

#E. Authorized the Comptroller to issue a warrant from funds not otherwise appropriated in the amount of \$30,263 and the State Treasurer to issue checks in the amount of \$30,262.71 to the rightful owners of abandoned or unclaimed funds.

NEW HAMPSHIRE LOTTERY COMMISSION

#F. Councilor Volinsky requested that this item be removed from the consent calendar for discussion. Following discussion, the Governor and Council on motion of Councilor Kenney, seconded by Councilor Wheeler, authorized payment of membership dues in the amount of \$5,600 to the World Lottery Association of Basel, Switzerland. Effective upon G&C approval through a period of one year. **100% Lottery Funds.**

#2 **MOP 150, I, B (2): Approval of Acceptances**

DEPARTMENT OF SAFETY

#A. Authorized the Division of State Police to accept a donation from a good Samaritan in the amount of \$200 for the purpose of purchasing supplies for the State Police Troop F. Effective upon G&C approval.

DEPARTMENT OF SAFETY

#B. Councilor Kenney requested that this item be removed from the consent calendar for discussion. Following discussion, the Governor and Council on motion of Councilor Kenney, seconded by Councilor Wheeler, authorized the Division of State Police to accept the donation of a remote operational underwater vehicle, six tool kits, and four portable scales with a total value of approximately \$26,638 from the Defense Logistics Agency to be used by the Division of State Police Special Critical Accident Reconstruction Unit, Troop G, and Marine Patrol. Effective upon G&C approval.

#3 **MOP 150, I, B (3): Reports and Findings**

NEW HAMPSHIRE MUNICIPAL BOND BANK

#A. Authorized to accept and place on file the Annual Report for the fiscal year ended June 30, 2016.

DEPARTMENT OF ADMINISTRATIVE SERVICES

#B. Authorized to accept and place on file the Division of Personnel's Sixty-Fifth Annual Report for Fiscal Year 2016.

#4 **MOP 150, I, B (4): Nominations, Confirmations and Appointments**

THE ADJUTANT GENERAL'S DEPARTMENT

#A. Authorized the nomination of Lieutenant Colonel David M. Jaffe, Providence, RI, for promotion to the rank of Colonel, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

#5 **MOP 150, I, B (5): Other Items**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

#A. Authorized the Division for Behavioral Health to amend an existing agreement with National Council on Alcoholism and Drug Dependence/Greater Manchester, Manchester, NH (originally approved by G&C on 6-29-16, item #22), by modifying the staffing requirements with no change to the price of \$480,000 and no change to the completion date of June 30, 2017. **25% General, 75% Federal Funds.**

DEPARTMENT OF SAFETY

#B. **TABLED** - Councilor Wheeler requested that this item be removed from the consent calendar for discussion. Following discussion, the Governor and Council on motion of Councilor Kenney, seconded by Councilor Prescott, **tabled** the request of the Division of Motor Vehicles to amend a contract with Gordon-Darby, Louisville, KY (originally approved by G&C on 4-5-12, item #114), for intelligent test equipment and network for continued support of the State's motor vehicle inspection and maintenance program, by extending the end date from June 30, 2017 to June 30, 2019. No Additional Funding. **Funding for services will be paid by the licensed inspection stations.**

REGULAR AGENDA

BUSINESS FINANCE AUTHORITY

#6 **FAILED** - The Governor and Council on motion of Councilor Prescott, seconded by Councilor Wheeler voted to table this item. At the end of the meeting, the Governor and Council on motion of Councilor Kenney, seconded by Councilor Wheeler voted to remove this item from the table for further discussion, and further on a roll call vote as follows: Councilor Kenney – yes, Councilor Volinsky – **no**, Councilor Prescott – **no**, Councilor Pappas – yes, and Councilor Wheeler – **no, failed** to approve an award of a State Guarantee under RSA 162-A:13-a with respect to a loan from Granite Bank to Atlas PyroVision Entertainment Group, Inc. located in Jaffrey, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Human Resource Management

#7 Authorized to finalize the determination made by the Commissioner that on November 13, 2016 Karrie Lovejoy, a Registered Nurse II at the NH Hospital sustained an injury in the line of duty due to a hostile or overt act, or an act caused by another during the performance of duties which are considered dangerous in nature. Effective upon G&C approval.

Bureau of Facilities and Assets Management

#8 Authorized to enter into a **retroactive sole source** amendment to the existing lease with the City of Rochester, NH (originally approved by G&C on 6-22-05, item #317A), for continued occupation by the Rochester District Office, by increasing the price in the amount of \$467,925 to \$3,590,987.50 from \$3,123,062.50, and by extending the term from December 31, 2016 to August 31, 2018, effective **retroactive** to January 1, 2017. **60% General, 40% Federal Funds.**

Office of Human Services

#9 Authorized the Division of Child Support Services to enter into an agreement with Experian Information Solutions Inc., Costa Mesa, CA, for the provision of credit reporting services in an amount not to exceed \$72,000. Effective upon G&C approval through June 30, 2020. **66% Federal, 34% General Funds.**

Division for Children, Youth and Families

#10 Authorized to accept and expend private funds for Spark NH, Early Childhood Advisory Council. This request is **retroactive** as a portion of the funds (50%, or \$10,000 of \$20,000) will be used to pay for expenses incurred prior to the G&C's approval due to the lateness of the award date relative to the timing of the expenses. G&C approval is required as a stipulation of Executive Order 2011-03. The Department is required by the Order to submit requests on behalf of Spark NH, Early Childhood Council. This request is in the amount of \$20,000 comprised of two separate awards of \$10,000 each from the NH Charitable Foundation. Acceptance of the two awards is to be effective upon G&C approval. **100% Other (Private Grant) Funds.**

Bureau of Elderly & Adult Services

#11 Authorized to enter into a **retroactive** agreement with Northern NH Healthcare Collaborative d/b/a Northwoods Home Health & Hospice, for the provision of In Home Care Services, In Home Health Aide Level of Care Services, and In Home Nursing Level of Care Services, in an amount not to exceed \$542,538.50. Effective January 1, 2017 through September 30, 2018. **43% Federal, 57% General Funds.**

Division of Public Health Services

#12 Authorized to enter into a **sole source** agreement with the Association for Professionals in Infection Control and Epidemiology, Arlington, VA, to enhance statewide infectious disease readiness and build on infection prevention infrastructure across the continuum of care, in an amount not to exceed \$330,000. Effective upon G&C approval through December 31, 2017. **100% Federal Funds.**

#13 Authorized to amend an existing agreement with the Community Health Access Network Inc., Newmarket, NH (originally approved by G&C on 1-28-15, item #13), to continue to coordinate and implement diabetes, hypertension, asthma, and cancer health systems interventions to improve prevention, early detection, and management of these chronic diseases, by increasing the price by \$47,000 from \$1,194,881 to an amount not to exceed \$1,241,881. Effective upon G&C approval through the original completion date of June 30, 2018. **100% Federal Funds.**

#14 Authorized with Councilor Wheeler voting **no**, to exercise a renewal option to an existing agreement with Keene State College, Keene, NH (originally approved by G&C on 3-13-15, item #11), for the provision of nutrition consultation and to implement a statewide Healthy Eating and Sodium Reduction project, by increasing the price by \$99,300 from \$297,900 to \$397,200 and by extending the completion date from June 30, 2017 to June 30, 2018. **100% Federal Funds.**

Division of Client Services

#15 Authorized to enter into **sole source** agreements with the vendors as detailed in letter dated November 22, 2016, for the provision of disability determination services, in an amount not to exceed \$261,700. Effective upon G&C approval or July 1, 2017 whichever is later, through June 30, 2018. **71% Federal, 29% General Funds.**

New Hampshire Hospital

#15A Authorized to accept and expend \$25,000 in additional operating funds for the purpose of promoting employee educational opportunities. Effective upon G&C approval until the entire balance is expended.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#16 Authorized the Division of Operations to transfer \$6,265,000 from Highway Surplus to fund winter maintenance activities. Effective upon G&C approval through June 30, 2017. **100% Highway Funds. Contingent upon Fiscal Committee approval on February 17, 2017.**

#17 Authorized the Bureau of Highway Design to amend a contract with Parsons Brinckerhoff Inc., New York, NY, and Manchester, NH, to complete the final design of the roadway and bridges comprising the northern section of the Salem-Manchester I-93 improvement project beginning in the Town of Windham and ending in the City of Manchester, by decreasing the total amount payable by \$21,412.80 from \$11,643,998.53 to \$11,622,585.73 for reduced design services that were in the original scope of work. Effective upon G&C approval through the original completion date of February 18, 2018. (2)Further authorized to use \$344,383.12 in Non-Participating funds versus GARVEE funds. **100% Other Funds.**

#18 Authorized the Bureau of Right of Way to transfer 0.201 +/- of an acre parcel of State owned land located on the northerly side of NH Route 101 in the Town of Bedford to 209 Route 101 Realty LLC for the impacts necessary to build the Bedford 13953 NH Route 101 reconstruction project which includes .07 +/- of an acre of commercial land, 1594 square feet of Temporary Slope Easement/Driveway, Landscape & Site Improvements located on the easterly side of Wallace Road and \$22,000 dollars. Effective upon G&C approval. Originally purchase with 80% Federal, 20% Highway Funds.

#19 Authorized the Bureau of Rail and Transit to sell a 7,330 square foot parcel of State-owned land located on the Northern Railroad Corridor in the Town of Danbury to Douglas Colby for \$1,800 and the one time administrative fee of \$1,100. Effective upon G&C approval.

#20 Authorized the Division of Project Development to accept and expend revenue in the amount of \$20,000 from the Department of Environmental Services Oil Discharge and Disposal Cleanup Fund to develop Limited Reuse Soils protocols. Effective upon G&C approval through June 30, 2017. **100% Agency Income.**

#21 Authorized the Bureau of Right of Way to pay property owners \$52,255 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from December 20, 2016 through January 11, 2017. Effective upon G&C approval.

#22 Authorized the Bureau of Construction to enter into a contract with Weaver Bros., Construction Company Inc., Bow, NH, for reconstruction of I-93 northbound and southbound, on the basis of a low bid of \$34,221,205.20. (2)Further authorized a contingency in the amount of \$1,026,636.16 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through August 2, 2019. **100% Federal Funds.**

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#23 Authorized to amend the **sole source** contract agreement with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH (originally approved by G&C on 8-3-16, item #28), for the repair or replacement of malfunctioning heating systems in low income households receiving weatherization services, by increasing the amount by \$123,440 from \$90,523 to \$213,963. Effective upon G&C approval through June 30, 2017. **100% Federal Funds (US DHHS/LIHEAP).**

#24 Authorized to amend the **sole source** contract agreement with Tri-County Community Action Program Inc., Berlin, NH (originally approved by G&C on 8-3-16, item #26), for the repair or replacement of malfunctioning heating systems in low income households receiving weatherization services, by increasing the amount by \$162,358 from \$119,062 to \$281,420. Effective upon G&C approval through June 30, 2017. **100% Federal Funds (US DHHS/LIHEAP).**

#25 Authorized to amend the **sole source** contract agreement with Southern NH Services Inc., Manchester, NH (originally approved by G&C on 8-3-16, item #25), for the repair or replacement of malfunctioning heating systems in low income households receiving weatherization services, by increasing the amount by \$317,946 from \$213,108 to \$531,054. Effective upon G&C approval through June 30, 2017. **100% Federal Funds (US DHHS/LIHEAP).**

#26 Authorized to amend the **sole source** contract agreement with Southwestern Community Services Inc., Keene, NH (originally approved by G&C on 8-3-16, item #27), for the repair or replacement of malfunctioning heating systems in low income households receiving weatherization services, by increasing the amount by \$75,197 from \$75,197 to \$150,394. Effective upon G&C approval through June 30, 2017. **100% Federal Funds (US DHHS/LIHEAP).**

#27 Authorized to amend the **sole source** contract agreement with Community Action Partnership of Strafford County Inc., Dover, NH (originally approved by G&C on 8-3-16, item #24), for the repair or replacement of malfunctioning heating systems in low income households receiving weatherization services, by increasing the amount by \$71,059 from \$52,110 to \$123,169. Effective upon G&C approval through June 30, 2017. **100% Federal Funds (US DHHS/LIHEAP).**

DEPARTMENT OF CULTURAL RESOURCES

#28 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas, authorized the Division of Historic Resources to accept a Term Historic Preservation Easement consisting of the real property and structure situated thereon, known as Castle in the Clouds (aka Lucknow Estate), Moultonborough, NH, and no appraised value, from Castle Preservation Society for the term of twenty years from G&C approval.

THE ADJUTANT GENERAL'S DEPARTMENT

#29 The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Pappas, authorized to execute a **sole source** amendment to a contract with Dignard Architectural Services, Bedford, NH (originally approved by G&C on 6-24-15, item #109), for Professional Architectural Services for planning and design of various projects as necessary and required by the Department, by increasing the amount by \$150,000 from \$400,000 to an amount not to exceed \$550,000. Effective upon G&C approval through June 30, 2017.

INSURANCE DEPARTMENT

#30 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas, authorized to enter into a contract with Regulatory Insurance Advisors LLC, Lincoln, NE, for consulting services, in the amount of \$45,895.50. Effective upon G&C approval through June 30, 2017. **100% Federal Funds.**

PUBLIC UTILITIES COMMISSION

#31 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Pappas, authorized to enter into a **retroactive sole source** contract amendment with Williams Consulting Inc., Saint Johns, FL (originally approved by the Attorney General's Office on 5-24-16), for utility engineering and/or technical consulting services, by increasing the amount by \$90,000 from \$100,000 to \$190,000, and by extending the completion date to December 31, 2017 from December 31, 2016. **100% Utility Assessment.**

OFFICE OF CONSUMER ADVOCATE

#32 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Volinsky, authorized to continue membership and participation in the National Association of State Utility Consumer Advocates, in the amount of \$3,157. Effective **retroactive** to January 1, 2017 through December 31, 2017. **100% Other Funds (Utilities Assessments).**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#33 Authorized the Division of Parks and Recreation to enter into a **sole source retroactive** amendment to the contract with The Aulson Company LLC, Methuen, MA (originally approved by G&C on 8-3-16, item #44), for roof replacement on multiple buildings at Franconia Notch State Park, by increasing the amount by \$28,485 from \$127,960 to \$156,445, and by extending the completion date to June 30, 2017 from October 31, 2016. **100% Capital Funds.**

#34 Authorized the Division of Forests and Lands to enter into a contract with B. Davis Construction Company LLC, Jaffrey, NH, for building improvements to the North Country Resource Center located in Lancaster, NH, in the amount of \$186,727. Effective upon G&C approval through June 29, 2017. **100% Capital Funds.**

#35 Authorized the Division of Forests and Lands to purchase 288 acres of working forestland known as the “Heon Tract” abutting Cape Horn State Forest in the Town of Northumberland from The Nature Conservancy, Concord, NH, in the amount of \$100,000. Effective upon G&C approval. **100% Forest Improvement Funds.**

#36 Authorized the Division of Forests and Lands to enter into a lease agreement with NH #1 Rural Cellular Inc., Chicago, IL, for equipment and antenna space in designated areas at Kearsarge Mountain in Kearsarge Mountain State Forest. Effective upon G&C approval through February 14, 2022, with the option to renew for three additional 5-year periods. (2)Further authorized to accept annual rental payments of: \$39,967.32 for 2017; \$41,166.36 for 2018; \$42,401.40 for 2019; \$43,673.40 for 2020; and \$44,983.56 for 2021. The rental payments are based on a 3% yearly increase detailed in the terms of the lease and will be deposited in to the Communications Sites Fund account.

#37 Authorized the Division of Forests and Lands to enter into a newly enacted lease agreement with Northeast Wireless Networks LLC, Falmouth, ME, for equipment and antenna space in designated areas at Cannon Mountain in Franconia Notch State Park. Effective upon G&C approval through December 31, 2021, with the option to renew for three additional 5-year periods. (A prior lease was approved by G&C on 1-14-15, item #22 for a 5-year period from 1-1-15 through 12-31-19). (2)Further authorized to accept annual rental payments of: \$39,583.44 for 2017; \$40,770.94 for 2018; \$41,994.07 for 2019; \$43,253.89 for 2020, and \$44,551.51 for 2021. The rental payments are based on a 3% yearly increase detailed in the terms of the lease and will be deposited in to the Tower Fund account.

#38 Authorized the Division of Economic Development’s Office of International Commerce to enter into a **retroactive** contract amendment with Wedu Inc., Manchester, NH (originally approved by G&C on 3-9-16, item #72, in the amount of \$100,000), to provide a marketing strategy and streamlined website for the NH Aerospace and Defense Export Consortium, in compliance with a grant awarded by the US Department of Defense through the Office of Economic Adjustment, by extending the completion date from September 30, 2016 to December 31, 2016. No Additional Funding. **100% Federal Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#39 Authorized to make a **retroactive** payment of Prior Year expenses for membership dues to the Association of Clean Water Administrators, Washington, DC, in the amount of \$10,932. Effective July 1, 2015 through June 30, 2016. **100% Federal Funds.**

#40 Authorized with Councilor Wheeler voting **no**, to accept and expend federal funds in the amount of \$99,247 from the US Environmental Protection Agency for implementation of the Wetland Program Development Grant: Building Climate Change Resiliency in NH by Prioritizing Wetland and Stream Mitigation Opportunities. Effective upon G&C approval through March 31, 2018. **100% Federal Funds.**

#41 Authorized to enter into a memorandum of agreement with the NH Fish and Game Department, to conserve two parcels of land containing approximately 149 acres of land in Londonderry, in the amount of \$400,000. Effective upon G&C approval through December 31, 2017. **100% ARM Funds.**

#42 NOT USED

#43 Authorized with Councilor Prescott abstaining, a loan agreement with the City of Claremont, NH, in the amount not to exceed \$500,000 to finance water system improvements. Effective upon G&C approval. **100% Drinking Water State Revolving Loan Fund Repayment Funds.**

#44 Authorized to amend a **retroactive sole source** contract with ALS Group USA Corp., Houston, TX (originally approved by G&C on 5-4-16, item #68A), to continue to provide analysis of drinking water and groundwater samples for perfluorooctanoic acid (PFOA) and related perfluorinated compounds to assist DES in evaluating the presence of PFOA and related compounds in drinking water sources, by increasing the amount by \$190,000 from \$400,000 to \$590,000, and by extending the end date to March 31, 2017 from December 31, 2016. **16% Federal, 84% Other Funds.**

#45 Authorized Waterfront Marine Holdings LLC's request for a permit time extension to perform work on Lake Winnepesaukee in Laconia.

#46 Authorized Quinby's Point Boat Club's request for a permit time extension to perform work on Lake Winnepesaukee in Laconia.

#47 Authorized Roy and Barbara Putnam Revocable Trust's request to perform work on Lake Winnepesaukee in Moultonborough.

#47A Authorized to enter into a contract with Eurofins Lancaster Laboratory Environmental LLC, Lancaster, PA, to provide sampling containers and analyze drinking water and groundwater samples for perfluorooctanoic acid and related perfluorinated compounds (PFCs) to evaluate the presence of PFCs in groundwater and drinking water sources, in the total amount of \$410,000. Effective upon G&C approval through June 30, 2021. **2% Federal, 12% Drinking Water State Revolving Loan, 86% Hazardous Waste Cleanup Funds.**

DEPARTMENT OF EDUCATION

#48 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Pappas, authorized to amend a **sole source** contract with The Upper Room, A Family Resource Center, Derry, NH, to take the lead role in identifying teen father needs and the gaps in current resources, by increasing the price in the amount of \$7,550.80 from \$24,070 to \$31,620.80. Effective upon G&C approval through June 30, 2017, with the option to renew for up to two additional one-year terms. **100% Federal Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#49 Authorized with Councilor Wheeler voting **no**, a salary increase for unclassified position 9U371, from letter grade GG, step 6, to letter grade HH, step 6 for Deborah Pendergast, Director of Fire Standards & Training and Emergency Medical Services, in the amount of \$8,925.80, from the current salary of \$100,035.52 to a new annual salary of \$108,961.32.

#50 Authorized the Office of Highway Safety to enter into a **sole source** contract with AAA Northern New England, Portland, ME, to coordinate the "Move Over" public service announcement dedicated to highway safety, in the amount of \$28,000. Effective upon G&C approval through September 30, 2017. **100% Federal Funds.**

#51 Authorized with Councilor Prescott abstaining, the Division of State Police to **retroactively** enter into a contract with Gilford Well Company Inc., Gilford, NH, for well and water treatment and management services at Marine Patrol, in an amount not to exceed \$12,308. Effective January 1, 2017 to December 31, 2019. **100% Revolving Funds.**

DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

#52 Authorized to accept and expend a grant from the US Department of Justice, Office of Justice Programs, National Institute of Justice in the amount of \$41,120 entitled Coverdell Science Improvement Act Grant for the purpose of improving the timeliness of forensic and medical examiner services. Effective upon G&C approval through June 30, 2017. **100% Federal Funds. Fiscal Committee approved as amended January 13, 2017.**

#53 Authorized to conduct two advanced training conferences entitled "Conducting Trauma Informed Domestic Violence Investigations" to be held April 10, 2017 at the Fire Academy in Concord, NH, and on April 11, 2017 at The Mountain Club on Loon in Lincoln NH, at a cost not to exceed \$5,616. Effective upon G&C approval through May 31, 2017. **100% Federal Funds.**

#54 Authorized to accept and expend \$30,000 through a memorandum of agreement from the University of NH Prevention Innovations Research Center in exchange for educational and planning services related to college campus sexual assault prevention guidelines. Effective upon G&C approval through June 30, 2020. **100% Agency Income.**

#55 Authorized to conduct a two-day advanced conference entitled “2017 Partnering for a Future Without Violence” to be held October 25-26, 2017 at LBO Holdings d/b/a Attitash Grand Summit Hotel in Bartlett NH at a cost not to exceed \$48,545.20. Effective upon G&C approval through December 31, 2017. **36% Agency Income, 64% Federal Funds.** (2)Further authorized to accept and expend registration fees for the conference in the amount of \$17,500 to consist of \$50 from each of an estimated 350 attendees to help defray the cost of the conference. Effective upon G&C approval through December 31, 2017. (3)Further authorized to enter into an agreement with LBO Holdings d/b/a Attitash Grant Summit in Bartlett, NH, for the purpose of providing necessary conference facilities and services for the two-day advanced training conference, in an amount not to exceed \$28,545.20. Effective upon G&C approval through November 26, 2017. **100% Federal Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#56 Authorized, on behalf of the Department of Health and Human Services, to sell the State-owned land, buildings, and other improvements located at 1234 River Road, Manchester to Lubavitch of NH for \$625,500, plus a \$1,100 administrative fee. Effective upon G&C approval. (2)Further authorized to pay 6% of the gross proceeds from the foregoing sale (amount to \$37,530) to The Norwood Group Inc., (d/b/a NAI Norwood Group), Bedford, NH, as its commission for real estate brokerage and marketing services provided with respect to the Property. Effective upon G&C approval. **100% Net Proceeds from Sale (General Funds).**

#57 Authorized the Division of Public Works Design and Construction to enter into a contract with Turnstone Corporation, Milford, NH, for the HVAC Upgrades at Materials and Research Building at 7 Hazen Drive, Health and Human Services Building at 29 Hazen Drive and Archives Building at 71 South Fruit St., Concord, NH, for a price not to exceed \$393,200. Effective upon G&C approval through September 29, 2017. **6% General – Highway, 12% General – Operating, 82% General Capital Funds.** (2)Further authorized the amount of \$19,673 for payment to the Department of Administrative Services, Division of Public Works Design and Construction, for engineering services provided, bringing the total to \$412,873. **85% General – Capital, 15% General – Operating Funds.**

#58 Authorized the Division of Personnel’s **retroactive** request for waiver of classification decisions. Effective upon G&C approval.

#59 Authorized to accept and place on file the Final Report of the Laconia State School Property Advisory Committee.

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ITEM REMOVED FROM THE TABLE

The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Kenney voted to remove the following confirmation - which was tabled at the February 1, 2017 Meeting.

The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Kenney, and with Councilors Volinsky and Pappas voting **no**, confirmed the following:

Commissioner for the Department of Education - RSA 21-N:3

Frank Edelblut, Wilton

Succeeding: Virginia M. Barry

Salary: \$93,759.12

Effective: February 15, 2017

Term: March 23, 2017

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The Next regular Governor and Executive Council meeting is scheduled for Wednesday March 8, 2017, at the State House, Concord, New Hampshire

Honorable Board then Adjourned at 12:20 p.m.