

GOVERNOR AND EXECUTIVE COUNCIL MINUTES  
Rochester Opera House, Rochester, New Hampshire  
August 8, 2018 10:00 a.m.

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

Today's pre-meeting ceremonial items included:

- Katie O'Connor, Rochester Poet Laureate read an original poem.
- Rochester Police Chief Paul Toussaint & Fire Chief Mark Klose lead the Pledge of Allegiance
- Performance by Eloise and Madeline Ellis students from the Rochester Performance Arts Center singing "The Rose"
- Proclamation/Commendation(s):
  - Recognizing Matt Wyatt, Founder of Rochester Museum of Fine Art, Chair of Arts & Culture Commission, City of Rochester, Member of Historic Commission, and Founder of Rochester Pride Day

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The Governor and Executive Council on motion of Councilor Wheeler, seconded by Councilor Prescott, voted to approve the minutes of July 27, 2018 as amended to redact the reading by Councilor Pappas.

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The Governor and Executive Council, on motion of Councilor Prescott, seconded by Councilor Volinsky, approved the appointment of several persons nominated for Civil Commissions from the July 27, 2018 meeting.

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

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**CONFIRMATIONS**

The Governor and Council confirmed the following:

Board of Managers of the New Hampshire Veterans' Home - RSA 119: 2  
(Member of recognized and chartered Veterans Service Organization)  
Raymond J. Goulet, Manchester  
Reappointment

Effective: August 8, 2018  
Term: August 26, 2021

Board of Medicine - RSA 329  
(Public Member)  
Donald L. LeBrun, Nashua  
Succeeding: Daniel W. Morrissey, North Hampton

Effective: August 8, 2018  
Term: December 18, 2021

Board of Barbering, Cosmetology, and Esthetics - RSA 313-A  
(Cosmetologist)  
Kimberly A. Hannon, Hopkinton  
Reappointment

Effective: August 8, 2018  
Term: July 1, 2023

Fire Standards and Training Commission - RSA 21-P:26  
(N.H. State Fireman's Assoc.)  
Jeremy B. Thibeault, Canaan  
Reappointment

Effective: August 8, 2018  
Term: August 1, 2021

Lakes Management Advisory Committee - RSA 483-A:6  
(Municipal Officer of a Lakefront Community)  
Rex A. Norman, Windham  
Succeeding: Kimberly A. Hallquist, Andover

Effective: August 8, 2018  
Term: August 1, 2021

Midwifery Council - RSA 326-D

(Midwife)

Sherry A. Stevens, Meredith

Reappointment

Effective: August 8, 2018

Term: September 28, 2022

New Hampshire Land and Community Heritage Authority - RSA 227-M:4

(Regional planning)

Susan Slack, Effingham

Succeeding: Cynthia Copeland, Newmarket (resigned)

Effective: August 8, 2018

Term: September 6, 2021

Northern New Hampshire Correctional Facility Warden - RSA 21-H

Corey P. Riendeau, Berlin

Succeeding: Michelle Goings, Hooksett

Salary: LG HH, \$103,574.64

Effective: August 8, 2018

Term: Commissioners Pleasure

State Board of Fire Control - RSA 153:2

(Petroleum Industry)

Floyd W. Hayes III, Bedford

Reappointment

Effective: August 8, 2018

Term: July 8, 2023

Water Council - RSA 21-O:7

(Treatment Plant Operator)

Malcolm R. Butler, Hillsborough

Reappointment

Effective: August 8, 2018

Term: August 22, 2022

**CONFIRMATION REMOVED FROM THE TABLE AND APPROVED**

On July 11, 2018, The Governor and Council on motion of Councilor Kenney, seconded by Councilor Wheeler, and with Councilor Pappas voting **no**, voted to **table** the following confirmation:

State Committee on Aging - RSA 161-F

(Carroll County)

Susan J. Ticehurst, Tamworth

Vacancy

Effective: Upon Confirmation

Term: 3 years from Confirmation

On July 27, 2018, The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas, and with Councilors Kenney, Prescott, and Wheeler voting **no**, failed to remove the confirmation above from the table.

On August 8, 2018, The Governor and Council on motion of Councilor Prescott, seconded by Councilor Kenney voted to remove the confirmation above from the table; and on motion of Councilor Pappas, seconded by Councilor Volinsky, and with Councilors Kenney and Wheeler voting **no**, approved the confirmation above.

**NOMINATIONS**

The following nominations were submitted:

Assessing Standards Board - RSA 21-J:14-a

(Municipal official of town with population less than 3,000)

Sherman L. Hallock, Dorchester

Succeeding: Eric G. Stohl, Colebrook

Effective: Upon Confirmation

Term: September 17, 2019

Board of Medical Imaging and Radiation Therapy - RSA 328-J:3

(Licensed Radiation Therapist)

Tammy A. Newell, Bedford

Vacancy

Effective: Upon Confirmation

Term: August 22, 2021

Enhanced 911 Commission - RSA 106-H  
(N.H. Federation of Fire Mutual Aid)  
Paul A. Szoc, Keene  
Reappointment

Effective: Upon Confirmation  
Term: July 22, 2021

New Hampshire Land and Community Heritage Authority - RSA 227-M: 4  
(Municipal)  
John J. Colony, Harrisville  
Reappointment

Effective: Upon Confirmation  
Term: September 6, 2022

New Hampshire Transportation Council - RSA 238-A  
(Transportation Service Industry Rep.)  
James M. Jalbert, Rollinsford  
Vacancy  
Term: 3 years from effective date per chapter 291, 2018

Effective: August 24, 2018

State Committee on Aging - RSA 161-F  
(Rockingham County)  
Kristi St. Laurent, Windham  
Reappointment

Effective: Upon Confirmation  
Term: June 24, 2021

### CONSENT CALENDAR AGENDA

The Governor and Council on motion of Councilor Pappas, seconded by Councilor Prescott acted as follows:

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

**NEW HAMPSHIRE FISH AND GAME DEPARTMENT**

#A. Authorized Lieutenant Heidi Murphy to travel to Sheperdstown, WV, for 8 days of out of state travel from September 15-22, 2018, to finish the last week of the NACLEC Leadership Academy class.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Bureau of Human Resource Management**

#B. Authorized to enter Kelly Bogert into an educational tuition agreement with Southern NH University, Manchester, NH, to participate in 4 courses: Business Writing; Psychology; Community Health; and Wellness Across the Lifespan, during the period of September 3, 2018 to June 3, 2019, and to pay said costs in an amount of \$3,840. **100% General Funds.**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Bureau of Human Resource Management**

#C. Authorized to enter Jessica Dow into an educational tuition agreement with College for America at Southern NH University, Manchester, NH, to participate in 5 courses: Research management; Employ Human Resources; Manage a Business Organization; State and Local Government; and Business Operations, during the period of October 1, 2018 to March 31, 2019, and to pay said costs in an amount of \$1,500. **100% General Funds.**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Bureau of Human Resource Management**

#D. Authorized to enter Laurie Heath into an educational tuition agreement with College for America at Southern NH University, Manchester, NH, to participate in 5 courses: Managerial Accounting; Business Accounting; Business Operations; State and Local Government; and Math for Problem Solving, during the period of September 1, 2018 to February 28, 2019, and to pay said costs in an amount of \$1,500. **100% General Funds.**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Bureau of Human Resource Management**

#E. Authorized to enter Heather Moquin into an educational tuition agreement with Plymouth State University, Plymouth, NH, to participate in Foundations of Accounting and Finance, during the period of August 27, 2018 through October 19, 2018, and to pay said costs in an amount of \$1,575. **100% General Funds.**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Bureau of Human Resource Management**

#F. Authorized to enter Lori Shibinette into an educational tuition agreement with Rivier University, Nashua, NH, to participate in Advances in Mind, Brain and Learning, during the period of September 4, 2018 through December 14, 2018, and to pay said costs in an amount of \$2,520. **100% General Funds.**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Bureau of Human Resource Management**

#G. Authorized to enter Robin Young into an educational tuition agreement with College for America at Southern NH University, Manchester, NH, to participate in 4 courses: Improve Organizational Effectiveness; Work within the Law; Manage a Business Organization; and State and Local Government, during the period of September 1, 2018 to February 28, 2019, and to pay said costs in an amount of \$1,500. **100% General Funds.**

**NEW HAMPSHIRE LOTTERY COMMISSION**

#H. 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 Wheeler, and with Councilor Pappas voting **no**, voted to table item #1H. Later, the Governor and Council on motion of Councilor Wheeler, seconded by Councilor Kenney voted to remove item #1H from the table. Finally, the Governor and Council on motion of Councilor Volinsky, seconded by Councilor Kenney and with Councilor Wheeler voting **no**, authorized the request to enter Britni Halvorsen into an Educational Tuition Agreement with Southern NH University College for America, Manchester, to participate online in the course Associate of Arts in General Studies, Concentration in Business, during the period of September 1, 2018 through March 1, 2019, and to pay costs not to exceed \$1,500 in FY 2019. **Lottery Funds.**

**STATE TREASURY**

#I. Authorized the Comptroller to issue a warrant from funds not otherwise appropriated in the amount of \$102,657 and the State Treasurer to issue checks in the amount of \$102,656.32 to the rightful owners of abandoned or unclaimed funds.

**DEPARTMENT OF EDUCATION**

#J. Authorized to pay the 2018-2019 membership dues to Elton B. Stephens Co. Information Services, Dallas, TX, in an amount not to exceed \$17,715. Effective upon G&C approval through June 30, 2019. **100% Federal Funds.**

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

**DEPARTMENT OF TRANSPORTATION**

#A. Authorized to accept one Zoll AED Plus automatic electronic defibrillator, with a reported value of \$1,699 from Jeanne Rousseau for deployment at the Department's Wakefield 312 Highway Maintenance Patrol facility.

**NEW HAMPSHIRE LIQUOR COMMISSION**

#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 Prescott, seconded by Councilor Wheeler, voted to accept a donation of strength and cardio fitness equipment, accessories, and weights from Evergreen Sports Center, Lisbon, NH, with an estimated value of \$10,000. Effective upon G&C approval.

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

**DEPARTMENT OF ADMINISTRATIVE SERVICES**

#A. Authorized to accept and place on file the Report and Findings of Councilor Christopher C. Pappas with regard to a certain project in participation with NH Catholic Charities in Manchester, NH.

**DEPARTMENT OF ADMINISTRATIVE SERVICES**

#B. Authorized to accept and place on file the Report and Findings of Councilor David K. Wheeler with regard to a certain project in participation with Hunt Community of Nashua, NH.

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

**THE ADJUTANT GENERALS DEPARTMENT**

#A. Authorized the nomination of Captain Paul D. Santana, Mount Vernon, NH, 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.

**THE ADJUTANT GENERALS DEPARTMENT**

#B. Authorized the nomination of Major Mark G. Bianchi, Concord, NH, 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.

**DEPARTMENT OF JUSTICE**

#C. Authorized to appoint Daniel E. Will as an Assistant Attorney at a salary level of \$108,981.87. Effective upon G&C approval or August 20, 2018, whichever is the latter.

**DEPARTMENT OF JUSTICE**

#D. Authorized to reappoint Lisa Wolford as an Assistant Attorney General at a salary level of \$80,220. Effective upon G&C approval through August 13, 2023.

**DEPARTMENT OF JUSTICE**

#E. Authorized to reappoint Bryan J. Townsend II as an Assistant Attorney General at a salary level of \$70,980. Effective upon G&C approval through August 15, 2023.

**DEPARTMENT OF JUSTICE**

#F. Authorized to appoint Christina Wilson as an Attorney at a salary level of \$61,500. Effective upon G&C approval or August 10, 2018, whichever is the latter.

**DEPARTMENT OF JUSTICE**

#G. Authorized to reappoint Laura E. Lombardi as an Assistant Attorney General at a salary level of \$91,737.50. Effective upon G&C approval through July 31, 2023.

**DEPARTMENT OF JUSTICE**

#H. Authorized to reappoint Matthew T. Broadhead as an Assistant Attorney General at a salary level of \$69,160. Effective upon G&C approval through July 31, 2023.

**DEPARTMENT OF TRANSPORTATION**

#I. Authorized the Bureau of Right of Way's petition for a hearing on the proposal to replace the bridge carrying US 1 over the former B&M railroad in the Town of North Hampton. A Commission of 3 persons shall determine whether there is occasion for the laying out or alteration of US 1 in the Town of North Hampton as presented at the hearing, with a suggested budget of \$1,933.71.

## DEPARTMENT OF TRANSPORTATION

#J. Authorized the Bureau of Right of Way's petition for a hearing on the proposed alterations to I-93 and I-89 in the Town of Bow and the City of Concord and I-393 in the City of Concord. A Commission of 3 members shall determine the necessity for the project, with a suggested budget of \$2,973.32.

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

## DEPARTMENT OF SAFETY

#A. Authorized the Division of Homeland Security and Emergency Management to amend the memorandum of agreement with the NH Port Authority, for the purchase and installation of a generator, by extending the completion date from September 30, 2018 to September 30, 2019. Effective upon G&C approval through September 30, 2019. No Additional Funds. **100% Federal Funds.**

## REGULAR AGENDA

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Bureau of Human Resource Management

The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky acted as follows:

#6 Authorized determination made by the Commissioner that on June 26, 2018, a Youth Counselor III with the Sununu Youth Service Center 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.

#7 Authorized determination made by the Commissioner that on June 6, 2018, a Mental Health Worker 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.

### Office of Human Services and Behavioral Health

#8 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Pappas, authorized the Bureau of Child Support Services to accept and expend Federal Incentive Funds in the amount of \$1,600,000 from the Federal Office of Child Support Services for Purposes of maintaining and operating the New England Child Support Enforcement System 2.0. Effective upon G&C approval through June 30, 2019. **100% Other (Federal Incentive) Funds. Fiscal Committee approved.**

### Division for Behavioral Health

#9 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott, authorized the Bureau of Mental Health Services to make a **retroactive** payment of annual membership dues to the National Association of State Mental Health Program Directors, Alexandria, VA, in the amount of \$8,979. Effective July 1, 2018 through June 30, 2019. **66% General, 34% Federal Funds.**

### Division of Client Services

#10 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Volinsky, authorized to accept and expend Federal Funds in the amount of \$2,966,646 from the Centers for Medicare and Medicaid Services for purposes of making changes to the New HEIGHTS eligibility system to comply with federally required guidelines, implement the expanded Medicaid work program and modernize legacy systems. (2)Further authorized to establish Class 046 – Consultants to amend contracts for the purposes above. Effective upon G&C approval through June 30, 2019. **100% Federal Funds. Fiscal Committee approved.**

### **Division of Medicaid Services**

#11 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky, authorized to enter into a **retroactive sole source** amendment to an agreement with Manatt, Phelps & Phillips LLP, New York, NY (originally approved by G&C on 1-10-18, item #11A), to continue to provide consultation services on federal waiver policy for the proposed NH Granite Advantage Health Care Program to meet the requirements set by the Centers for Medicare and Medicaid, by increasing the price by \$50,000 from \$675,000 in an amount not to exceed \$725,000, and by extending the completion date from June 30, 2018 to December 31, 2018. **50% Federal, 50% General, Funds.**

### **Division of Public Health Services**

#12 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Kenney, authorized the Bureau of Infectious Disease Control to enter into a **retroactive sole source** agreement with NH Hospital Association, Concord, NH, to provide fiscal agent services to provide fiscal agent/coordinating services for NH hospitals to maintain statewide preparedness in responding to the Ebola Virus Disease and other high-threat infectious diseases, in an amount not to exceed \$409,436.17. Effective July 1, 2017 through May 17, 2020. **100% Federal Funds.**

### **New Hampshire Hospital**

The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Kenney acted as follows:

#13 Authorized with Councilors Kenney and Wheeler voting **no**, to enter into a memorandum of understanding with two massage therapists, at a price not to exceed \$2,500 each per fiscal year per therapist, for a total of \$15,000. Effective upon G&C approval through June 30, 2021. **21% Federal, 45% Other, 34% General Funds.**

#14 Authorized to enter into a **sole source** agreement with Mr. David S. Prescott, LICSW, Falmouth, ME, to provide independent risk assessment services to clients admitted to NH Hospital, in an amount not to exceed \$18,000, with a completion date of June 30, 2020. **100% General Funds.**

### **DEPARTMENT OF TRANSPORTATION**

The Governor and Council on motion of Councilor Prescott, seconded by Councilor Kenney acted as follows:

#15 Authorized to accept and place on file the Bureau of Environment's annual accounting of permit fees and Aquatic Resource Mitigation Fund payments made during fiscal year 2018, to the Department of Environmental Services for construction projects and maintenance activities requiring fill and dredge in wetlands, as well as other areas.

#16 Authorized the Bureau of Right of Way to pay property owners \$2,239,700 as documented in the Contemplated Damage Awards List, for amounts greater than \$5,000 for the period extending from June 14, 2018 through June 28, 2018. Effective upon G&C approval.

#17 Authorized the Bureau of Right of Way to pay property owners \$5,900 as documented in the Contemplated Damage Awards List for amounts greater than \$5,000 for the period extending from June 29, 2018 through July 11, 2018. Effective upon G&C approval.

#18 Authorized the Bureau of Right of Way to pay property owners \$19,300 as documented in the Contemplated Damage Awards List for amounts greater than \$5,000 for the period extending from July 11, 2018 through July 16, 2018. Effective upon G&C approval.

#19 Authorized the Bureau of Right of Way to sell a 15 +/- acre parcel of State owned land improved with a single-family residence located in the Town of Troy to Billie Kirker for \$125,000 plus a \$1,100 administrative fee. (2)Further authorized to compensate HG Johnson Real Estate from the proceeds of the subject sale in the amount of \$2,500 for real estate services. The net proceeds are \$122,500. Effective upon G&C approval. Originally purchased with 100% Highway Funds.

#20 Authorized the Bureau of Right of Way to sell a 0.83 +/- acre parcel of State owned land improved with a single-family residence located in the Town of Troy to Adam Jenisch for \$85,000 plus a \$1,100 administrative fee. (2)Further authorized to compensate HG Johnson Real Estate from the proceeds of the subject sale in the amount of \$4,250 for real estate services. The net proceeds are \$80,750. Effective upon G&C approval. Originally purchased with 100% Highway Funds.

#21 Authorized the Bureau of Right of Way to sell a 2.6 +/- acre parcel of State owned land located on the easterly side of Main Street, adjacent to Lake Mascoma in the Town of Enfield to the Town of Enfield for \$127,500 plus a \$1,100 Administrative Fee. Effective upon G&C approval.

#22 Authorized the Bureau of Right of Way to sell a 3.3 +/- acre parcel of State owned land located on the easterly side of NH Route 25 in the Town of Wentworth to Granetta K Morse for \$3,900 plus a \$1,100 Administrative Fee. Effective upon G&C approval. Originally purchased with 100% Highway Funds.

#23 Authorized the Bureau of Construction to enter into a contract amendment with R.S. Audley Inc., Bow, NH (originally approved by G&C on 2-21-18, item #16), for replacement of the Mill Street Bridge over the NHRR in the Town of Haverhill, by increasing the amount by \$132,000 from \$1,176,845.50 to \$1,308,845.50. **100% Federal Funds.**

#24 Authorized the Bureau of Construction to enter into a contract amendment with C.L.H. & Son Inc., Auburn, ME ( originally approved by G&C on 12-20-17, item #35), for the rock face stabilization work, by increasing the amount by \$86,000 from \$1,783,089 to \$1,869,089. Effective upon G&C approval. **100% Federal Funds.**

#25 Authorized the Bureau of Aeronautics to **retroactively** award a grant to the City of Manchester, in the amount of \$10,214,879 to reconfigure Taxiways P and U as part of a Runway IncurSION Mitigation Project for the Manchester-Boston Regional Airport. Effective June 1, 2018 through July 19, 2022. **90% Federal, 5% General, 5% Local Funds.**

#26 Authorized the Bureau of Bridge Design to enter into an agreement with TranSystems Corporation, for the preliminary design, final design, public involvement process, and associated environmental & cultural services for rehabilitation of the existing bridge carrying NH Route 12A over Sugar River in the City of Claremont, for a total amount not to exceed \$329,983.07. Effective upon G&C approval through June 30, 2021. **100% Other Funds (SB 367).**

#27 Authorized the Bureau of Rail & Transit to pay an amount not to exceed \$832,500 to Advance Transit Inc., Wilder, VT, to procure two replacement 30-foot buses. Effective upon G&C approval through June 30, 2020. **92% Federal, 8% Capital General Funds.**

#### **COMMUNITY DEVELOPMENT FINANCE AUTHORITY**

#28 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Prescott, authorized to award a grant to the County of Sullivan, Newport, NH, in the amount of \$12,000 to support a feasibility study award for property in Claremont, NH. Effective August 8, 2018 through December 30, 2019. **100% Federal Funds.**

#### **OFFICE OF STRATEGIC INITIATIVES**

The Governor and Council on motion of Councilor Kenney, seconded by Councilor Prescott acted as follows:

#29 Authorized to enter into a **sole source** contract agreement with Smart Energy Use LLC, Meredith, NH, for professional services to mentor and train NH personnel associated with the Community Action Agencies of NH and their Weatherization Assistance Programs, in the amount of \$16,500. Effective upon G&C approval through June 30, 2019. **100% Federal Funds.**

#30 Authorized to enter into a memorandum of agreement with the Department of Administrative Services, Concord, NH, to support energy consumption reduction and costs in state buildings, in the amount of \$146,500. Effective upon G&C approval through June 30, 2019. **100% Federal Funds (State Energy Programs).**



### DEPARTMENT OF INFORMATION TECHNOLOGY

#31 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Volinsky, authorized to transfer funds in the amount of \$550,000 in SFY 2019 in Other (Class 027) funds. Effective upon G&C approval through June 30, 2019. **100% Other (Agency Class 027) Funds; the agency class 027 used by DHHS to reimburse DoIT is 52% General, 48% Federal Funds. Fiscal Committee approved.**

### OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

The Governor and Council on motion of Councilor Prescott, seconded by Councilor Pappas acted as follows:

#31A Authorized an annual salary increment of \$5,785 to Executive Director Peter D. Danles. Effective upon G&C approval.

#31B Authorized the Board of Nursing to enter into a contract with Trust Recovery Management LLC, Norfolk, VA, to manage and administer the Licensee Monitoring Program for FY 2019, for an amount not to exceed \$246,600. Effective August 15, 2018 through June 30, 2019, with the option to renew for an additional two years. **100% Other Funds.**

### PUBLIC UTILITIES COMMISSION

#32 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Pappas, authorized to appoint David J. Shulock as General Counsel, at an annual salary of \$105,128.40, salary group HH, Step 5. Effective upon G&C approval.

### NEW HAMPSHIRE FISH AND GAME DEPARTMENT

#33 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas, authorized to enter into a contract with Michael Hansen Construction Ltd., New London, NH, to remove the existing degraded stream crossing and replace it with a bridge span on Knight Meadow Road at Knight Meadow Marsh Wildlife Management Area, Webster, NH, in an amount not to exceed \$199,865. Effective upon G&C approval through November 30, 2018. **75% Federal, 25% Wildlife Habitat Account.**

### DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Kenney acted as follows:

#34 Authorized the Division of Forests and Lands to sell 0.18 acres of land located along the edge of the Presidential Rail Trail in the Town of Gorham to Jeanne Anne Lariviere for \$1,000 plus a \$1,100 administrative fee.

#35 Authorized the Bureau of Trails to enter into a **retroactive** emergency Grant-In-Aid Trail Maintenance Agreement with the Mount Moosilauke ATV Club, in the total amount of \$26,000. Effective June 1, 2018 through May 31, 2019. **100% Transfer from Fish and Game.**

### DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky acted as follows:

#36 Authorized to pay calendar year 2018 membership dues to the Association of State Dam Safety Officials, Lexington, KY, in the amount of \$2,960. Effective **retroactive** to January 1, 2018 through December 31, 2018. **51% Dam Safety Fund, 9% General Funds.**

#37 Authorized to enter into an agreement with UniFirst Corporation, Nashua, NH, for uniform, towel and mat rental and cleaning services for the WRBP, in the amount of \$25,748.44. Effective **retroactive** to July 1, 2018 through June 30, 2021. **100% WRBP Funds.**

#38 Authorized to enter into a contract with Todd Randlett Trucking LLC, Holderness, NH, for lawn maintenance services at WRBP facilities, in the amount of \$19,440. Effective upon G&C approval through June 30, 2022. **100% WRBP Funds.**

#39 Authorized a loan agreement with the Merrimack Village District, Merrimack, NH, in the amount not to exceed \$1,300,000 to finance drinking water system improvements. Effective upon G&C approval. **100% Drinking Water and Groundwater Trust Fund.**

#40 Authorized a loan agreement with Midridge Condominium Association, Londonderry, NH, in the amount not to exceed \$190,000 to finance water system improvements. Effective upon G&C approval. **100% Drinking Water State Revolving Loan Fund Repayment Funds.**

#41 Authorized a loan agreement with The Glengarry Condominium Association, Exeter, NH, in the amount not to exceed \$383,000 to finance water system improvements. Effective upon G&C approval. **100% Drinking Water State Revolving Loan Fund Repayment Funds.**

#42 Authorized a Clean Water State Revolving Fund loan agreement with the Town of Hampton, in an amount not to exceed \$11,780,000 to finance the Wastewater Treatment Facility Phase I Upgrades Project. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#43 Authorized a Clean Water State Revolving Fund loan agreement with the Town of Allenstown, in an amount not to exceed \$1,616,000 to finance the Library Street Force Main and Suncook Pond Pump Station Project. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#44 Authorized a Clean Water State Revolving Fund loan agreement with the Town of Marlborough, in an amount not to exceed \$60,000 to finance the Wastewater and Stormwater Collection Systems Asset Management Program. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#45 Authorized a Clean Water State Revolving Fund loan agreement with the Town of Ashland, in an amount not to exceed \$1,500,000 to finance the Headworks and Septage Receiving Facility Project. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#46 Authorized a Clean Water State Revolving Fund loan agreement with the City of Dover, in an amount not to exceed \$3,000,000 to finance the Varney Brook Pump Station Upgrade. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#47 Authorized a Clean Water State Revolving Fund loan agreement with the Plymouth Village Water and Sewer District, in an amount not to exceed \$30,000 to finance the Pump Station and WWTF Asset Management Program. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#48 Authorized to amend a Clean Water State Revolving Fund loan agreement with the City of Lebanon (originally approved by G&C on 5-16-18, item #44), by increasing the amount by \$3,345,000 from \$337,750 to \$3,682,750, for the Sewer Separation Project. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#49 Authorized a Clean Water State Revolving Fund loan agreement with the Town of Wolfeboro, in an amount not to exceed \$30,000 to finance the Stormwater Collection Systems Asset Management Program. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#50 Authorized a Clean Water State Revolving Fund loan agreement with the Town of Hooksett, in an amount not to exceed \$30,000 to finance the Wastewater Collection Systems Asset Management Program. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#51 Authorized Samuel Cavallaro's request for a five year permit time extension, to perform work on Lake Winnepesaukee in Alton (originally approved by G&C on 10-2-13, item #62).

#52 Authorized Carol/Dennis Colameta's request for a five year permit time extension, to perform work on Lake Winnepesaukee in Moultonborough (originally approved by G&C on 12-4-13, item #65).

#53 Authorized Michael R. Clark's request to perform work on Sagamore Creek in Portsmouth, NH.

#54 Authorized Daniel W. Ayer Revocable Trust's request to perform work on the Cochecho River in Dover.

#55 Authorized Jeffrey and Tracey Bennett's request to perform work on Lake Winnepesaukee in Moultonborough.

#### **DEPARTMENT OF EDUCATION**

#56 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Kenney, authorized to expend funds from the Pfizer Foundation in the amount of \$500,000 (originally accepted by G&C on 2-7-18, item #39), to support the State of NH's efforts to bring about positive student outcomes relative to the opioid crisis. Effective upon G&C approval through June 30, 2019. **100% Other Funds. Fiscal Committee approved.**

#### **LOTTERY COMMISSION**

#57 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Pappas, authorized to open a bank account with the NH bank and account name as detailed in letter dated July 24, 2018, for the corresponding valid business purposes. Effective upon G&C approval.

#### **DEPARTMENT OF SAFETY**

The Governor and Council on motion of Councilor Pappas, seconded by Councilor Volinsky acted as follows:

#58 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with Tri-County Community Action Program Inc., for the development of emergency preparedness capabilities enhancements for a total amount of \$15,000. Effective upon G&C approval through September 30, 2019. **100% Federal Funds.**

#59 Authorized the Division of Administration to **retroactively** pay annual membership dues to the Federation of Tax Administrators, Washington, DC, in the amount of \$5,897. Effective July 1, 2018 through June 30, 2019. **100% Highway Funds.**

#60 Authorized the Division of Administration to enter into a contract with Presby Construction Inc., Franconia, NH, for the installation of a new septic system, in the amount of \$14,800. Effective upon G&C approval through October 31, 2018. **65% Highway, 35% Agency Income Funds.**

#### **DEPARTMENT OF JUSTICE**

#61 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Kenney, authorized a salary increment to James O. Kinney, Criminal Investigator, from a salary level of \$64,187.76 (LG BB, Step 3) to a salary level of \$67,891.72 (LG BB, Step 4). Effective upon G&C approval or August 10, 2018, whichever is the latter.

#### **DEPARTMENT OF ADMINISTRATIVE SERVICES**

The Governor and Council on motion of Councilor Prescott, seconded by Councilor Pappas acted as follows:

#62 Authorized the Bureau of Court Facilities to create a new class code and transfer funds in the amount of \$3,100. Effective upon G&C approval through June 30, 2019. **100% Transfer Other Agencies. Fiscal Committee approved.**

#63 Authorized to enter into a contract with USI Insurance Services LLC, for Data Security and Privacy Cyber Liability insurance for NH state government, in an amount not to exceed \$241,915. Effective August 23, 2018 through August 23, 2019. **100% General Funds.**

#64 Authorized a Working Capital Warrant in the amount of \$450,000,000 to cover the payment of expenditures for the month of September 2018.

#65 Authorized to make transfers from the Salary Adjustment Fund to agency permanent personnel service accounts during the period of August 8, 2018 to July 20, 2019 (anticipated extended year end closing date) for transfers related to fiscal year 2019 and to report transfers made as soon as practical after each quarter or the year end closing date. (2)Further authorized to make transfers from the Benefit Adjustment Fund to agency benefits accounts during the period of August 8, 2018 to July 20, 2019 (anticipated extended year end closing date) for transfers related to fiscal year 2019 and to report transfers made as soon as practical after each quarter or the year end closing date.

\*

#### ITEM REMOVED FROM THE TABLE

##### DEPARTMENT OF ADMINISTRATIVE SERVICES *(Tabled at G&C Meeting 6/6/18)*

#159 Authorize a proposed contingent amendment to DAS MOP 150, relating to items which must be brought before the Governor and Executive Council for direct approval, regardless of dollar amount, as detailed in letter dated May 25, 2018. Effective July 1, 2018.

On June 6, 2018 the Governor and Council on motion of Councilor Kenney, seconded by Councilor Prescott voted to table item #159 above.

On August 8, 2018 the Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas voted to remove item #159 above from the table. After discussion Councilors Kenney, Volinsky, Pappas, and Wheeler all voted **no** therefore item #159 **failed**.

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#### ITEM REMOVED FROM THE TABLE

##### CONFIRMATION

On July 11, 2018, The Governor and Council on motion of Councilor Kenney, seconded by Councilor Wheeler, and with Councilor Pappas voting **no**, voted to **table** the following confirmation:

State Committee on Aging - RSA 161-F  
(Carroll County)  
Susan J. Ticehurst, Tamworth  
Vacancy

Effective: Upon Confirmation  
Term: 3 years from Confirmation

On July 27, 2018, The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas, and with Councilors Kenney, Prescott, and Wheeler voting **no**, failed to remove the confirmation above from the table.

On August 8, 2018, The Governor and Council on motion of Councilor Prescott, seconded by Councilor Kenney voted to remove the confirmation above from the table; and on motion of Councilor Pappas, seconded by Councilor Volinsky, and with Councilors Kenney and Wheeler voting **no**, approved the confirmation above.

\*

**ITEM REMOVED FROM THE TABLE**

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

**DEPARTMENT OF TRANSPORTATION**

#B. Authorized the request of the Bureau of Turnpikes to amend an existing professional service contract for the NH -E-ZPass Back Office with Cubic Transportation Systems Inc., San Diego, CA (originally approved by G&C on 10-7-15, item #25), to restructure the schedule for deliverables, payment of project delivery and Operation and Maintenance costs, and Key Performance Indicators of the Contract for fiscal year 2019. No Additional Funding.

On August 8, 2018 the Governor and Council on motion of Councilor Wheeler, seconded by Councilor Kenney voted to remove item #5B above from the table – originally tabled on July 27, 2018.

Following discussion, the Governor and Council on motion of Councilor Wheeler, seconded by Councilor Volinsky, voted to approve item #5B above as amended to only pay Cubic Transportation Systems Inc., for what they've done and not for what they are going to do. Further amended to be effective **retroactive** to July 27, 2018 so that there is no interruption in operation and maintenance payments per letter dated August 3, 2018.

\*

The Next regular Governor and Executive Council meeting is scheduled for Wednesday August 22, 2018, at the Tuscan Kitchen, Salem, New Hampshire.

Honorable Board then Adjourned at 11:45 a.m.