

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House Concord, New Hampshire
November 20, 2013, 10:00 a.m.

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

The Governor led the Pledge of Allegiance.

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Today's pre-meeting ceremonial items included:

- A Moment of Silence in honor of Councilor Burton; and
- Music by Beaver Meadow Elementary School Chorus.

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The Governor and Executive Council on motion of Councilor Pappas, seconded by Councilor Pignatelli, accepted the minutes of November 6, 2013 **as amended to reflect that #3 from BFA was passed because a majority of those voting approved the item:**

BUSINESS FINANCE AUTHORITY

#3 Authorized request to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13 with respect to a loan from First Colebrook Bank to The Thomas More College of Liberal Arts, Inc. and Thomas More Foundation located in Merrimack, 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.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON NOVEMBER 6, 2013
COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE**

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At approximately 11:15 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Guaranteed Asset Program of the Business Finance Authority in connection with a loan to be made by First Colebrook Bank to The Thomas More College of Liberal Arts, Inc., and Thomas More Foundation and declared that the public hearing on the subject had commenced. She said that she and the members of the Council had received written material from the Authority with respect to the proposed loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Jack Donovan, Executive Director of the Authority who briefly explained the project. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Pappas introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM FIRST COLEBROOK BANK TO THE THOMAS MORE COLLEGE OF LIBERAL ARTS, INC. AND THOMAS MORE FOUNDATION." and moved its adoption, which was seconded by Councilor Sununu. Those voting in favor were: The Governor and Councilor Sununu and Councilor Pappas; those abstaining were: Councilor Van Ostern; and those voting against were: Councilor Pignatelli. Councilor Burton was absent. The Governor declared that a majority of the Councilors present and voting had approved the item and the resolution was passed.

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**A RESOLUTION UNDER RSA 162-A:18 AWARDING A STATE GUARANTEE
UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM
FIRST COLEBROOK BANK TO THE THOMAS MORE COLLEGE OF
LIBERAL ARTS, INC. AND THOMAS MORE FOUNDATION**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to eighty percent (80%) of the principal amount of a loan up to \$2,750,000 from First Colebrook Bank to The Thomas More College of Liberal Arts, Inc., and Thomas More Foundation, pursuant to RSA 162-A:13 (the Guaranteed Asset Program or the "GAP Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed eighty percent (80%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is authorized to approve the recommendation of the Authority and to award the recommended guarantee upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

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

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

(i) The award of the guarantee as proposed will contribute significantly to the success of the financing.

(ii) Reasonable and appropriate measures have been taken to minimize the risk of loss to the Authority and insure that any private benefit from the award of the guarantee will be only incidental to the public purpose served thereby.

(b) General Findings.

(i) The award of the guarantee as proposed will serve a public use and provide a public benefit.

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

(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(iv) The award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

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

Passed and Agreed to November 6, 2013.

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The Governor and Executive Council, on motion of Councilor Pappas, seconded by Councilor Sununu, approved the appointment of several persons nominated for Civil Commissions from the November 6, 2013 meeting.

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

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The Governor has ordered a special election for the filling of the vacancy of Executive Council District No. 1

The primary election will be January 21, 2014. The general election will be March 11 2014.

RESIGNATIONS

The Governor and Council accepted the following resignation:

Aviation Users Advisory Board

(Airline)

William M. Hart, North Hampton

Effective: November 20, 2013

New Hampshire Health and Education Facilities Authority

Thomas R. Horgan, Amherst

Effective: November 20, 2013

Board of Home Inspectors
(Public Member)
Kevin M. McEaney, Dover

Effective: November 20, 2013

CONFIRMATIONS

The Governor and Council confirmed the following:

Board of Accountancy - RSA 309-B
(Certified Public Accountant)
John J. Daigneault, Wolfeboro
Succeeding: Jefferson M. Chickering, Manchester

Effective: November 20, 2013
Term: November 19, 2018

Board of Accountancy - RSA 309-B
(Certified Public Accountant)
Richard S. Silverman, Hampton
Succeeding: Owen H. Walton, Jr., Londonderry

Effective: December 2, 2013
Term: December 2, 2018

State Committee on Aging - RSA 161-F
(Merrimack County)
Herbert E. Johnson, Epsom
Succeeding: Stephen Gorin, Canterbury

Effective: November 20, 2013
Term: June 24, 2016

State Committee on Aging - RSA 161-F
(Coos County)
Mark M.E. Frank, Lancaster
Succeeding: Margaret Moser, Lancaster (resigned)

Effective: November 20, 2013
Term: June 24, 2016

State Committee on Aging - RSA 161-F
(Hillsborough County)
Joan H. Schulze, Nashua
Reappointment

Effective: December 8, 2013
Term: December 8, 2016

Agricultural Advisory Board - RSA 425:22
(Petroleum industry)
Andrew Hartmann, Greenland
Succeeding: Thomas Prescott, Bow

Effective: November 20, 2013
Term: June 19, 2016

Air Resources Council - RSA 21-O
(Municipal Government)
Raymond R. Donald, Kingston
Reappointment

Effective: November 20, 2013
Term: October 24, 2017

Business Finance Authority - RSA 162-A
F. Daniel Henderson Jr, Hancock
Reappointment

Effective: November 20, 2013
Term: November 3, 2016

Deputy Commissioner of the Department of Employment Security - RSA 282-A:109
Richard J. Lavers, Concord
Vacancy (newly created unclassified position)
Salary: Grade HH; Step 4- \$95,219.18

Effective: November 20, 2013
Term: November 20, 2017

Family Mediator Certification Board - RSA 328-C
(Attorney)
Karen J. Borgstrom, Lyme
Reappointment

Effective: November 20, 2013
Term: October 11, 2016

Family Mediator Certification Board - RSA 328-C
(Nom, by the NH Conflict Resolution Assoc.)
Elizabeth A. Christensen, Belmont
Reappointment

Effective: November 21, 2013
Term: November 21, 2016

Family Mediator Certification Board - RSA 328-C
(Nom, by the NH Conflict Resolution Assoc.)
Marianne L. Rousseau, Weare
Succeeding: John D. Cameron, Gilford

Effective: November 20, 2013
Term: September 6, 2016

State Historical Records Advisory Board - RSA 5:42
Rodney G. Obien, Canterbury
Succeeding: Marcia Schmidt Blaine, Plymouth

Effective: November 20, 2013
Term: January 2, 2016

State Historical Records Advisory Board - RSA 5:42
Anne T. Packard, Holderness
Reappointment

Effective: November 20, 2013
Term: December 6, 2014

Joint Promotional Program Screening Committee - RSA 12-A
(Chamber of Commerce)
Timothy G. Sink, Concord
Reappointment

Effective: November 20, 2013
Term: July 13, 2016

Judicial Council - RSA 494
(Attorney)
Philip H. Utter, Exeter
Reappointment

Effective: November 20, 2013
Term: October 18, 2016

Juvenile Parole Board - RSA 170-H:3
Yvonne M. Vissing, Chester
Succeeding: Robert J. Peterson (moved out of state)

Effective: November 20, 2013
Term: July 1, 2016

Lakes Management Advisory Committee - RSA 483-A
(Municipal Officer of a Lakefront Community)
Kimberly A. Hallquist, Andover
Vacancy

Effective: November 20, 2013
Term: August 1, 2015

State Lottery Commission - RSA 284:21-a
Debra M. Douglas, Bow
Reappointment

Effective: November 20, 2013
Term: June 29, 2016

Advisory Committee on Marine Fisheries - RSA 211:60, 60-a
Erik S. Anderson, Portsmouth
Reappointment

Effective: November 20, 2013
Term: September 29, 2016

Board of Mental Health Practice- RSA 330-A:3, II
(Licensed Clinical Social Worker)
Richard Phelps, Franconia
Succeeding: Kim Gretchen Spencer, Center Harbor

Effective: November 20, 2013
Term: October 31, 2016

Poet Laureate - RSA 3-A
Alice B. Fogel, Acworth
Vacancy

Effective: November 20, 2013
Term: March 22, 2014

New Hampshire Retirement System Board of Trustees - RSA 100-A:14

(Non-member Trustee)

Hershel D. Sosnoff, Silver Lake

Reappointment

Effective: November 30, 2013

Term: November 30, 2015

Rivers Management Advisory Committee - RSA 483

(Rep. Conservationists)

Nominated by: NH Assoc. of Conservation Commissions

Larry T. Spencer, Holderness

Reappointment

Effective: November 20, 2013

Term: October 12, 2016

Waste Management Council - RSA 21:O

(Municipal Public Works Field)

Philip H. Bilodeau, Deerfield

Reappointment

Effective: November 20, 2013

Term: November 10, 2017

Waste Management Council - RSA 21:O

(Local Conservation Commission Member)

Duncan P. Watson, Drewsvilles

Reappointment

Effective: November 20, 2013

Term: November 10, 2017

Advisory Council on Worker's Compensation - RSA 281-A

(Rep. Self-Funded Employers)

Marian Mitchell, Hooksett

Reappointment

Effective: November 20, 2013

Term: October 18, 2016

Advisory Council on Worker's Compensation - RSA 281-A

(Management)

Eileen Bernard, Hooksett

Succeeding: Thomas W. Callahan, Sunapee

Effective: November 20, 2013

Term: June 13, 2014

NOMINATIONS

The Governor placed into nomination the following:

Judge of the Circuit Court - RSA 490-F

Susan B. Carbon, Chichester

Vacancy

Effective: Upon confirmation

Term: Until 70 years of age

Judge of the Circuit Court - RSA 490-F

Robert J. Foley, Dover

Vacancy

Effective: Upon confirmation

Term: Until 70 years of age

Judge of the Circuit Court - RSA 490-F

Margaret Ann Moran, Manchester

Vacancy

Effective: Upon confirmation

Term: Until 70 years of age

Judge of the Circuit Court - RSA 490-F

Patricia B. Quigley, Concord

Vacancy

Effective: Upon confirmation

Term: Until 70 years of age

Board of Licensure of Interpreters for the Deaf and Hard of Hearing - RSA 326-I

(Non-deaf Public Member)

Kirk C. Simoneau, Bedford

Succeeding: Christine C. Wellington, Derry

Effective: Upon confirmation

Term: October 10, 2016

Board of Licensed Dietitians - RSA 326-H

Audrey L. Anastasia, New Boston
Reappointment

Effective: December 6, 2013
Term: December 6, 2016

Family Mediator Certification Board - RSA 328-C

(Nom. by NH Conflict Resolution Association)
Ellen Dinerstein, Hancock
Reappointment

Effective: Upon confirmation
Term: September 6, 2016

Health Exchange Advisory Board - RSA 420-N

(Representing Employers)
Scott Baetz, Windham
Reappointment

Effective: Upon confirmation
Term: November 14, 2016

Lakes Management Advisory Committee - RSA 483-A

(Member of a Planning Board)
Robert W. Compton, Deering
Vacancy

Effective: Upon confirmation
Term: August 1, 2014

Lakes Management Advisory Committee - RSA 483-A

(Rep. Tourism Industry)
James S. Morash, Meredith
Reappointment

Effective: Upon confirmation
Term: August 1, 2016

Board of Mental Health Practice - RSA 330-A:3,II

(Public Member)
Kathleen S. Shulman, New London
Reappointment

Effective: Upon confirmation
Term: October 31, 2016

Board of Nursing - RSA 326-B

(CNA)
Cynthia Smith, Meredith
Reappointment

Effective: Upon confirmation
Term: October 24, 2016

Public Utilities Commission - RSA 363

Martin P. Honigberg, Concord
Succeeding: Michael Harrington, Strafford
Salary: Grade JJ; Step 3- \$100,630.15

Effective: Upon confirmation
Term: July 1, 2019

Public Water Access Advisory Board - RSA 233-A

(Coastal and Marine Interests)
B. David Bryan, Newmarket
Reappointment

Effective: Upon confirmation
Term: October 5, 2014

New Hampshire Water Well Board - RSA 482-B

(Public Member)
Steven Guercia, Concord
Reappointment

Effective: Upon confirmation
Term: September 15, 2016

#1 **CONSENT CALENDAR - DONATIONS:**

BOARD OF PHARMACY

- A. Authorized Margaret Clifford, Chief Compliance Investigator to attend the National Association of Boards of Pharmacy Interactive Compliance Officer and Legal Counsel Forum to be held December 3-4, 2013 in Northbrook, IL. (2) Further authorized to accept complimentary scholarship from the National Association Boards of Pharmacy including admission and travel, not to exceed \$1,000. Effective upon G&C approval.

#2 **CONSENT CALENDAR - TUITION:**

NEW HAMPSHIRE LOTTERY COMMISSION

- A. Authorized to enter Leonard Mannino into an Educational Tuition agreement with Granite State College, Concord, NH, to participate in the courses entitled Financial Accounting and Programming Fundamentals, for the period of January 6, 2014 through March 28, 2014, and to pay costs not to exceed \$2,280. **Lottery Funds.**

DEPARTMENT OF INFORMATION TECHNOLOGY

- #3 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Van Ostern, authorized to enter into a contract with NH Optical Systems, Nashua, NH, to provide dark fiber facilities to the Department, for a total value of \$96,695.48. Effective upon G&C approval through June 30, 2019 or five years from State acceptance of the dark fiber installation, whichever is shorter.

DEPARTMENT OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

- #4 Authorized the nomination of Major Amy L. Emanuel-Bassett, Windham, ME, for promotion to the rank of Lieutenant 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 Authorized the nomination of Major Ian S. Tate, Somersworth, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

- #6 Authorized the nomination of Major Paulo A. Morales, Brentwood, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

- #7 Authorized the confirmation of Captain Paul M. Marcus, Somersworth, NH, for promotion to the rank of Major, NH Air National Guard.

- #8 Authorized the confirmation of Captain Autumn Richer, Nottingham, NH, for promotion to the rank of Major NH Air National Guard.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

- #9 Authorized to grant a perpetual utility easement on State land to Northern New England Telephone Operations LLC d/b/a Fairpoint Communications – NNE, for the installation, operation, maintenance and replacement of telecommunications lines and supporting facilities and apparatus as needed to provide telecommunications utility service to the Tobey Building located at 45 South Fruit Street in Concord within the Governor Hugh J. Gallen State Office Park campus. Effective upon G&C approval and shall continue in perpetuity.

- #10 Authorized the Division of Personnel's request for waiver of classification decisions. Effective upon G&C approval.

#11 Authorized a Working Capital Warrant in the amount of \$650,000,000 to cover the payment of expenditures for the month of December.

#12 Authorized to enter into a statewide agreement with LexisNexis VitalChek Network Inc., Brentwood, TN, to provide Fully Supported Payment Processing Solutions at no cost to the State. Effective upon G&C approval through June 30, 2018. The Contractor will be reimbursed through utilization of a convenience and/or service fee model where the convenience and/or service fee is the responsibility of the customer making payment to the State.

#13 Authorized to amend a contract with Anthem Life Insurance Company, Worthington, OH, (originally approved by G&C on 12-8-10, item #27), to cover recent changes to certain collective bargaining agreements that increases the employer-paid life insurance benefit for employees from \$20,000 to \$25,000; it is predicated on a range of between 3,000 to 10,000 lives for the employer-paid life insurance provided to full-time employees; by increasing the amount by \$60,000 from \$643,500 to \$703,500. Effective January 1, 2014 through December 31, 2015. **34% General, 21% Federal, 45% Other Funds.**

#14 Authorized the Bureau of Public Works Design and Construction to enter into a **retroactive** contract with Bauen Corporation, Meredith, NH, for mold remediation repairs at the NH Veterans Home, Tilton, NH, for a total price not to exceed \$53,800. (2)Further authorized a contingency in the amount of \$5,000 for unanticipated structural expenses, bringing the total to \$58,800. Effective November 8, 2013 through December 16, 2013. **100% Operating – General Funds.**

#15 Authorized the Bureau of Public Works Design and Construction to enter into a contract with Bauen Corporation, Meredith, NH, for the Lakes Regional Facility Roof Replacement – Powell Building, Laconia, NH, for a total price not to exceed \$106,450. (2)Further authorized a contingency in the amount of \$10,000 for unanticipated structural expenses, bringing the total to \$116,450. (3)Further authorized the amount of \$5,000 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, a capital oversight and engineering services provided, bringing the total of \$121,450. Effective upon G&C approval through April 25, 2014. **100% Capital – General Funds.**

STATE TREASURY

#16 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Sununu, authorized to issue a warrant from funds not otherwise appropriated in the amount of \$47,400 and the State Treasurer to issue checks in the amount of \$47,399.77 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#17 Authorized the Division of the Arts to amend a **sole source** agreement with Maren Brown Associates, Florence, MA (originally approved by G&C on 10-3-12, item #17), to coordinate the strategic plan for the NH State Council on the Arts, by increasing the amount by \$6,000 from \$25,204 to \$31,204. Effective upon G&C approval through November 30, 2013. **100% Federal Funds.**

#18 **FAILED** – with Councilors Van Ostern and Sununu voting **no**, the Governor and Council **failed** to authorize the request of the Division of the Arts to enter into a contract with Margaret Black, Topsfield, ME, to create artwork for the Anna Philbrook Center, Concord, NH, in an amount not to exceed \$12,800. Effective upon G&C approval through June 30, 2015. **100% Other Funds.**

#19 Authorized the Division of the Arts to award a Traditional Arts Apprenticeship Grant in the amount of \$2,400 to Fred Dolan, Strafford, to assist in the preservation of tradition based arts in NH so that future generations can continue to benefit from them. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

#20 Authorized to award a Conservation Number Plate Grant in the amount of \$20,000 to the Friends of the Concord City Auditorium for plaster restoration. Effective upon G&C approval through June 30, 2014. **100% Other Funds.**

#21 Authorized to award a Conservation Number Plate Grant in the amount of \$20,000 to the Town of Middleton. Effective upon G&C approval through June 30, 2014. **100% Other Funds.**

#22 Authorized the Division of the Arts to award Public Value Partnership Grants totaling \$21,450 to Red River Theaters, Concord, in the amount of \$8,450; and to Manchester Community Music School, in the amount of \$13,000, to strengthen their capacity for offering affordable diverse arts programs to NH residents and visitors. Effective upon G&C approval through June 30, 2014. **100% General Funds.**

#23 Authorized the Division of the Arts to award a Public Value Partnership Grant in the amount of \$13,000 to Prescott Park Arts Festival, Portsmouth, NH, to strengthen their capacity for offering affordable diverse arts programs to NH residents and visitors. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

#24 Authorized the Division of the Arts to award Public Value Partnership Grants totaling \$10,200 to Barnstormers Theater, Tamworth, in the amount of \$5,000; and to Lebanon Opera House, in the amount of \$5,200, to strengthen their capacity for offering affordable diverse arts programs to NH residents and visitors. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

#25 Authorized the Division of the Arts to award a Public Value Partnership Grant in the amount of \$7,800 to Monadnock Music, Peterborough, NH, to strengthen their capacity for offering affordable diverse arts programs to NH residents and visitors. Effective upon G&C approval through June 30, 2014.

DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

#26 Authorized to accept and expend a grant in the amount of \$9,972.41 from the NH Safety Agency for the purpose of hosting a two-day Motor Vehicle Homicide Seminar. (2)Further authorized to conduct a two-day seminar for the investigation and prosecution of motor vehicle crashes and incidents of driving while under the influence of alcohol or other drugs, at a cost not to exceed \$9,972.41 scheduled for December 10-11, 2013 at the Police standards and Training Council Training Facility in Concord, NH. The seminar will be presented to approximately 100 professionals in law enforcement and prosecution, at no charge to participants. (3)Further authorized to enter into an agreement with Chen and Ho LLC, to provide lunches and refreshments during the two-day seminar, in an amount not to exceed \$2,975. Effective upon G&C approval through December 31, 2013. **100% Transfer from other agency.**

#27 Authorized to enter into sub grants with the agencies as detailed in letter dated November 5, 2013, in the total amount of \$100,000 from the NH Department of Justice budget, to support the enhancement of Child Advocacy Center services. Effective upon G&C approval through June 30, 2015. **100% State Funding.**

#28 Authorized to accept and expend a grant from the Office of Justice Programs, Bureau of Justice statistics, to be used to support statistical analysis efforts, in the amount of \$60,069. (2)Further authorized to enter into a subgrant with the NH Department of Safety, in the amount of \$54,000, utilizing funds from the US Department of Justice's Bureau of Justice Statistics FFY 2012 Statistical Analysis Center Grant Program for the purpose of updating and enhancing the current crime statistics repository. Effective upon G&C approval through September 30, 2014. **100% Federal Funds.**

#29 Authorized to accept and expend \$1,000 in a stipend from the Massachusetts College of Pharmacy and Health Sciences, Boston, MA, for a student interning in the Office of the Chief Medical Examiner. Effective upon G&C approval through June 30, 2014. **100% Agency Income.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

#30 The Governor and Council on motion of Councilor Pignatelli, seconded by Councilor Pappas, authorized to enter into a contract with East Coast Security Services Inc., Salem, NH, for fire, burglar, panic and AC/DC fault alarm testing, monitoring and maintenance as well as building access control system monitoring and maintenance at NHES's offices statewide, in the amount not to exceed \$95,668. Effective December 1, 2013 through November 30, 2016. **100% Federal Funds.**

INSURANCE DEPARTMENT

#31 **AMENDED** - The Governor and Council on motion of Councilor Pappas, seconded by Councilor Van Osten, authorized to amend a **sole source** contract with Public Consulting Group Inc., Boston, MA (originally approved by G&C on 3-20-13, item #18), for consulting services for the purpose of planning, development and design of plan management activities related to a partnership health benefit exchange, by increasing the amount by \$273,750 from \$594,250 to \$868,000. Effective upon G&C approval through February 28, 2014. **100% Federal Funds. Amended on motion of Councilor Sununu, seconded by Councilor Pappas that this item be approved contingent upon the passage of legislation by the general court during the pending special session that involves the use of a Premium Assistance model for expanding health insurance coverage.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Human Resource Management

#32 Authorized to finalize the determination made by the Commissioner that on October 1, 2013, Duane Drew, a part-time Youth Counselor III at the Sununu Youth Services Center sustained an injury in the line of duty and 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 Human Resource Management

#33 Authorized to make a **retroactive** one-time payment from SFY 2013 to Lori Boelig, Occupational Therapist II, NH Hospital in the amount of \$1,903.12 to compensate for wages that were not paid in SFY 2013. **26% General, 31% Federal, 43% Other Income.**

Division of Public Health Services

#34 Authorized to enter into a grant agreement with Frisbie Memorial Hospital, Rochester, NH, under which the Division of Public Health Services will provide three portable ventilators and necessary accessories valued at \$20,970 to enhance respiratory medical capacity in response to a large-scale health emergency, using funding supported by the Federal Department of Homeland Security Grant to NH. Effective upon G&C approval and until the grant agreement is terminated by one of the parties. **100% Other Funds.**

Bureau of Homeless and Housing Services

#35 Authorized to enter into **retroactive** agreements with First Congregational Church, Concord, NH, to provide Emergency Solutions and State Grant-in-Aid services to homeless individuals, in an amount not to exceed \$29,908. This amount represents an award of \$13,832 effective **retroactive** to January 1, 2013 through December 31, 2013; and \$16,079 **retroactive** to July 1, 2013 through June 30, 2015. **54% General, 46% Federal Funds.**

#36 Authorized to enter into a **retroactive** agreement with Community Action Program Belknap-Merrimack Counties, Inc., Concord, NH, to provide a State Grant In-Aid Program, Homeless Housing and Access Loan Fund Program, Housing Security Guarantee Program and Homeless Outreach Intervention Program services to homeless individuals in an amount not to exceed \$546,928. Effective July 1, 2013 through June 30, 2015. **84.24% General, 15.76% Federal Funds.**

#37 Authorized to enter into a **retroactive** agreement with Southern NH Services Inc., Manchester, NH, to provide State Grant In-Aid Program and Homeless Housing Access Fund services, in an amount not to exceed \$284,550. Effective July 1, 2013 through June 30, 2015. **100% General Funds.**

#38 Authorized to enter into an agreement with Community Action Program of Belknap-Merrimack Counties Inc., Concord, NH, to provide Supportive Housing Program services to homeless individuals, in an amount not to exceed \$67,169. Effective December 1, 2013 or upon G&C approval, whichever is later, through November 30, 2014. **100% Federal Funds.**

#39 Authorized to enter into a **retroactive** agreement with United Ways of NH, to provide services to homeless individuals, in an amount not to exceed \$99,487. Effective July 1, 2013 through June 30, 2015. **100% General Funds.**

Bureau of Elderly & Adult Services

#40 Authorized to accept and expend SMP Capacity Building Grant federal funds from the Administration for Community Living in the amount of \$75,594. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

Bureau of Drug and Alcohol Services

#41 Authorized to enter into an agreement with County of Cheshire, Keene, NH, to assess, build capacity, mobilize, and prevent the use of non-medical prescription drugs, underage alcohol and excessive alcohol use on the campuses of Keene State College and Franklin Pierce University, in an amount not to exceed \$571,617. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#42 Authorized to accept and expend Medicare Improvements for Patients and Providers Act federal funds from the Centers for Medicare & Medicaid Services and the Administration for Community Living in the amount of \$96,613. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

Bureau of Developmental Services

#43 Authorized to amend an existing **sole source** agreement with NH Coalition for Citizens With Disabilities Inc., Concord, NH (originally approved by G&C on 6-19-13, item #131A), for the expansion of FACETS of Epilepsy Care in NH program and the development of a measurable state plan for autism services, by increasing the price by \$737,342 from \$646,437 to \$1,383,779. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

NEW HAMPSHIRE BOARD OF NURSING

#44 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Sununu, authorized to pay annual dues to the National Council of State Boards of Nursing, Chicago, IL, for the Board's participation in the National Licensing Compact Administrators, in the amount of \$6,000. Effective **retroactive** to October 1, 2013 through September 30, 2014. **100% General Funds.**

PUBLIC UTILITIES COMMISSION

#45 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Van Ostern, authorized to award grant funds in the amount of \$225,000 to Fiske Hydro Inc., to increase the capacity of renewable energy production at the Fiske Hydroelectric site in Hinsdale, NH. Effective upon G&C approval through December 31, 2015. **100% Renewable Energy Funds.**

OFFICE OF THE CONSUMER ADVOCATE

#46 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Pappas, authorized to amend a contract with Exeter Associates Inc., (originally approved by G&C on 5-9-12, item #51), to complete participation in the NH Public Utilities Commission's Investigation of Scrubber Costs and Cost Recovery, by extending the end date from December 31, 2013 to December 31, 2014. No Additional Funding.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#47 Authorized the Division of Parks and Recreation to enter into a **sole source** contract with Tsigonis Companies Inc., Fairbanks, Alaska, to update the existing Operation and Maintenance Manual to document modifications made to the wastewater treatment plant at Mount Washington State Park in Gorham, NH, in the amount of \$8,500. Effective upon G&C approval through February 1, 2014. **100% Capital Funds.**

#48 Authorized the Division of Parks and Recreation to make a **sole source retroactive** payment to Jutras Signs Inc., Bedford, NH, in the amount of \$4,583 for an unpaid invoice dated June 1, 2013, for banner and miscellaneous sign removal, inspection, cleaning, restoration, storage and re-installation services for the newly updated area of Hampton Beach. **100% Park Funds.**

#49 Authorized the Bureau of Trails to enter into a 30 year reciprocal access agreement with Jericho Power LLC, Cohasset, MA, to Jericho Mountain State Park in Berlin, NH. (2)Further authorized to accept a permanent trail easement from Jericho Mountain Wind Company on lands abutting Jericho Mountain State Park. The trail is an existing OHRV trail used by riders at the park.

#50 Authorized with Councilor Sununu recusing himself, the Division of Parks and Recreation, Cannon Mountain, to enter into a contract with Royal Electric Company Inc., Woodsville, NH, for the labor and materials to eliminate the isolation transformer on the Zoomer Chairlift at Cannon Mountain Ski Area, in the amount of \$5,785. (2)Further authorized a contingency in the amount of \$580 to cover any unforeseen issues that may arise, that isn't covered under the original scope of services, once the work is underway. Effective upon G&C approval through December 1, 2013. **100% Capital Funds.**

#51 Authorized with Councilor Sununu recusing himself, the Division of Parks and Recreation, Cannon Mountain to renew a 2-year membership with Ski New Hampshire Inc., Woodstock, NH, in the amount of \$10,982 for the 2013-2014 and 2014-2015 seasons. Effective upon G&C approval through June 30, 2015. **100% Ski Area Fund.**

#52 Authorized with Councilor Sununu recusing himself, the Division of Parks and Recreation, Cannon Mountain to amend a **sole source** Master Lease Equipment agreement with International Financial Services Corporation, Libertyville, IL, (originally approved by G&C on 12-9-09, item #46), in the total amount of \$278,458 for one new Bison Snow naS Groomer. Effective December 1, 2013 through May 1, 2017. **100% Ski Area Funds.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

#53 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Van Ostern, authorized to enlist as a member of the Northeast Wildlife Disease Cooperative, administered through Tufts Cummings School of Veterinary Medicine, in order to gain access to essential wildlife disease diagnostic, technical and educational resources of the Cooperative, in a total amount of \$5,000. Effective upon G&C approval through June 30, 2015. **100% Other (Game Management) Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#54 Authorized to **retroactively** enter into a **sole source** Joint Funding Agreement with the US Geological Survey, Pembroke, NH, for streamflow gaging, in the amount of \$136,693.50. Effective October 1, 2013 through June 30, 2014. **65% General, 35% Interagency Funds.**

#55 Authorized to enter into a **retroactive sole source** agreement with the University of NH – Cooperative Extension, Durham, NH, to provide Wetlands Assessment Training to wetland professionals and the public, in the amount of \$15,074. Effective October 1, 2013 through September 30, 2014. **100% Federal Funds.**

#56 Authorized to award a **sole source** grant to the Blue Ocean Society for Marine Conservation Inc., Portsmouth, NH, to conduct marine debris cleanups, monitoring and education in the NH seacoast, in the amount of \$25,000. Effective upon G&C approval through December 31, 2014. **100% Federal Funds.**

#57 Authorized to **retroactively** amend an agreement with Aquatic Control Technology LLC, Sutton, MA (originally approved by G&C on 5-1-13, item #70), for costs related to a second treatment of variable milfoil in Otter Pond in Greenland, by increasing the amount by \$1,375 from \$26,010 to \$27,385. Effective August 15, 2013 through December 31, 2013. **100% Lake Restoration Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#58 Authorized the Division of Fire Standards and Training, and Emergency Medical Services, to pay **sole source** annual licensing fees to the International Association of Firefighters, Washington, DC, for a one year licensing agreement, to continue to provide the Candidate Physical Ability Test, for an amount not to exceed \$5,000. Effective upon G&C approval through June 30, 2014. **100% Agency Income (fees charged to candidates to take the CPAT exam).**

#59 Authorized the Division of State Police to pay annual membership dues of \$5,300 to the Commercial Vehicle Safety Alliance, Greenbelt, MD. Effective January 1, 2014 through December 31, 2014. **80% Federal, 20% Highway Funds.**

#60 Authorized the Division of Fire Safety to **retroactively** enter into a memorandum of understanding with the Division of Fire Standards and Training and EMS, for the continued statewide hazardous material required training, in the amount of \$47,000. Effective October 1, 2013 through September 30, 2014. **100% Federal Funds.**

#61 Authorized the Division of Motor Vehicles to enter into a memorandum of agreement with the Department of Transportation to reimburse for a portion of the operating expenses at the Nashua DMC-EZ-Pass office, in an amount not to exceed \$250,000. Effective upon G&C approval through December 31, 2018. **100% Highway Funds.**

#62 Authorized to enter into a grant agreement with the NH Department of Environmental Services, for the State Homeland Security Program portion of the 2012 Homeland Security Grant Program, in the amount of \$16,642.13. Effective upon G&C approval through August 31, 2014. **100% Federal Funds.**

#63 Authorized to accept and expend Disaster FEMA funds in the amount of \$15,875 from the State of NH, Department of Safety, Division of Homeland Security and Emergency Management, for cost incurred during the declared event of February 2013 snowstorm. Effective upon G&C approval through June 30, 2014. **100% Agency Income.**

#64 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with School Administrative Unit #42/Nashua School District, for emergency preparedness capabilities and enhancements for a total amount of \$50,000. Effective upon G&C approval through September 30, 2014. **100% Federal Funds.**

#65 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with School Administrative Unit #59/Winnisquam Regional School District, for emergency preparedness capabilities and enhancements for a total amount of \$50,000. Effective upon G&C approval through September 30, 2014. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#66 Authorized the Bureau of Right of Way to pay property owners \$10,500 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from October 16, 2013 through October 29, 2013.

#67 Authorized the Bureau of Right of Ways petition for a hearing on replacement of US 2 (Bridge Street) bridge (Rogers Randers Bridge) over the Connecticut River between the Town of Lancaster NH and the Town of Guildhall, VT, and to appoint a commission to hold the hearing, and if the necessity is found, to layout the new highway, with a suggested budget of \$944.

#68 Authorized the Bureau of Rail & Transit to amend a contract with Boston Express Bus Inc., Concord, NH, (originally approved by G&C on 4-17-13, item #106), to complete the overhaul of 3 State-owned MCI motor coaches that are leased to Boston Express Bus Inc., which provides intercity bus services for the general public along the I-93 and Route 3 corridors to Boston, MA, by extending the overall contract completion date from December 31, 2013 to June 30, 2014. No Additional Funding.

#69 Authorized the Bureau of Planning and Community Assistance to enter into an agreement with North Country Council Inc., to provide funding and services under the National Scenic Byways Program through a local project administration process, totaling \$54,156. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

#70 Authorized the Bureau of Materials and Research to execute a **sole source** Cooperative Research and Development Agreement with the US Army Engineer Research and Development Center Cold Regions Research and Engineering Laboratory, Hanover, NH, for a cooperative investigation to assess the performance of reinforcement grids in base course and asphalt concrete pavements in NH, for a total fee not to exceed \$148,000. Effective upon G&C approval through March 31, 2015. **100% Federal Funds.**

#71 Authorized the Bureau of Environment to pay the Department of Environmental Services Aquatic Resource Mitigation Fund \$105,000. Effective upon G&C approval through December 31, 2014. **100% Federal Funds.**

#72 Authorized the Bureau of Traffic to enter into a **sole source retroactive** memorandum of agreement with Iowa Department of Transportation, Ames, Iowa to provide the State's share of the operational costs totaling \$142,750 for the 511 Travel Information web services. Effective October 1, 2013 through September 30, 2014. **100% Federal Funds.**

#73 Authorized the Bureau of Aeronautics to award a grant to the Nashua Airport Authority, to conduct a Wildlife Hazard Assessment to update the Storm Water Pollution prevention plan and to conduct Section 106 Historical Assessment at Boire Field, Nashua, NH, in the amount of \$141,375. Effective upon G&C approval through November 30, 2017. **97.44% Federal, 2.56% General Funds.**

#74 Authorized the Bureau of Aeronautics to award a grant to the Nashua Airport Authority, to purchase snow removal equipment at Boire Field, Nashua, NH, in the amount of \$549,900. Effective upon G&C approval through November 30, 2016. **97.44% Federal, 2.56% General Funds.**

#75 Authorized the Bureau of Construction to enter into a contract with E.D. Swett Inc., Concord, NH, for replacing the Maplewood Avenue Bridge over the US Route 1 Bypass in Portsmouth, on the basis of a low bid of \$3,880,746.30. (2)Further authorized a contingency in the amount of \$232,844.78 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through October 23, 2015. **100% Federal Funds.**

#76 Authorized the Bureau of Construction to enter into a contract with Continental Paving Inc., Londonderry, NH, for the installation of median barrier on NH Route 101, I-293 and I-93 in Bedford and Manchester, on the basis of a low bid of \$1,903,950.50. (2)Further authorized a contingency in the amount of \$95,197.53 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through August 22, 2014. **100% Federal Funds.**

#77 Authorized the Bureau of Construction to enter into a contract with Continental Paving Inc., Londonderry, NH, for pavement rehabilitation along 5.3 miles on NH Route 125 in the Towns of Kingston and Brentwood, on the basis of a low bid of \$2,039,030.29. (2)Further authorized a contingency in the amount of \$101,951.51 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through August 15, 2014. **100% Federal Funds.**

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ITEM REMOVED FROM THE TABLE

The Governor and Council on motion of Councilor Van Ostern, seconded by Councilor Sununu, voted to remove item #122- which was tabled at the November 6, 2013 Meeting.

DEPARTMENT OF TRANSPORTATION

#122 The Governor and Council on motion of Councilor Van Ostern, seconded by Councilor Sununu voted to approve the request of the Bureau of Bridge Design to enter into an agreement with Vanasse Hangen Brustlin Inc., for the In-depth Structural Inspection and Bridge Load Rating of the General Sullivan Bridge carrying pedestrian and recreational traffic over Little Bay between the city of Dover and the Town of Newington, for a total not to exceed \$819,724.54. Effective upon G&C approval through August 31, 2016. **100% Turnpike Funds.**

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ITEM REMOVED FROM THE TABLE

The Governor and Council on motion of Councilor Pappas, seconded by Councilor Van Ostern, voted to remove item #123- which was tabled at the November 6, 2013 Meeting.

DEPARTMENT OF TRANSPORTATION

#123 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Van Ostern voted to approve the request of the Bureau of Highway Design to enter into an agreement with McFarland-Johnson Inc., Concord, NH, and Binghamton, NY, to prepare the second phase of the preliminary engineering design for the section of Interstate 93 passing through Bow and Concord from I-89 through I-393, in an amount not to exceed \$1,660,885.66. Effective upon G&C approval through December 31, 2015. **100% Turnpike Funds.**

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The Next regular Governor and Executive Council meeting is scheduled for Wednesday, December 4, 2013, at The State House, Concord, NH.

Honorable Board then Adjourned at 11:55 a.m.