

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House Concord, New Hampshire
December 4, 2013, 10:00 a.m.

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

Councilor Van Ostern led the Pledge of Allegiance.

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Today's pre-meeting ceremonial items included:

- Music by Rundlett Middle School Chamber Chorus; and
- Citation for Rocks Christmas Tree Farm.

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The Governor and Executive Council on motion of Councilor Pappas, seconded by Councilor Van Ostern, accepted the minutes of November 20, 2013.

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The Governor and Executive Council, on motion of Councilor Sununu, seconded by Councilor Van Ostern, approved the appointment of several persons nominated for Civil Commissions from the November 20, 2013 meeting.

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

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The Town of Troy submitted an Application for Assistance to the Governor and Executive Council under the provision of RSA 13:1. The application indicated that the Town of Troy is unable to finance the ordinary needs of the government as the final tax rate for the tax year 2013 has not been established and the town cannot borrow any more money on tax anticipation notes against the anticipated tax revenues to be raised by the final property tax bill for the year 2013.

Selectman Tom Matson spoke to the Governor and Executive Council about the town's request. Deputy Attorney General Ann Rice stated that the Town of Troy is not eligible for monetary assistance under RSA 13:1; however, State Treasurer Catherine Provencher agreed to assist the town and speak with creditors in hopes to delay or make payments over time until the revenue from the tax bills have been received.

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RESIGNATIONS

The Governor and Council accepted the following resignation:

Director of the Division of Personnel at the Department of Administrative Services - RSA 21-I

Karen D. Hutchins, Concord Effective: December 20, 2013

Ballot Law Commission - RSA 665

(Alternate member appointed by Governor and Council)

Jameson S. French, Portsmouth Effective: December 4, 2013

Circuit Court, Lebanon District Division - RSA 490-E

Albert J. Cirone, Lebanon Effective: January 11, 2014

Juvenile Parole Board - RSA 170-H:3

(Alternate Member)

Yvonne M. Vissing, Chester Effective: December 4, 2013

Assistant Commissioner of the Department of Revenue Administration - RSA 21-J

Margaret L. Fulton, Bedford Effective: December 4, 2013

CONFIRMATIONS

The Governor and Council confirmed the following:

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

(Non-deaf Public Member)

Kirk C. Simoneau, Manchester

Succeeding: Christine C. Wellington, Derry

Effective: December 4, 2013

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: December 4, 2013

Term: September 6, 2016

Health Exchange Advisory Board - RSA 420-N

(Representing Employers)

Scott Baetz, Windham

Reappointment

Effective: December 4, 2013

Term: November 14, 2016

Lakes Management Advisory Committee - RSA 483-A

(Member of a Planning Board)

Robert W. Compton, Deering

Vacancy

Effective: December 4, 2013

Term: August 1, 2014

Lakes Management Advisory Committee - RSA 483-A

(Rep. Tourism Industry)

James S. Morash, Meredith

Reappointment

Effective: December 4, 2013

Term: August 1, 2016

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

(Public Member)

Kathleen S. Shulman, New London

Reappointment

Effective: December 4, 2013

Term: October 31, 2016

Board of Nursing - RSA 326-B

(CNA)

Cynthia Smith, Meredith

Reappointment

Effective: December 4, 2013

Term: October 24, 2016

Public Water Access Advisory Board - RSA 233-A

(Coastal and Marine Interests)

B. David Bryan, Newmarket

Reappointment

Effective: December 4, 2013

Term: October 5, 2014

New Hampshire Water Well Board - RSA 482-B

(Public Member)

Steven Guercia, Concord

Reappointment

Effective: December 4, 2013

Term: September 15, 2016

NOMINATIONS

The Governor placed into nomination the following:

Appellate Board - RSA 282-A

(Business Management)

Angela T. Finney, Concord

Succeeding: Joanne Dobson, Laconia

Effective: Upon confirmation

Term: October 14, 2014

Enhanced 911 Commission - RSA 106-H

(Public Member)

Cecily McNair, Epsom

Vacancy

Effective: Upon confirmation

Term: July 22, 2014

State Historical Records Advisory Board - RSA 5:42

Paul R. Bergeron, Nashua

Reappointment

Effective: January 2, 2014

Term: January 2, 2017

State Historical Records Advisory Board - RSA 5:42

Linda Upham-Bornstein, Lancaster

Reappointment

Effective: Upon confirmation

Term: December 19, 2016

State Commission for Human Rights - RSA 354-A:4

William E. Brennan, Bedford

Reappointment

Effective: Upon confirmation

Term: November 1, 2018

Assistant Commissioner for the Department of Revenue Administration - RSA 21-J

Kathryn E. Skouteris, Merrimack

Succeeding: Margaret L. Fulton, Bedford (resigned)

Salary: Grade HH; maximum- \$100,170.95

Effective: January 1, 2014

Term: January 1, 2018

#1 **CONSENT CALENDAR - DONATIONS:**

DEPARTMENT OF ADMINISTRATIVE SERVICES

- A. Authorized to accept two Christmas trees to be placed at the Bridges House on Mountain Road and the State House in Concord, NH. The trees are being donated by the Rocks Christmas Tree farm from Bethlehem, NH, with a value of \$175.

DEPARTMENT OF CORRECTIONS

- B. Authorized to accept a nonmonetary donation from Children's Literacy Foundation, Duncan McDouglass, Executive Director, Waterbury Center, VT, consisting of 870 children's books, four literacy seminars for inmates; two family story-telling events; postage and mailing materials; and recording equipment for inmate parents to record themselves reading books to send to their children, with a value of \$14,000 by use by the inmates at the NH State Prison of Men in Concord.

DEPARTMENT OF THE ADJUTANT GENERAL

- C. Authorized to accept donations of computer services, vehicle repair, tree spraying, travel expense, refreshments, used computers, and brick and paver engraving in the amount of \$1,997.65 for the NH State Veterans Cemetery to be used for the operation, maintenance, and improvement of the cemetery.

#2 **CONSENT CALENDAR - TUITION:**

NEW HAMPSHIRE LIQUOR COMMISSION

- A. Authorized with Councilor Van Ostern recusing himself, to enter Christina M. Demers into an educational tuition agreement with Southern NH University, Manchester, NH, to participate in the course entitled Marketing Strategies, for the period of January 7, 2014 through March 30, 2014, and to pay said costs in the amount of \$1,881. **100% Liquor Funds.**

OFFICE OF ENERGY AND PLANNING

- #3 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Pappas, and with Councilor Van Ostern recusing himself, authorized to enter into a contract with Navigant Consulting Inc., Burlington, MA, to assist with the development of a 10-year State Energy Strategy, in the amount of \$198,495. Effective upon G&C approval through October 31, 2014. **100% Other Funds (PUC – Renewable Energy Fund).**

DEPARTMENT OF INFORMATION TECHNOLOGY

- #4 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Van Ostern, authorized to accept and expend \$53,503 in State Fiscal Year 2014 of additional other funds available from the Department of Corrections for the procurement of information technology hardware and software. Effective upon G&C approval through June 30, 2014. **100% Other Funds (Agency Class 027) Funds.**

STATE TREASURY

- #5 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Van Ostern, authorized to issue a warrant from funds not otherwise appropriated in the amount of \$55,496 and the State Treasurer to issue checks in the amount of \$55,495.64 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF REVENUE ADMINISTRATION

- #6 The Governor and Council on motion of Councilor Van Ostern, seconded by Councilor Pappas, authorized to place Mr. Aaron Agarwal at the second step for the position of Multi-Entity Tax Auditor, of the Audit Division, unclassified salary grade CC, earning \$60,845.19 annually. Effective upon G&C approval. **100% General Funds.**

DEPARTMENT OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

- #7 Authorized the confirmation of Major Amy L. Emanuel-Bassett, Windham, ME, for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

- #8 Authorized the confirmation of Major Ian S. Tate, Somersworth, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

- #9 Authorized the confirmation of Major Paula A. Morales, Brentwood, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

- #10 Authorized the nomination of Major Daniel A. Chacon, La Vista, NE, for appointment to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been founds to be physically, mentally, morally, and professionally qualified.

- #11 Authorized the nomination of Major Michael C. Callaghan, Acton, MA, for appointment to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been founds to be physically, mentally, morally, and professionally qualified.

- #12 Authorized the nomination of Major Michael J. Blough, Rollinsford, NH, for appointment to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been founds to be physically, mentally, morally, and professionally qualified.

#13 Authorized the nomination of Captian Suzanne L. Lamb, Bedford, NH, for promotion to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been founds to be physically, mentally, morally, and professionally qualified.

#14 Authorized to accept a three acre parcel of land located in Boscawen, NH, from the NH Veterans Cemetery Association Inc. No Cost.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#15 Authorized the Division of Personnel's request to waive classification decisions. Effective upon G&C approval.

#16 Authorized the Bureau of Public Works Design and Construction to enter into an agreement with Lee F. Carroll, for electrical services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department, in an amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2016.

#17 Authorized the Bureau of Public Works Design and Construction to enter into an agreement with Colby Company LLC, Portland, ME, for electrical services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department, in an amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2016.

#18 Authorized the Bureau of Public Works Design and Construction to enter into an agreement with Ackroyd Engineering LLC, Manchester, NH, for electrical services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department, in an amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2016.

#19 Authorized the Bureau of Public Works Design and Construction to enter into an agreement with Dubois & King Inc., South Burlington, VT, for mechanical services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department, in an amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2016.

#20 Authorized the Bureau of Public Works Design and Construction to enter into an agreement with Stantec Consulting Services Inc., Auburn, NH, for mechanical services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department, in an amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2016.

#21 Authorized the Bureau of Public Works Design and Construction to enter into an agreement with Yeaton Associates Inc., Littleton, NH, for mechanical services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department, in an amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2016.

DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

#22 Authorized to budget and expend prior year carry forward funds in the amount of \$22,316.61 from the MtBE settlement funds for the remediation of MtBE contamination in groundwater and drinking water. (2)Further authorized to enter into a memorandum of understanding with the Department of Environmental Services (DES) and grant DES \$22,316,661 to establish and begin the implementation of an MtBE corrective action plan for cleanup of the contamination of groundwater and drinking water. Effective upon G&C approval through June 30, 2015. **100% Other Funds. (MTBE Settlements). Fiscal Committee approved.**

#23 Authorized to accept and expend a sum not to exceed \$900,000 from funds not otherwise appropriated for the purpose of covering projected shortfalls in the general litigation expenses incurred in the defense of the State and the prosecution of criminal law. Effective upon G&C approval through June 30, 2014. **100% General Funds. Fiscal Committee approved.**

INSURANCE DEPARTMENT

#24 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Sununu, authorized to accept and expend federal grant funds in the amount of \$2,318,181 for FY 2014-15 from the US Department of Health and Human Services for the purpose of improving the health insurance rate review process, enhancing the quality of data collected on health insurance claims, improving the transparency of information for consumers, and enhancing the HealthCost website as a centralized location for health care price information. (2)Further authorized to enter into contracts for consulting services with various vendors. Effective upon G&C approval through June 30, 2015. **100% Federal Funds. Fiscal Committee approved.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

#25 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Sununu, authorized to enter into an agreement with Toshiba Business Solutions, Wilmington, MA, for full service maintenance coverage of 9 Toshiba copiers, in the amount not to exceed \$18,000. Effective upon G&C approval through June 30, 2016. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#26 Authorized to make a one-time **retroactive** payment of salary and benefits to Supervisor I, James Boggis, in the amount of \$1,218.31 for the period of December 28, 2012 through June 13, 2013. **100% General Funds.**

#27 Authorized to purchase a 48" Omega 100 Series Signmasker in an amount not to exceed \$18,700. Funding will be from the Correctional Industries' Revolving Account. Effective upon G&C approval. **100% Other Funds. Fiscal Committee approved.**

#28 Authorized to create a new expenditure class and to transfer \$1,032,000 within and among accounts as detailed in letter dated October 15, 2013, to reallocate appropriations and cover budget shortfalls. Effective upon G&C approval through June 30, 2014. **100% General Funds. Fiscal Committee approved.**

#29 Authorized to enter into a **sole source** contract with the University of Cincinnati, OH, for technical assistance and training for corrections counselors/case managers and other corrections personnel in offender substance abuse disorder case management and motivational interviewing techniques, in the amount of \$26,000. Effective upon G&C approval through January 31, 2014. **100% Agency Income (federal funds at origin).**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Human Resource Management

#30 Authorized to finalize the determination made by the Commissioner that on October 2, 2013, Zachary Branscom, a Mental Health Worker II at the NH Hospital sustained an injury in the line of duty and due to 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.

#31 Authorized to finalize the determination made by the Commissioner that on October 30, 2013, Jorge Cruz, a Mental Health Worker II, sustained an injury in the line of duty and due to 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.

#32 Authorized to finalize the determination made by the Commissioner that on October 2, 2013, Jennifer Roy, a Mental Health Worker II at the NH Hospital sustained an injury in the line of duty and due to 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.

#33 Authorized to finalize the determination made by the Commissioner that on October 2, 2013, Mark Simpson, a Mental Health Worker II at the NH Hospital sustained an injury in the line of duty and due to 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 Homeless and Housing Services

#34 Authorized to enter into a **retroactive** agreement with Tri-County Community Action Program Inc., Berlin, NH, to provide Emergency Solutions Grant Program services to homeless individuals, in an amount not to exceed \$32,512. Effective January 1, 2013 through December 31, 2013. **100% Federal Funds.**

#35 Authorized to enter into a **retroactive** agreement with Families in Transition, Manchester, NH, to provide Emergency Solutions Grant-Rapid Re-Housing and Homeless Prevention services to homeless individuals, in an amount not to exceed \$148,542. Effective December 1, 2013 through May 31, 2015. **100% Federal Funds.**

#36 Authorized to enter into a **retroactive** agreement with Center for Life Management, to provide supportive housing services to homeless individuals in an amount not to exceed \$513,807. Effective July 1, 2013 through June 30, 2014. **100% Federal Funds.**

Division of Public Health Services

#37 Authorized to enter into an agreement with Lynne Dugan, Advanced Practice Registered Nurse, to provide reimbursement for payment of educational loans through the State Loan Repayment Program, in an amount not to exceed \$33,000. Effective January 1, 2014 or upon G&C approval, whichever is later, through December 31, 2016. **100% General Funds.**

#38 Authorized to enter into an agreement with Gayle Spelman, Physician Assistant, to provide reimbursement for payment of educational loans through the State Loan Repayment Program, in an amount not to exceed \$44,000. Effective January 1, 2014 or upon G&C approval, whichever is later, through December 31, 2016. **100% General Funds.**

#39 Authorized to enter into an agreement with Dr. Gregory Fredette, Doctor of Dental Medicine, to provide reimbursement for payment of educational loans through the State Loan Repayment Program, in an amount not to exceed \$73,500. Effective January 1, 2014 or upon G&C approval, whichever is later, through December 31, 2016. **100% General Funds.**

#40 Authorized to enter into an agreement with Dr. Ekaterina Hurst, Doctor of Allopathic Medicine, to provide reimbursement for payment of educational loans through the State Loan Repayment Program, in an amount not to exceed \$37,500. Effective January 1, 2014 or upon G&C approval, whichever is later, through December 31, 2016. **100% General Funds.**

#41 Authorized to enter into an agreement with GoSignMeUp of California, Irvine, CA, to provide online learning management services, in an amount not to exceed \$33,000. Effective upon G&C approval through June 30, 2016. **92% Federal, 8% General Funds.**

#42 Authorized to enter into an agreement with Kathryn Bonafede, Doctor of Allopathic Medicine, to provide reimbursement for payment of educational loans through the State Loan Repayment Program, in an amount not to exceed \$37,500. Effective January 1, 2014 or upon G&C approval, whichever is later, through December 31, 2016. **100% General Funds.**

#43 Authorized to enter into a **sole source** agreement with the City of Franklin, NH, to provide planning, training, and equipping emergency Northern New England Metropolitan Medical Response System strike teams in NH to enhance the overall medical surge capability in response to a large-scale health event, in an amount not to exceed \$50,000. Effective upon G&C approval through August 31, 2014. **100% Other Funds.**

Division for Children, Youth and Families

#44 Authorized to enter into an agreement with Dr. Michael F. Kalinowski, Durham, NH, to conduct a Child Care Market Rate Survey, in an amount not to exceed \$40,159. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#45 Authorized to enter into an agreement with Southeastern Regional Education Service Center Inc., Bedford, NH, to provide a statewide program to support the inclusion of young children with special needs in child care programs, in an amount not to exceed \$260,000. Effective January 1, 2014 or upon G&C approval, whichever is later, through December 31, 2015. **100% Federal Funds.**

Bureau of Elderly and Adult Services

#46 Authorized to accept and expend Aging and Disabilities Resource Center Options Counseling Enhancement Program Federal Funds from the Administration for Community Living in the amount of \$414,964. Effective upon G&C approval through June 30, 2015. **100% Federal Funds. Fiscal Committee approved.**

New Hampshire Hospital

#47 Authorized to amend a **retroactive sole source** agreement with Sodexo Operations LLC, Gaithersburg, MD, (originally approved by G&C on 6-25-08, item #195), to continue to provide for the purchase of food and food related products and the lease of services, systems and equipment for NH Hospital's food and nutrition and environmental services department, by increasing the price by \$963,686 from \$5,338,418 to \$6,302,104 and by extending the completion date from June 30, 2013 to June 30, 2014. **57.18% Other, 29.32% General, 13.5% Federal Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#48 Authorized the Office of Workforce Opportunity to amend a contract with Southern NH Services Inc., Manchester, NH (originally approved by G&C on 9-14-11, item #54), for the delivery of Workforce Investment Act Grant services, by increasing the amount from \$14,627,419.56 to \$15,297,212.04, an increase of \$669,792.48. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#49 Authorized the Division of Forests and Lands to budget and expend \$60,000 of Mt. Top Tower Fund prior year unexpended revenue. Effective upon G&C approval through June 30, 2014. **100% Agency Income.**

#50 Authorized the Bureau of Trails to enter into Grant-in-Aid Trail Maintenance contracts with the snowmobile clubs as detailed in letter dated November 13, 2013, for a total amount of \$1,595,124.66. Effective upon G&C approval through May 1, 2014. **100% OHRV and Snowmobile Fund.**

#51 Authorized with Councilor Sununu recusing himself, the Division of Parks and Recreation to enter into a membership with White Mountain Attractions Association, Woodstock, NH, in the amount of \$17,000 which includes advertisements, brochure distribution, brochure display, public relations and board representations for Cannon Mountain during the 2013/14 and 2014/15 seasons. Effective upon G&C approval through June 30, 2015. **100% Ski Area Fund.** (2)Further authorized to enter into a membership with White Mountain Attractions Association, Woodstock, NH, in the amount of \$17,000 which includes the same services as above for the Flume Gorge during the 2013/14 and 2014/15 seasons. Effective upon G&C approval through June 30, 2015. **100% Park Funds.**

#52 Authorized with Councilor Sununu recusing himself, the Division of Parks and Recreation, Cannon Mountain Ski Area to enter into memberships with the companies as detailed in letter dated November 12, 2013, for a total amount of \$42,498.32 for the 2013/14 ski season. Effective upon G&C approval through June 30, 2014. **100% Ski Area Funds.**

#53 Authorized the Division of Forests and Lands to accept a Federal grant up to \$9,100,000 and assign it directly to Plum Creek Maine Timberlands LLC to pay the purchase price for acquisition of a Conservation Easement on 22,991 +/- acres in the Town of Cambridge, Errol and Wentworth Location in Coos County NH, known as the "Androscoggin Headwaters Forest Legacy Project". (2)Further authorized to accept the 22,991 +/- acres Conservation Easement, and enter into a Snowmobile Agreement to protect its natural resource values and insure continued access to the property. (3)Further authorized to reimburse Plum Creek Maine Timberlands LLC for the cost of a title insurance policy, in an amount not to exceed \$5,000 for the property on which the Conservation Easement will be acquired. **100% Federal Funds. Fiscal Committee approved.**

#54 Authorized the Division of Parks and Recreation, Mount Washington State Park to enter into a **sole source** Master Equipment Lease Agreement with International Financial Services Corporation of Libertyville, IL, to establish an on-going lease program. No Cost. Effective upon G&C approval. (2)Further authorized to enter into a **sole source** schedule of the Master Lease agreement with International Financial Services Corporation, Libertyville, IL, for the lease of one new Husky Snow Groomer with Passenger Cabin, in the total amount of \$194,670. Effective December 1, 2013 through May 1, 2017. **100% Revolving Funds.**

#55 Authorized the Bureau of Trails and the Department of Administrative Services, Risk Management Unit to enter into a contract with FIAI Inc., d/b/a Cross Insurance, Manchester, NH, to purchase general liability insurance coverage for the Off Highway Recreational Vehicle Trails Program, Snowmobile, and NH Heritage Trails, for a total cost not to exceed \$120,645. Effective January 1, 2014 through January 1, 2017. **100% OHRV and Snowmobile Funds.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#56 Authorized to accept and expend a grant in the amount of \$53,800 from the Wildlife Heritage Foundation of NH for the purpose of funding two grant projects. Effective upon G&C approval through June 30, 2014. **100% Other Funds (Wildlife Heritage Foundation).**

#57 Authorized to pay the Association of Fish and Wildlife Agencies, Washington, DC, \$23,627 annual membership dues. Effective upon G&C approval through June 30, 2014. **100% Fish and Game Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#58 Authorized to accept and expend \$22,316,661 in MTBE settlement funds from the Department of Justice to implement an MTBE corrective action plan. (2)Further authorized to establish five full-time, temporary positions. Effective upon G&C approval through June 30, 2015. **100% MTBE Settlement Funds. Fiscal Committee approved.**

#59 Authorized the Oil Fund Disbursement Board to budget and expend prior year carry forward funds in the amount of \$1,250,000 for purposes of oil discharge cleanup. Effective upon G&C approval through June 30, 2015. **100% Oil Discharge & Disposal Cleanup Funds. Fiscal Committee approved.**

#60 Authorized to accept and expend \$182,262 in Federal funds from the National Oceanic and Atmospheric Administration for implementation of a web-based tool to advance hazard resilience and adaptation planning in coastal communities. Effective upon G&C approval through March 31, 2015. **100% Federal Funds. Fiscal Committee approved.**

#61 Authorized to award a **sole source** grant to the University of NH, Sponsored Programs Administration, Durham, NH, to coordinate the development and implementation of local adaptation action plans by two coastal communities, and provide outreach to NH businesses, in the amount of \$70,999. **100% Federal Funds.**

#62 Authorized to pay calendar year 2014 membership dues to the Association of State Dam Safety Officials, Lexington, KY, in the amount of \$2,730. Effective upon G&C approval. **26.7% Dam Safety, 73.3% General Funds.**

#63 Authorized to amend an agreement with John Turner Consulting, Dover, NH, (originally approved by G&C on 11-9-11, item #85), by changing the source of funds to the Maintenance of Dams account, and by extending the completion date to June 30, 2015 from December 31, 2013. No Additional Funding. **100% Maintenance of Dams Funds.**

#64 Authorized to award a **sole source** grant to the Gundalow Company, Portsmouth, NH, to conduct an on-board environmental education series at locations in the seacoast region, in the amount of \$25,000. Effective upon G&C approval through December 31, 2014. **100% Federal Funds.**

#65 Authorized Carol/Dennis Colameta's request to perform work on Lake Winnepesaukee in Moultonborough.

#66 Authorized Carol Kuusisto's request to perform work on Lake Winnepesaukee in Gilford.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#67 Authorized to enter into a contract with North Country Education Services, Gorham, NH, to provide support and training to school and district educators on the use of data analysis tools and resources made available to them by the Department, in an amount not to exceed \$107,900. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#68 Authorized to enter into a contract with Rebecca Gagnon, Laconia, NH, to provide support and training to school and district educators on the use of data analysis tools and resources made available to them by the Department, in an amount not to exceed \$48,750. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#69 Authorized to enter into a contract with Jessica E. Phillips, as a Regional Master Educational Surrogate Parent, who will be responsible for (1) providing management and support for trained and certified volunteer educational surrogate parents and (2) accepting temporary educational surrogate parent appointments for students in specific situations that require her special education expertise or require immediate appointment, in an amount not to exceed \$10,000. Effective January 1, 2014 or upon G&C approval, whichever is later, through June 30, 2014. **100% Federal Funds.**

#70 Authorized the Division of Career Technology and Adult Learning to enter into a contract with RKM Research and Communications Inc., Portsmouth, NH, to conduct a statewide customer satisfaction survey of its primary customers, in an amount not to exceed \$104,550. Effective upon G&C approval through June 30, 2016. **100% Federal Funds.**

#71 Authorized to enter into a contract with Gibson Consulting Group of Austin, TX, to annually collect parent involvement surveys from approximately 33,000 parents of students with disabilities and post school outcome surveys from approximately 3,000 special education students one year after they have exited high school, for required reporting in the NH Department of Education, Bureau of Special Education Annual Performance Report, in the amount not to exceed \$276,981. Effective January 1, 2014 or upon G&C approval, whichever is later, through December 30, 2015. **100% Federal Funds.**

#72 Authorized to hold an awards banquet to recognize the NH Teacher of the Year, the NH Teacher of the Year Semi-Finalists and Finalists, the NH Presidential Award for Excellence in Mathematics and Science Teaching Recipients, and the NH National Blue Ribbon Schools, in an amount not to exceed \$3,961. (2) Further authorized to enter into a contract with The Holiday Inn Inc., Concord, NH, to provide the necessary conference facilities, and food service for the banquet for up to 150 attendees on December 11, 2013 in an amount not to exceed \$3,961 which is the total cost above. **100% Other Funds.**

#73 Authorized to **retroactively** secure the membership to The Council for the Accreditation of Educator Preparation, Washington, DC, in the amount of \$4,291.81. Effective upon G&C approval for a period of July 1, 2013 through June 30, 2014. **100% Other Funds.**

#74 Authorized to **retroactively** pay membership dues to the State Consortium on Educator Effectiveness of the Council of Chief State School Officers, in the amount of \$18,500. Effective upon G&C approval through June 30, 2014. **100% Other Funds.**

#75 Authorized to enter into a contract with the Educational Testing Service, Princeton, NJ, to provide high school equivalency testing services to NH residents, in an amount not to exceed \$375,000. Effective January 1, 2014 or upon G&C approval, whichever is later, through December 31, 2016, with the option to exercise annual negotiated renewals. **50% General, 50% Other Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#76 Authorized to transfer \$1,440,319 within federal grants entitled “FY 2010 Homeland Security Grant Program”, “FY 2011 Homeland Security Grant program” and “FY 2012 Homeland Security Grant Program” from the US Department of Homeland Security/FEMA, Preparedness Directorate, to re-align appropriated funds for the purpose of executing the mission of the Homeland Security Grant funding at the local and state level. Effective upon G&C approval through June 30, 2014. **100% Federal Funds. Fiscal Committee approved.**

#77 Authorized the Bureau of Hearings to enter into a **sole source** personal services contract with the Law Office of Mark P. Hodgdon PLLC, Concord, NH, for the purpose of conducting a hearing concerning the denial of a private detective/armed security guard license, in the amount of \$3,600. Effective upon G&C approval through May 1, 2014. **100% Agency Income.**

#78 Authorized the Division of State Police to **retroactively** amend federal pass-through funds from the NH Department of Justice (originally approved by G&C on 3-6-13, item #29), for the purpose of supporting the operation of the Sex Offender Unit, by changing the end date from September 30, 2013 to July 31, 2014. **100% Agency Income.**

#79 Authorized the Division of Standards and Training and Emergency Medical Services to amend a **sole source** agreement with Honeywell International Inc., Morristown, NJ (originally approved by G&C on 9-12-13), to provide mechanical maintenance/air filter services, by increasing the amount by \$9,607 from \$9,607 to \$19,214, and by extending the end date from December 31, 2013 through June 30, 2014. **100% Revolving Funds.**

#80 Authorized the Division of Standards and Training and Emergency Medical Services, to **retroactively** amend a contract with Miracle Mile Realty LLC, Wilmington, MA, for office space for Emergency Medical Services’ regional office, in the amount of \$19,144.32. Effective upon G&C approval through July 1, 2013 through June 30, 2014. **100% Fire and EMS Funds.**

#81 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Piermont, NH for implementation of projects identified through the evaluation of natural hazards, for a total amount of \$230,828. Effective upon G&C approval through March 1, 2016. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#82 Authorized the Bureau of Right of Way petition for a hearing on an alteration to the NH 106 Intersection with Seavey Road in the Town of Belmont, and to appoint a Commission to hold the hearing, and, if the necessity is found, to layout the new highway at this location, with a suggested budget of \$1,714.44.

#83 Authorized the Bureau of Right of Way to pay property owners \$22,900 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from October 30, 2013 through November 12, 2013.

#84 Authorized the Bureau of Highway Maintenance, Well Section to enter into a contract with Capital Well Company Inc., Dunbarton, NH, for a 6-inch drilled well and pump on the property of Susan Perkins, Milan, NH, in the amount of \$25,850. Effective upon G&C approval through March 14, 2014. **100% Highway Funds.**

#85 Authorized the Bureau of Turnpikes to continue membership and participation with the E-ZPass Interagency Group, New York, NY, by paying annual membership dues in the amount of \$17,500 for Calendar Year 2014. **100% Turnpike Funds.**

#86 Authorized the Bureau of Turnpikes to exercise the motor service patrol expansion option allowed in the original contract with Travelers Marketing LLC, Wellesley, MA (originally approved by G&C on 11-14-12, item #164), for expanding sponsorship of the Bureau of Turnpikes Motor Service Patrol along the F.E. Everett Turnpike for a fee to be paid to the Bureau of Turnpikes, by increasing the amount by \$82,290 from \$145,500 to \$227,790. Effective upon G&C approval through June 30, 2015. (2)Further authorized to accept and expend Sponsorship Fees from Travelers Marketing LLC, in the amount of \$82,290 for sponsorship of the Bureau of Turnpikes Expanded Motor Service Patrol along the F.E. Everett Turnpike. Effective upon G&C approval through June 30, 2015. **100% Other Funds – Sponsorship Fees.**

#87 Authorized the Bureau of Planning and Community Assistance to amend a contract with the Lakes Region Planning Commission, Meredith, NH, (originally approved by G&C on 6-5-13, item #210), to undertake approved transportation related planning activities, by increasing the amount by \$80,001.20 from \$320,004.80 to \$400,006. Effective upon G&C approval. **100% Federal Funds.**

#88 Authorized the Bureau of Planning and Community Assistance to enter into agreements with the Sub-recipients as detailed in letter dated November 18, 2013, to provide funding and services under the Federal Safe Routes to School Program through a local project administration process, totaling \$1,566,905. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#89 Authorized the Bureau of Materials & Research to amend a Cooperative Project Agreement with the UNH Sponsored Programs Administration, Durham, NH, (originally approved by G&C on 7-14-10, item #92), for research related to the performance of high-percentage mixtures of recycled asphalt pavement sections in NH, by extending the completion date from December 31, 2013 to September 30, 2014. No Additional Funding. (2)Further authorized to amend a Cooperative Project Agreement with the UNH Sponsored Programs Administration, Durham, NH, for research related to the evaluation of plant-produced, high-percentage recycled asphalt pavement mixtures in the Northeast, by reducing the total project funding by \$50,000 from \$781,706 to \$731,706 and modify the scope of remaining work, and by extending the completion date from December 31, 2013 to December 31, 2014. (Originally approved by G&C on 8-11-10, item #65, with a funding allocation of \$225,000/year for FYs 2011, 2012 and 2013, and \$106,706 for FY 2014). **100% Federal Funds.**

#90 Authorized the Bureau of Highway Design to amend an agreement with Vanasse Hangen Brustlin Inc., Bedford, NH, and Watertown, MA (originally approved by G&C on 12-18-08, item #77), for the final design for the widening of the Spaulding Turnpike in the Town of Newington and City of Dover, by extending the completion date from December 31, 2013 to December 31, 2014. No Additional Funding.

#91 Authorized the Bureau of Highway Design to amend an agreement with McFarland-Johnson Inc., Concord, NH, and Binghamton, NY, (originally approved by G&C on 3-24-10, item #123), for the final design for the replacement or removal of six red list bridges over the US Rte 1 Bypass in the City of Portsmouth, by extending the completion date from December 31, 2013 to September 30, 2014. No Additional Funding.

#92 Authorized the Division of Operations to transfer \$260,450 between Highway Fund accounts and classes. Effective upon G&C approval through June 30, 2014. **Fiscal Committee approved.**

#93 Authorized the Bureau of Bridge Design to enter into an agreement with Hoyle, Tanner & Associates Inc., Manchester, NH, for the final design efforts for the replacement of the Red List bridges carrying US Route 202 and NH Route 101 over the Contoocook River in the Town of Peterborough, for a total amount not to exceed \$284,764.76. Effective upon G&C approval through August 31, 2016. **100% Federal Funds.**

#94 Authorized the Bureau of Construction to enter into a contract with Visi-Flash Rentals Eastern Inc., West Bridgewater, MA, for installation of warning and intersection signs and upgrading existing warning signs located throughout District IV to improve safety, on the basis of a low bid of \$699,189. Effective upon G&C approval through September 26, 2014. **100% Federal Funds.**

#95 Authorized the Bureau of Construction to enter into a contract with Weaver Brothers Construction Co., Inc., Bow, NH, for roadway rehabilitation and widening on I-93 northbound mainline through the Exit 3 area in the towns of Windham and Salem, on the basis of a low bid of \$32,237,736.54. (2)Further authorized a contingency in the amount of \$967,132.10 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 28, 2016. **100% Federal Funds.**

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LATE ITEMS

DEPARTMENT OF ADMINISTRATIVE SERVICES

- A. Authorized the list of Governor and Council meeting dates for the period of January through June 2014.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Division for Children, Youth and Families

- B. Authorized the Sununu Youth Services Center to continue the salary enhancement for teachers at SYSC until June 30, 2014.

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The Next regular Governor and Executive Council meeting is scheduled for Friday, December 20, 2013, at The State House, Concord, NH.

Honorable Board then Adjourned at 12:00 p.m.