

GOVERNOR AND EXECUTIVE COUNCIL MINUTES  
State House, Concord, New Hampshire  
February 10, 2016 10:00 a.m.

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

Today's pre-meeting ceremonial items included:

- Pledge of Allegiance led by Councilor Kenney
- Music by Anna Madsen with Brian Coombes and Myron Kibby of Rocking Horse Recording Studio in Pittsfield, NH
- Presentation of State Suggestion and Extraordinary Service Awards:
  - John Avlas from the Department of Health and Human Services
  - Deborah Nixon & Spiro Millos from the Department of Revenue Administration

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The Governor and Executive Council on motion of Councilor Kenney, seconded by Councilor Sununu, accepted the minutes of January 27, 2016.

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The Governor and Executive Council, on motion of Councilor Kenney, seconded by Councilor Pappas, approved the appointment of several persons nominated for Civil Commissions from the January 27, 2016 meeting.

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

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**RESIGNATIONS**

The Governor and Council accepted the following resignations:

State Committee on Aging

Sheila E. King, Hampton

Effective: February 10, 2016

Board of Professional Geologists

Philip R. Braley, Concord

Effective: February 14, 2016

**CONFIRMATIONS**

The Governor and Council confirmed the following:

Advanced Manufacturing Education Advisory Council - RSA 188-E:22

(Director of Regional Career and Technical Center)

Douglas A. Cullen, Goffstown

Succeeding: Marianne D. Dustin, Nashua

Effective: Upon Confirmation

Term: August 10, 2017

Advanced Manufacturing Education Advisory Council - RSA 188-E:22

(Public Member)

Victor C. Kissell, Westmoreland

Reappointment

Effective: Upon Confirmation

Term: December 18, 2018

Consumer Advocate - RSA 363:28,I

Donald M. Kreis, Hartland, VT

Succeeding: Susan W. Chamberlin, Portsmouth

Salary: Grade FF - \$89,051.27

Effective: Upon Confirmation

Term: November 5, 2019

State Coordinating Council for Community Transportation in New Hampshire - RSA 239-B  
Rebecca Harris, Frankestown  
Succeeding: Kelly A. Clark, Webster  
Effective: Upon Confirmation  
Term: 3 years from confirmation

Current Use Advisory Board - RSA 79-A  
(Rep. Assessing official from town with less than 5,000 population)  
Normand G. Bernaiche, Charlestown (town of residence: Acworth)  
Succeeding: Gary J. Karp, Holderness  
Effective: Upon Confirmation  
Term: December 23, 2017

State Board of Education - RSA 21-N:10 – **Councilor Wheeler voted NO.**  
(At large)  
Lucinda C. Chagnon, Bedford  
Reappointment  
Effective: Upon Confirmation  
Term: January 31, 2020

State Board of Education - RSA 21-N:10 – **Councilors Kenney and Wheeler voted NO.**  
(District 5)  
Helen G. Honorow, Nashua  
Reappointment  
Effective: Upon Confirmation  
Term: January 31, 2020

Passenger Tramway Safety Board - RSA 225-A  
(Public Member)  
Stanley J. Judge, Shelburne  
Reappointment  
Effective: Upon Confirmation  
Term: June 20, 2019

New Hampshire Rail Transit Authority Board of Directors - RSA 238-A:4  
(Knowledgeable in the operations and constuction of railroads)  
Michael P. Izbicki, Bedford  
Vacancy  
Effective: Upon Confirmation  
Term: 2 years from confirmation

New Hampshir Rail Transit Authority Board of Directors - RSA 238-A:4  
(Public Member)  
Daniel P. O'Neil, Manchester  
Vacancy  
Effective: Upon Confirmation  
Term: 2 years from confirmation

Speech-Language Pathology Governing Board - RSA 328-F  
Deborah Snow-Major, Hooksett  
Reappointment  
Effective: March 4, 2016  
Term: March 4, 2019

Deputy Commissioner for the Department of Transportation - RSA 21-L:5-a  
Christopher M. Waszczuk, North Andover, MA  
Vacancy  
Salary: Grade JJ - \$116,769.51  
Effective: Upon Confirmation  
Term: October 8, 2016

Director of the Operations Division for the Department of Transportation - RSA 21-L  
David M. Rodrigue, Sanbornton  
Succeeding: William P. Janelle, Madbury (resigned)  
Salary: Grade II - \$110,750.02  
Effective: Upon Confirmation  
Term: January 7, 2020

Advisory Council on Unemployment Compensation - RSA 282-A:128  
(Employers)  
Connie M. Roy-Czyzowski, Manchester  
Reappointment  
Effective: March 26, 2016  
Term: March 26, 2019

Water Council - RSA 21-O  
(Rep. NH Rivers)  
Michele L. Tremblay, Boscawen  
Vacancy

Effective: Upon Confirmation  
Term: 4 years from confirmation

### **CONFIRMATIONS FAILED**

The Governor and Council failed to confirm the following:

Assessing Standards Board - RSA 21-J:14-a – Councilors Kenney, Sununu and Wheeler voted NO.  
(Public Member)

Mae Bradshaw, Rye  
Succeeding: Thomas N. Thomson, Orford

Effective: Upon Confirmation  
Term: September 19, 2017

State Board of Education - RSA 21-N:10– Councilors Kenney, Sununu and Wheeler voted NO.  
(District 1)

Gregory Odell, Dalton  
Reappointment

Effective: Upon Confirmation  
Term: January 31, 2020

### **NOMINATIONS**

The Governor placed into nomination the following:

State Board of Auctioneers - RSA 311-B  
Russell R. Abbott, Chichester  
Reappointment

Effective: Upon confirmation  
Term: March 1, 2021

Commissioner for the Banking Department - RSA 383  
Gerald H. Little, Weare  
Vacancy  
Salary: Grade II; Step 4- \$101,789.48

Effective: Upon confirmation  
Term: January 1, 2019

Enhanced 911 Commission - RSA 106-H  
(NH Sheriff's Association)  
Craig H. Wiggin, Meredith  
Reappointment

Effective: Upon confirmation  
Term: July 22, 2018

Chief Operations Officer for the Department of Environmental Services - RSA 21-O:2  
Susan A. Carlson, Bow  
Reappointment  
Salary: Grade GG; Step 6- \$98,073.56

Effective: March 10, 2016  
Term: March 10, 2020

Director of Agency Software for the Department of Information Technology - RSA 21-R:3  
Michael W. O'Neil, Hooksett  
Vacancy  
Salary: Grade HH; Step 5- \$101,543.52

Effective: Upon confirmation  
Term: May 23, 2016

New Hampshire Land and Community Heritage Authority - RSA 227-M:4  
(Outdoor recreation)  
Julia Steed Mawson, Pelham  
Reappointment

Effective: Upon confirmation  
Term: September 6, 2019

New Hampshire Municipal Bond Bank - RSA 35-A  
(Municipal government)  
Mark F. Decoteau, Thornton  
Reappointment

Effective: Upon confirmation  
Term: October 9, 2020

Penalty Appeal Board - RSA 273:11-b  
(Labor)  
David W. Laughton, Auburn  
Reappointment

Effective: Upon confirmation  
Term: January 5, 2019

Pesticides Control Board - RSA 430  
(Pesticides Applicator)  
Jeffrey M. Taylor, Richmond  
Reappointment

Effective: Upon confirmation  
Term: November 6, 2018

Assistant Commissioner for the Department of Revenue Administration - RSA 21-J:4  
Lindsey M. Stepp, Holderness  
Succeeding: Kathryn E. Skouteris, Merrimack (resigned)  
Salary: Grade HH; Step 6- \$106,824.64

Effective: Upon confirmation  
Term: January 1, 2018

Advisory Council on Unemployment Compensation - RSA 282-A:128  
(Labor/Employees)  
Dennis Caza, Goffstown  
Reappointment

Effective: Upon confirmation  
Term: March 26, 2019

Board of Managers of the New Hampshire Veterans Home - RSA 119:2  
(Female resident)  
Elaine K. Baker, Tilton  
Vacancy- position created by 2015 Chapter 259

Effective: Upon confirmation  
Term: Governors Pleasure

Board of Managers of the New Hampshire Veterans Home - RSA 119:2  
(Male resident)  
William F. Bertholdt, Tilton  
Vacancy- position created by 2015 Chapter 259

Effective: Upon confirmation  
Term: Governors Pleasure

### CONSENT CALENDAR AGENDA

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

##### **NEW HAMPSHIRE LIQUOR COMMISSION**

#A. Councilor Wheeler requested that this item be removed from the consent calendar for discussion. Following discussion, the Governor and Council on motion of Councilor Pappas, seconded by Councilor Kenney, and with Councilor Van Ostern recusing himself and Councilor Wheeler voting **no**, authorized to enter Christina M. Demers into an educational tuition agreement with Southern NH University, Manchester, NH, to participate in the course entitled Short-Term Financial Management during the period of March 7, 2016 through May 15, 2016 and to pay said costs in the amount of \$1,881. **100% Liquor Funds.**

##### **NEW HAMPSHIRE LOTTERY COMMISSION**

#B. Councilor Wheeler requested that this item be removed from the consent calendar for discussion. Following discussion, the Governor and Council on motion of Councilor Sununu, seconded by Councilor Pappas, and with Councilor Van Ostern recusing himself and Councilor Wheeler voting **no**, authorized to enter Adam Hopkins into an educational tuition agreement with Southern NH University, Manchester, NH, to participate in the course entitled College for America during the period of March 1, 2016 through August 31, 2016 and to pay costs not to exceed \$1,250. **Lottery Funds.**

**STATE TREASURY**

#C. Authorized to issue a warrant from funds not otherwise appropriated in the amount of \$80,682 and the State Treasurer to issue checks in the amount of \$80,681.81 to the rightful owners of abandoned or unclaimed funds.

**DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT**

#D. Authorized the Division of Economic Development to renew a membership with The Council of State Governments d/b/a Eastern Trade Council, New York, NY, in the amount of \$5,000 to provide the Office of International Commerce with regional export trade research and related trade development programs. Effective upon G&C approval through June 30, 2016. **100% General Funds.**

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

**NEW HAMPSHIRE EMPLOYMENT SECURITY**

#A. Authorized to accept a donation from United States Census Bureau in the form of payment for travel-related expenses for an NHES employee to attend a Local Employment Dynamics Partnership Workshop in Washington, DC. This estimated value of the donation is \$1,250.

**NEW HAMPSHIRE EMPLOYMENT SECURITY**

#B. Authorized to accept a donation from the National Association of State Workforce Agencies in the form of payment for travel-related expenses for up to two NHES employees to attend a State Agency SIDES (State Information Data Exchange System) Training Seminar in Kansas City, MO. The estimated value of the donation is \$2,000.

**NEW HAMPSHIRE VETERANS HOME**

#C. Authorized to accept non-monetary donations totaling \$8,366 received during the period of October 1, 2015 to December 31, 2015, as a result of contributions.

**NEW HAMPSHIRE VETERANS HOME**

#D. Authorized to accept monies totaling \$34,459.31 received during the period of October 1, 2015 to December 31, 2015, as a result of fundraising drives from various organizations and from personal contributions.

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

**NEW HAMPSHIRE LIQUOR COMMISSION**

#A. Authorized to accept and place on file the annual report for the period ending June 30, 2015.

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

**THE ADJUTANT GENERALS DEPARTMENT**

#A. Authorized the confirmation of Captain Darrel W. Davis, Kennebunk, ME, to the rank of Major, NH Army National Guard.

**THE ADJUTANT GENERALS DEPARTMENT**

#B. Authorized the nomination of Captain Joshua J. Szafranski, Hollis Center, NE, 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**

#C. Authorized the nomination of Captain Kent G. Wyman, Epsom, 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**

#D. Authorized the nomination of Major Jeffrey R. Davis, Stratham, NH, currently a Major in the Air Force Reserve, to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

**THE ADJUTANT GENERALS DEPARTMENT**

#E. Authorized the nomination of Major Christa N. Frey, Action, MA, currently a Major in the Massachusetts Air National Guard, for appointment to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally and professionally qualified.

**THE ADJUTANT GENERALS DEPARTMENT**

#F. Authorized the nomination of Major Matthew S. Mills, Boston, MA, currently a Major in the US Air Force, for appointment to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

**DEPARTMENT OF JUSTICE**

#G. Authorized to reappoint Kevin McCarthy as a Criminal Investigator at a salary of \$72,729.80 (LGBB, Maximum). Effective upon G&C approval through July 1, 2019.

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

**DEPARTMENT OF AGRICULTURE, MARKETS & FOOD**

#A. Authorized to amend a grant with the Town of Alstead, NH (originally approved by G&C on 9-17-14, item #48), for the Lower Warren Brook Stream Restoration project, by extending the completion date to April 30, 2017 from the original grant end date of April 30, 2016. No Additional Funding.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Bureau of Homeless and Housing Services**

#B. Authorized to amend an existing **sole source** agreement with Merrimack Valley Assistance Program Inc., Concord, NH, to provide supportive services, rental assistance, housing information and mortgage and utility payments to low income persons living with Human Immunodeficiency Virus / Acquired Immune Deficiency Syndrome, and their families, by extending the end date from February 29, 2016 to March 31, 2016. No Additional Funding. **100% Federal Funds.**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

#C. Authorized to amend the agreement with the Town of Rye, NH, (originally approved by G&C on 4-22-15, item #63), for the *Implementation of the Parsons Creek Watershed Restoration Plan – Phase 2 project*, by changing the language in one Task description and reallocating grant funds among Tasks. Effective upon G&C approval through December 31, 2017. No Additional Funding. **100% Federal Funds.**

**REGULAR AGENDA**

**BUSINESS FINANCE AUTHORITY**

#6 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Pappas, and further on a roll call vote as follows: Councilor Kenney – yes, Councilor Van Ostern – yes, Councilor Sununu – yes, Councilor Pappas – yes, and Councilor Wheeler – yes, voted to hold a public hearing with respect to the financing of an industrial facility by the Business Finance Authority for Innovative Associates, LLC, in Hudson, NH. Action will Authorized a Resolution under RSA 162-I:9 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE  
GOVERNOR AND COUNCIL HELD FEBRUARY 10, 2016  
AT THE STATE HOUSE, CONCORD, NEW HAMPSHIRE**

At Concord, the Governor announced that the next matter to be considered would be the financing of a manufacturing facility project by the Business Finance Authority for INNOVATIVE ASSOCIATES LLC, in Hudson (the “Project”) and declared that the public hearing on the subject had commenced. She said that she and the members of the Council had received documentation and information with respect to the Project. The Governor said that the meeting would then hear anyone wishing to speak on the subject. Jack Donovan, Executive Director of the Authority, stated that the Authority had approved the financing and recommended that the Governor and Council make the required findings under RSA 162-I:9. He also briefly explained the Project and emphasized that the credit of the State was not involved. Councilor Sununu introduced a resolution entitled “A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF FACILITIES BY THE BUSINESS FINANCE AUTHORITY FOR INNOVATIVE ASSOCIATES LLC IN HUDSON” and moved its adoption, which was seconded by Councilor Pappas. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Kenney, Councilor Van Ostern, Councilor Sununu, Councilor Pappas and Councilor Wheeler; those abstaining were: None; and those voting against were: None. The Governor declared that the resolution was passed.

\* \* \* \* \*

A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF MANUFACTURING  
FACILITIES BY THE BUSINESS FINANCE AUTHORITY FOR INNOVATIVE ASSOCIATES LLC IN  
HUDSON

WHEREAS, the Governor and Council have received from the Business Finance Authority (the “Authority”) its written recommendation that the Governor and Council make certain findings and a determination pursuant to RSA 162-I:9 with respect to the financing of manufacturing facilities (the “Facilities”) for INNOVATIVE ASSOCIATES LLC (the “Company”) in Hudson, by the Authority’s issue of Revenue Bond (Innovative Associates LLC Issue) Series 2016A (the “Bond”) in an aggregate amount not to exceed \$4,500,000 under RSA 162-I (the “Act”);

WHEREAS, the Governor and Council have received all the documentation and information with respect to the transaction which they have requested; and

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

IT IS HEREBY RESOLVED THAT;

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

(a) Special Findings:

- (1) The Bonds will be used to: (1) finance the acquisition, renovation and rehabilitation of manufacturing facilities located at 20 Executive Drive, Hudson, New Hampshire; and (ii) pay certain costs associated with the issuance of the Bond (collectively, the "Project").
- (2) The operation of the Facilities will create and preserve employment opportunities directly and indirectly within the State of New Hampshire (the "State").

(b) General Findings:

- (1) The Project (described in the Authority's recommendation) and the proposed financing thereof are feasible;
- (2) The Company has the skills and financial resources necessary to operate the Facilities successfully;
- (3) The Agreement contains provisions so that under no circumstances will the Authority be obligated directly or indirectly to pay Project costs, debt service or expenses of operation, maintenance and upkeep of the Facilities except from proceeds of the Bonds or from funds received under the Agreement, exclusive of funds received thereunder by the Authority for its own use;
- (4) The Agreement does not purport to create any debt of the State with respect to the Facilities, other than a special obligation of the Authority acting on behalf of the State under the Act; and
- (5) The proposed financing of the Project by the Authority and the operation and use of the Facilities will serve one or more needs and implement one or more purposes set forth in RSA 162-I:1, will preserve or increase the social or economic prosperity of the State and one or more of its political subdivisions, and will promote the general welfare of the State's citizens.

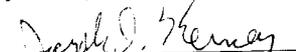
Section 2. Ultimate Finding and Determination. The Governor and Council find that the proposed operation and use of the Facility will serve a public use and provide a public benefit, and the Governor and Council determine that the Authority's refinancing of the Project will be within the policy of, and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

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

Section 4. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to February 10, 2016.

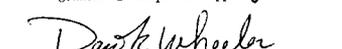
  
Governor Margaret Wood Hassan

  
Councilor Joseph D. Kenney

  
Councilor Colin Van Ostern

  
Councilor Christopher T. Sununu

  
Councilor Christopher C. Pappas

  
Councilor David K. Wheeler

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

### Office of Medicaid Business and Policy

#7 Authorized to accept and expend additional federal funds from the US Department of Health and Human Services, Centers for Medicare and Medicaid Services in the amount of \$4,083,670. Effective upon G&C approval through June 30, 2016. **100% Federal Funds. Fiscal Committee approved.**

### Office of the Commissioner

#8 Authorized to transfer general funds in the amount of \$751,671, increase related Federal revenues in the amount of \$1,557,555 and increase related Other revenues in the amount of \$61,714. Effective upon G&C approval through June 30, 2016. **Contingent upon Fiscal Committee approval on February 12, 2016.**

### Bureau of Homeless and Housing Services

#9 Authorized to enter into a **sole source** agreement with Southwestern Community Services Inc., Keene, NH, to provide Permanent Housing services to homeless individuals in an amount not to exceed \$86,837. Effective April 1, 2016 or upon G&C approval whichever is later, through March 31, 2017. **100% Federal Funds.**

#10 Authorized to enter into a **sole source** agreement with Merrimack Valley Assistance Program Inc., Concord, NH, to provide supportive services, rental assistance, housing information and mortgage and utility payments to low income persons living with Human Immunodeficiency Virus / Acquired Immune Deficiency Syndrome, and their families, in an amount not to exceed \$714,731. Effective March 1, 2016, or upon G&C approval, whichever is later, through February 28, 2019. **100% Federal Funds.**

### Division for Children, Youth & Families

#11 Authorized to enter into a **retroactive** agreement with Merrimack Valley Day Care Services, Concord, NH, for the provision of Title I services to abused, neglected or delinquent youth in an amount not to exceed \$18,211. Effective October 15, 2015 through August 31, 2016. **100% Other Funds.**

#12 Authorized to enter into **retroactive** agreements with the vendors as detailed in letter dated January 4, 2016, to provide Title I services to abused, neglected or delinquent youth in an amount not to exceed \$351,898. Effective October 15, 2015 through August 31, 2016. **100% Other Funds.**

### Division of Public Health Services

#13 Authorized the Bureau of Public Health Protection, Lead Prevention program to accept and expend federal funds in the amount of \$309,000 from the Centers for Disease Control and Prevention and \$247 from the US Environmental Protection Agency for a total of \$309,247 to fund the Lead Program. Effective upon G&C approval through June 30, 2017. **100% Federal Funds. Fiscal Committee approved.**

#14 Authorized the Bureau of Population Health and Community Services, Maternal and Child Health Section to accept and expend federal funds in the amount of \$1,727,822 from the US Department of Health and Human Services, Health Resources and Services Administration to fund the Affordable Care Act Maternal, Infant and Early Childhood Home Visiting Program. Effective upon G&C approval through June 30, 2017. **100% Federal Funds. Fiscal Committee approved.**

#15 Authorized the Bureau of Infectious Disease Control, to accept and expend federal funds in the amount of \$678,574 from the US Centers for Disease Control and Prevention to fund the NH Adult Immunization Program. (2)Further authorized to establish two positions utilizing funds from the US Centers for Disease Control and Prevention, Adult Immunization Program Cooperative agreement. Effective upon G&C approval through June 30, 2017. **100% Federal Funds. Contingent upon Fiscal Committee approval on February 12, 2016.**

#16 Authorized the Bureau of Laboratory Services to accept and expend federal funds in the amount of \$466,012 from the US Centers for Disease Control and Prevention to fund the NH Epidemiology, Laboratory, and Health Information System Capacity Program. (2)Further authorized to create two positions utilizing funds from the US Centers for Disease Control and Prevention, Epidemiology, Laboratory, and Health Information System Capacity Cooperative agreement. Effective upon G&CL approval through June 30, 2017. **100% Federal Funds. Contingent upon Fiscal Committee approval on February 12, 2016.**

#17 Authorized to exercise a renewal option and amend an existing agreement with the JSI Research and Training Institute Inc., d/b/a Community Health Institute, Bow, NH (originally approved by G&C on 3-25-15, item #10), to promote National Diabetes Prevention Programs and conduct a Diabetes Self-Management Education Program workshop, by increasing the price by \$265,998 from \$223,998 to \$489,996. Effective upon G&C approval through June 30, 2018. **100% Federal Funds.**

#18 Authorized the Public Health Laboratories to enter into a **retroactive** agreement with Daniel F. Jones, MD, Norwich, VT, to provide pathologist services to satisfy the Clinical Laboratory Improvement Amendments requirement for a Laboratory Director for laboratories that perform high complexity testing, in an amount not to exceed \$106,500. Effective upon G&C approval through June 30, 2019. **100% General Funds.**

#19 Authorized to exercise a renewal option to an existing **sole source** agreement with JSI Research & Training Institute Inc., Boston, MA, for the provision of the operation and maintenance of the Family Planning State System, by increasing the price by \$15,000 from \$25,162 to \$40,162, and extending the contract completion date from February 29, 2016 to February 28, 2017, effective March 1, 2016. **100% Federal Funds.**

#### **Bureau of Behavioral Health**

#20 Authorized to amend an agreement with The CLM Center for Life Management, Derry, NH (originally approved by G&C on 8-5-15, item #27), for the provision of Children's Assertive Community Treatment Wraparound Services, by increasing the price by \$305,200 from \$152,600 to \$457,800, and by extending the completion date from June 30, 2016 to June 30, 2018. **100% General Funds.**

#### **DEPARTMENT OF TRANSPORTATION**

The Governor and Council acted as follows:

#21 Authorized the Division of Operations to establish various non-budgeted classes in various accounting units and to transfer \$3,500,400 between various accounts and classes. Effective upon G&C approval through June 30, 2016. **Fiscal Committee approved.**

#22 Authorized the Bureau of Aeronautics to establish various non-budgeted classes in various accounting units and to transfer \$136 between various accounts and classes. Effective upon G&C approval through June 30, 2016. **Fiscal Committee approved.**

#23 Authorized to enter into a contract with R.S. Audley Inc., Belmont, NH, for the reconstruction of I-93 mainline, beginning in the vicinity of the Weigh Stations in Windham and ending near the Kendall Pond Road crossing in Derry, on the basis of a low bid of \$49,419,914.55. (2)Further authorized a contingency in the amount of \$988,398.29 for payment of latent conditions which may appear during the construction of the project. (3)Further authorized to pay the Department of Environmental Services Aquatic Resource Mitigation Fund \$1,823,238.90 for project mitigation as documented in an approval letter dated July 10, 2015. Effective upon G&C approval through October 25, 2019.

#24 Authorized the Bureau of Environment to pay the Department of Environmental Services Aquatic Resource Mitigation Fund \$213,405.29 as documented in E-mail correspondence/ARM fund calculators. Effective upon G&C approval through June 30, 2017. **100% Federal Funds.**

#25 Authorized to accept and place on file the Bureau of Right of Way's Contemplated Award List for amounts less than \$5,000 for the sum total of \$68,818.34 for the period extending from October 1, 2015 through December 31, 2015. These awards are paid from various Transportation funds.

#26 Authorized the Bureau of Right of Way to sell a portion of the NH Route 88 Limited Access Right of Way consisting of 2.1 +/- acres northeasterly corner of NH Route 88 and NH Route 27 in the Town of Exeter directly to the San Juan Realty Trust for \$111,100 which includes a \$1,100 Administrative Fee. (2)Further authorized to adjust the limits of the NH Route 88 Limited Access Right of Way for the disposal of the parcel above. Originally purchased with 10% Highway, 90% Federal Funds.

#27 Authorized to accept and place on file the Bureau of Finance and Contracts' report of all paid Small Claims in the previous second quarter of FY 2016, totaling \$1,034.50 for individual amounts less than \$600. (2)Further authorized to pay small claims for the next Fiscal Year quarter, January 1, 2016 through March 31, 2016. **100% Highway Funds.**

#28 Authorized the Bureau of Mechanical Services to enter into a contract amendment with North American Equipment Upfitters Incorporated of Hooksett, NH (originally approved by G&C on 7-22-15, item #37), to provide aerial lift inspection, repair, scheduled service and unscheduled emergency parts and repair, by increasing the amount by \$15,000 from \$130,010 to \$145,010. Effective upon G&C approval. **95% Highway, 5% Other Funds.**

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

#29 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Sununu, authorized to award a grant to the Town of Newport, NH, in the amount of \$407,100 to assist with energy improvements at the Maple Manor senior affordable housing complex in Newport, NH. Effective February 10, 2016 through December 31, 2017. **100% Federal Funds.**

#### **OFFICE OF ENERGY AND PLANNING**

The Governor and Council acted as follows:

#30 Authorized to **retroactively** accept and expend federal grant funds in the amount of \$300,000 from the US Department of Energy for the State Energy Programs 2015 competitive grant. Effective upon G&C approval through June 30, 2017. **100% Federal Funds. Fiscal Committee approved.**

#31 Authorized to enter into a memorandum of agreement with the Department of Environmental Services, Concord, NH, to complete a project to help municipalities reduce the energy-related costs of operating their wastewater treatment facilities, in the amount of \$285,000. Effective upon G&C approval through December 31, 2018. **100% Federal Funds (US Department of Energy-State Energy Program).**

#### **DEPARTMENT OF CULTURAL RESOURCES**

#32 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Wheeler, authorized the NH State Library to renew membership with the Council of State Libraries in the Northeast, in the amount of \$3,000. Effective **retroactive** to July 1, 2015 through June 30, 2016. **100% General Funds.**

#### **DEPARTMENT OF AGRICULTURE, MARKETS & FOOD**

#33 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Van Ostern, authorized to enter into a grant with Small and Beginning Farmers of NH, Hill, NH, in the amount of \$25,700, for the *Specialty Crop Safety: From Field to Market*. Effective upon G&C approval through December 30, 2016. **100% Federal Funds – Specialty Crop Block Grant.**

#### **DEPARTMENT OF CORRECTIONS**

The Governor and Council acted as follows:

#34 Authorized to purchase equipment in excess of \$5,000 for the procurement of a 20-foot refrigerated box truck in an amount not to exceed \$20,000. Effective upon G&C approval through June 30, 2016. **100% Other Funds (Revolving Account). Fiscal Committee approved.**

#35 Authorized to transfer \$1,896,080 among accounts to reallocate appropriations and cover overtime shortfalls. Effective upon G&C approval through June 30, 2016. **100% General Funds. Contingent upon Fiscal Committee approval on February 12, 2016.**

## NEW HAMPSHIRE LIQUOR COMMISSION

The Governor and Council acted as follows:

#36 Authorized **retroactive** compensation for Mark Roy, Beverage Marketing Specialist, for a one-time prior year step increase in the amount of \$1,093.35 from January 6, 2015 through June 30, 2015. **100% Liquor Funds.**

#37 Authorized to make a **retroactive** payment for prior year invoices to FairPoint Communication, Lewiston, ME, for phone services from 2013 to 2014, in the amount of \$2,176.28. Effective upon G&C approval. **100% Liquor Funds.**

## DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#38 Authorized the Division of Parks and Recreation (DPR) to enter into a memorandum of agreement with the NH Department of Corrections for DPR to provide a firewood kiln to the NH Correctional Industries entity in exchange for discounted kiln-dried firewood, in an amount not to exceed \$50,000. Effective upon G&C approval through December 1, 2020. **100% Park Funds.**

#39 Authorized the Division of Economic Development, Office of International Commerce to enter into a **retroactive sole source** contract amendment with the Granite State District Export Council (DEC), North Hampton, NH (originally approved by G&C on 6-24-15, item #127A, in the amount of \$18,812), by amending the scope of services such that the DEC shall administer the State's participation in the Hannover Messe 2016 Trade Show in Hannover, Germany; and by extending the completion date to May 31, 2016 from October 31, 2015. No Additional Funding. **100% General Funds.**

#40 Authorized the Division of Travel and Tourism to make a **retroactive** payment to Granite State Hospitality LLC, Ashland, NH, in the amount of \$68,715 for fit up costs at the Hooksett Northbound and Southbound Welcome Centers per invoice dated September 28, 2015. **100% Revolving Funds.**

#40A Authorized the Bureau of Trails to enter into a **retroactive** Land Use Agreement with Bayroot LLC, Lyme, NH, to provide access to a certain system of groomed snowmobile and off highway recreational vehicle trails for recreational purposes. (2)Further authorized to make yearly payments of \$7,400 for a total amount of \$37,000. Effective upon G&C approval through June 30, 2020. **100% Other Funds.**

## NEW HAMPSHIRE FISH AND GAME DEPARTMENT

#41 The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Pappas, authorized to accept and expend \$29,359 in federal funds from the National Oceanic and Atmospheric Administration and \$10,000 in private funds donated by the Great Bay Stewards Inc., for the purpose of installing monitoring equipment for water level and geodetic measurements, to construct a marine debris exhibit within the Discovery Center, and to supplement temporary staffing of educational and volunteer staff support to assist with these. Effective upon G&C approval through December 31, 2017. **75% Federal, 25% Private Local Funds. Fiscal Committee approved.**

## DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#42 Authorized to accept and expend federal funds in the amount of \$127,420 from the US Environmental Protection Agency for implementation of the Wetland Program Development Grant: Building Climate Change Resiliency in NH by Prioritizing Wetland and Stream Mitigation Opportunities. Effective upon G&C approval through June 30, 2017. **100% Federal Funds. Fiscal Committee approved.**

#43 Authorized to enter in to a contract with NH Water Works Association Inc., Concord, NH, to provide training classes for certified drinking water operators and contract services for NH's Drinking Water Week Festival, totaling \$71,500. (2)Authorized to enter into a contract with New England water Works Association Inc., Holliston, MA, to provide training classes for certified drinking water operators, totaling \$50,000. Effective upon G&C approval through December 31, 2017. **100% State Funds.**

#44 Authorized to enter into a **sole source** agreement with the Rockingham County Conservation District, Brentwood, NH, to control invasive plants within Odiorne Point State Park in Rye, NH, in the amount of \$50,000. Effective upon G&C approval through June 30, 2017. **100% Federal Funds.**

#45 Authorized a Clean Water State Revolving Fund loan agreement with the Newfields Village Water & Sewer District in an amount not to exceed \$30,000 to finance a Wastewater Asset Management Plan. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#46 Authorized a Clean Water State Revolving Fund loan agreement with the City of Nashua, in an amount not to exceed \$3,800,000 to finance wastewater system improvements. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#47 Authorized a Clean Water State Revolving Fund loan agreement with the City of Dover, in an amount not to exceed \$2,000,000 to finance storm water system improvements. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#48 Authorized to enter into a **sole source** agreement with the University of NH, Sponsored Programs Administration, Durham, NH, to provide data access and conduct maintenance of the NH Coastal Viewer tool, in the amount of \$49,000. Effective upon G&C approval through June 30, 2017. **100% Federal Funds.**

#### **DEPARTMENT OF EDUCATION**

The Governor and Council acted as follows:

#49 Authorized the Human Resource Office to make a **retroactive** one-time payment from SFY 2016 funds to Kathryn Nichol, Education Consultant II, in the amount of \$2,963.25 to compensation for wages that were not paid in SFY 2015. **100% Federal Funds.**

#50 Authorized the Bureau of Special Education to exercise a renewal option on a **sole source** cooperative agreement with Keene State College, Keene, NH (originally approved by G&C on 5-1-13, item #85C), to continue to develop and implement a website for the accessing of all training materials and resources developed under the State Personnel Development Grant as well as assist with development of training to be provided to educators, in an amount not to exceed \$83,000. Effective July 1, 2016 through June 30, 2017. **100% Federal Funds.**

#51 Authorized the Bureau of Special Education to exercise a one year renewal extension on a **sole source** cooperative agreement with the University of NH, Institute on Disability, Durham, NH (originally approved by G&C on 5-1-13, item #85B), to continue to train and provide technical assistance to regional intermediaries and LEA staff on Project RENEW, a dropout prevention strategy, in an amount not to exceed \$43,939. Effective July 1, 2016 through June 30, 2017. **100% Federal Funds.**

#52 Authorized the Division of Educational Improvement to **retroactively** amend a **sole source** memorandum of agreement with Community College System of NH, Concord, NH (originally approved by G&C on 11-21-14, item #46), to continue the implementation of the Mathematics and Science Partnership Project titled Mathematics Learning Communities, in an amount not to exceed \$153,000. Effective January 1, 2016 through June 30, 2017. **100% Federal Funds.**

#### **DEPARTMENT OF SAFETY**

The Governor and Council acted as follows:

#53 Authorized the Bureau of Hearings to accept and expend funds in the amount of \$257,346 from the Department of Safety, Office of Highway Safety, for the purpose of providing two additional prosecutors to support the NH State Police for the prosecution of DWI/DUI court cases statewide. (2)Further authorized to establish two temporary full-time Hearings Examiner Prosecutor (LG 31) positions for the purpose of prosecuting DWI/DUI and impaired driving cases for NH State Police statewide in circuit courts. Effective upon G&C approval through September 30, 2016. **100% Agency Income. Fiscal Committee approved.**

#54 Authorized the Division of State Police to restore 106.21 hours of sick leave to Trooper Charles E. George Jr., who suffered a line of duty injury and was unable to perform his normal or routine duties from October 31, 2015 through November 17, 2015.

#55 Authorized the Division of Emergency Services and Communications (9-1-1) to **retroactively** exercise a renewal option with Hightower North Inc., Sanbornton, NH, for the purpose of leasing tower space for continued use of two microwave antennas, by increasing the amount by \$71,500.40 from \$63,119.40 to a total of \$134,619.80. Effective February 1, 2016 through January 31, 2021, with the option to renew for an additional five years. **100% Agency Income.**

#56 Authorized to enter into a grant agreement with the Department of Fish and Game for the Operation Stonegarden portion of the 2015 Homeland Security Grant Program, in the amount of \$32,469.25. Effective upon G&C approval through August 31, 2018. **100% Federal Funds.**

#57 Authorized to **retroactively** exercise the first of seven (7) four-year automatic renewals of a memorandum of Operation and Maintenance agreement with the Department of Transportation, Department of Resources and Economic Development, the Adjutant General, and the NH Public Broadcasting Inc. (originally approved by G&C On 10-3-12, item #65A), for the purpose of establishing and defining the roles, responsibilities, and expectations of the aforementioned parties to operate and maintain the shared microwave system known as the NHSafeNet. Effective October 3, 2014 through October 3, 2018.

#58 Authorized the Division of State Police to accept and expend \$39,097 from the Department of Safety, Office of Highway Safety, for the purpose of combating the DWI problem. Effective April 1, 2016 through September 15, 2016. **100% Agency Income.**

#59 Authorized the Division of State Police to accept and expend an additional \$76,868 from the Department of Safety, Office of Highway Safety, entitled Enforcement Patrols for the purpose of motor vehicle enforcement on the State's interstate system. Effective upon G&C approval through September 15, 2016. **100% Agency Income.**

#60 Authorized the Division of State Police to enter into a contract with Mission Critical Partners Inc., to provide consulting services to conduct data collection activities for the NH Communication Network and the National Wireless Broadband initiatives, in an amount not to exceed \$398,042. Effective upon G&C approval through June 30, 2016. **51% Federal, 42% Capital (Highway), 7% Capital (General) Funds.**

#61 Authorized the Division of State Police to enter into a contract amendment with NIIT Technologies Inc., Atlanta, GA (originally approved by G&C on 2-28-14, item #60), for the purpose of continuing one temporary consultant position to assist during the Virtual Private Network rollout in preparing the courts for their future integration into the J-One project. Effective upon G&C approval through September 30, 2017. **9% Federal, 91% Agency Income.**

#62 Authorized the Division of State Police to amend a **sole source** contract with Emergency Communications Network (originally approved by G&C on 4-23-14, item #87), for the purpose of building additional needed functionality for the NH Statewide Automated Victim Information and Notification program, in the amount of \$84,065. Effective upon G&C approval through September 30, 2018. **100% Agency Income.**

#62A Authorized the Division of Homeland Security and Emergency Management to enter into a memorandum of agreement with the Department of Safety, Division of Fire Standard Training and Emergency Medical Services, to fund the Civilian Response to Active Shooter Events, for \$54,400. Effective upon G&C approval through September 30, 2016. **100% Federal Funds.** (2) Further authorized to accept and expend \$54,400 of federal funds for the purpose of facilitating training for state employees on active shooter incidents, all hazard incidents and emergency notification procedures. Effective upon G&C approval through September 30, 2016. **100% Agency Income.**

## DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

- #63 Authorized a Working Capital Warrant in the amount of \$525,000,000 to cover expenditures for the month of March, 2016.
- #64 Authorized to accept and place on file the January quarterly report of the contract with Harvey Construction for the new Marine Patrol Facility in Gilford, NH.
- #65 Authorized the Division of Personnel's request for waiver of classification decisions.
- #66 NOT USED
- #67 Authorized the Division of Public Works Design and Construction to enter into a contract with Project Resource Group LLC, Frankestown, NH, for the Seabrook Welcome Center Renovations, Seabrook, NH, for a total price not to exceed \$234,494. (2)Further authorized a contingency in the amount of \$10,000 for unanticipated expenses, bringing the total to \$244,494. (3)Further authorized the amount of \$20,000 for payment to the Department of Administrative Services, Division of Public Works Construction, for engineering services provided, bringing the total to \$264,494. Effective upon G&C approval through August 1, 2016. **100% Turnpike Funds.**
- #68 Authorized the Division of Public Works Design and Construction to enter into a contract with Bauen Corporation, Meredith, NH, for fire and smoke damper installation and rated penetration, Veterans Home, Tilton, NH, in an amount not to exceed \$390,000. Effective upon G&C approval through July 31, 2016. **28% Operating – General, 72% General – Capital Funds.**
- #68A Authorized the Division of Public Works Design and Construction to enter into a contract amendment with Samyn D'elia Architects PA, Ashland, NH (originally approved by G&C on 6-4-14, item #16), for the NH Marine Patrol Headquarters Redesign, Gilford, NH, by increasing the amount by \$97,577 from \$678,000 to \$775,577. Effective upon G&C approval through September 30, 2016. **100% Capital – Other Funds (Navigation Safety).**

## DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

- #69 Authorized the Office of Victim Witness to accept and expend a subgrant from the Department of Justice in the amount of \$140,000 for the purpose of adding personnel resources in order to meet growing demands for victim support services. (2)Further authorized to establish one full time temporary Victim Witness Specialist, labor grade 26, within budget class 059. Effective upon G&C approval through June 30, 2017. **100% Agency Income. Fiscal Committee approved.**
- #70 Authorized to subgrant \$452,084 to the NH Office of Professional Licensure and Certification, Board of Pharmacy, utilizing funds from the US Department of Justice's Bureau of Justice Assistance FFY 2015 Harold Rogers Prescription Drug Monitoring Program for the maintenance and enhancement of the prescription drug monitoring program. Effective upon G&C approval through September 30, 2017. **100% Federal Funds.**
- #71 Authorized to amend a **sole source** contract with Attorney Andrew Eills, Concord, NH, for the purpose of providing a hearings office for the Banking Department, by increasing the amount by \$40,995 from \$9,995 to \$50,990, and by extending the completion date from June 30, 2016 to June 30, 2017. **100% Agency Income.**
- #72 Authorized to amend a lease with the Capital Region Health Care Development Corporation, Concord, NH, for the purpose of expanding the existing rental space located in the Memorial Medical Building, for the Chief Medical Examiner, by increasing the amount by \$12,508.28 from \$472,165.80 to \$484,674.08. Effective March 1, 2016 through September 30, 2016. **100% Agency Income.**

#73 Authorized to enter into a subgrant with the NH Department of Safety, in the amount of \$19,500 from the FFY 2014 Paul Coverdell National Forensic Science Improvement Act Grant Program to support activities in the NH State Police Forensic Crime Lab. Effective upon G&C approval through March 31, 2016. (2)Further authorized to enter into a subgrant with the NH Department of Safety, in the amount of \$28,700 from the FFY 2015 Paul Coverdell National Forensic Science Improvement Act Grant Program to support activities in the NH State Police Forensic Crime Lab. Effective upon G&C approval through September 30, 2016. **100% Federal Funds.**

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**LATE ITEM**

**DEPARTMENT OF ADMINISTRATIVE SERVICES**

A. Authorized to enter into an agreement with SMRT Inc., Portland, ME, for Professional Services for the Merrimack County Superior Courthouse, Concord, NH, in the amount not to exceed \$1,084,000. Effective upon G&C approval through December 1, 2018. **100% Capital Funds.**

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The Next regular Governor and Executive Council meeting is scheduled for Wednesday March 9, 2016, at the State House, Concord, New Hampshire.

Honorable Board then Adjourned at 11:50 a.m.