

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
January 14, 2015 10:00 a.m.

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

The Governor led the Pledge of Allegiance.

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Today's pre-meeting ceremonial items included:

- Prayer by George Washington read by Councilor David Wheeler

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The Governor and Executive Council on motion of Councilor Pappas, seconded by Councilor Kenney, accepted the minutes of January 8, 2015.

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The Governor and Executive Council, on motion of Councilor Kenney, seconded by Councilor Sununu, approved the appointment of several persons nominated for Civil Commissions from the January 8, 2015 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:

Aviation Users Advisory Board

(Corporate Aviation)

Wallace Latham Trolan, Jr., Nashua

Effective: December 31, 2014

Genetic Counselors Governing Board

(Public Member)

Dorothy Solomon, Albany

Effective: January 14, 2015

NOMINATIONS

The Governor placed into nomination the following:

Air Resources Council - RSA 21-O

(General Public)

Carmela C. Amato-Wierda, Durham

Reappointment

Effective: Upon Confirmation

Term: December 6, 2018

Air Resources Council - RSA 21-O

(Health Care Professional)

Deborah Chabot, Hancock

Reappointment

Effective: Upon Confirmation

Term: October 24, 2018

Air Resources Council - RSA 21-O

(General Public)

Robert Duval, Manchester

Reappointment

Effective: Upon Confirmation

Term: November 21, 2018

Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment and Recovery - RSA 12-J
 (Drug Abuse Prevention)
 Timothy G. Lena, Kittery Effective: Upon Confirmation
 Succeeding: Timothy R. Rourke, Bedford (moved to newly created position) Term: September 20, 2017

Appellate Board - RSA 282-A
 (Labor)
 Jeffrey Duval, Manchester Effective: Upon Confirmation
 Succeeding: David A. Pelletier, Dunbarton (term limited) Term: October 14, 2018

Athletic Trainers Governing Board - RSA 328-F
 Eric D. Gelinis, Warner Effective: Upon Confirmation
 Reappointment Term: January 8, 2018

Business Finance Authority - RSA 162-A
 Edward F. Caron, Hudson Effective: Upon Confirmation
 Reappointment Term: November 3, 2017

Business Finance Authority - RSA 162-A
 (Elected/Appointed Local Official)
 Guy A. Santagate, Claremont Effective: Upon Confirmation
 Reappointment Term: November 3, 2017

Current Use Advisory Board - RSA 79-A
 (Public Member/Agriculture)
 Chuck Souther, Concord Effective: Upon Confirmation
 Reappointment Term: November 16, 2016

Dental Hygienists Committee - RSA 317-A
 (Nom. by the Dental Hygiene Education Community)
 Lisa J. Malfait, Concord Effective: Upon Confirmation
 Reappointment Term: September 28, 2017

Enhanced 911 Commission - RSA 106-H
 (Nom. by the NH Telephone Association)
 Scott A. Brooks, Quechee, VT Effective: Upon Confirmation
 Succeeding: Marc A. Violette, Warner (no longer with industry) Term: July 8, 2017

Board of Foresters - RSA 310-A:100
 (Public Forester)
 Steven S. Roberge, Peterborough Effective: Upon Confirmation
 Reappointment Term: August 22, 2019

Genetic Counselors Governing Board - RSA 326-K
 Jennifer L. Tansey, Merrimack Effective: Upon Confirmation
 Reappointment Term: November 6, 2017

State Historical Records Advisory Board - RSA 5:42
 Sally S. Fellows, Exeter Effective: Upon Confirmation
 Reappointment Term: January 2, 2018

State Historical Records Advisory Board - RSA 5:42
 Anne T. Packard, Holderness Effective: Upon Confirmation
 Reappointment Term: December 6, 2017

<u>State Historical Resources Council</u> - RSA 227-C (Architecture) Tim Sappington, Randolph Reappointment	Effective: Upon Confirmation Term: December 10, 2019
<u>State Historical Resources Council</u> - RSA 227-C (Law) Carolyn W. Baldwin, Gilmanton Reappointment	Effective: Upon Confirmation Term: December 10, 2019
<u>State Commission for Human Rights Commission</u> - RSA 354-A:4 Catherine Hackett, Manchester Reappointment	Effective: Upon Confirmation Term: November 1, 2019
<u>New Hampshire Motor Vehicle Industry Board</u> - RSA 357-C:12 Cameron Eldred, Hanover Reappointment	Effective: Upon Confirmation Term: January 9, 2019
<u>Occupational Therapy Governing Board</u> - RSA 328-F (Licensed Occupational Therapist) Maris M. Wofsy, Salisbury Reappointment	Effective: Upon Confirmation Term: January 8, 2018
<u>Physical Therapy Governing Board</u> - RSA 328-F Gillian Cavezzali, Plymouth Reappointment	Effective: Upon Confirmation Term: January 8, 2018
<u>Ports and Harbors Advisory Council</u> - RSA 12-G:44 (Commercial Fisherman) Erik Anderson, Portsmouth Reappointment	Effective: Upon Confirmation Term: December 16, 2019
<u>Respiratory Care Practitioners Governing Board</u> - RSA 328-F Richard W. Mozier Jr., Belmont Reappointment	Effective: Upon Confirmation Term: January 8, 2018
<u>Telecommunications Planning and Development Advisory Committee</u> - RSA 12-A:46 (Industry) Chris Rand, Weare Succeeding: Marc A. Violette, Warner (no longer with industry)	Effective: Upon Confirmation Term: October 18, 2015
<u>State Veterans Council</u> - RSA 115:4 Bobby D. Broneske, Londonderry Succeeding: John H. Jacomsmeier Jr., Northwood	Effective: Upon Confirmation Term: June 30, 2017
<u>Water Council</u> - RSA 21-O (Public Member) Robert Beurivage, Auburn Vacancy	Effective: Upon Confirmation Term: February 5, 2015
<u>Water Council</u> - RSA 21-O (Water Works) John Joseph Boisvert, Stratham Vacancy	Effective: Upon Confirmation Term: July 8, 2017

Water Council - RSA 21-O
(Public Member)
John A. Gilbert, Exeter
Reappointment

Effective: Upon Confirmation
Term: December 27, 2018

New Hampshire Water Well Board - RSA 482-B
(Water Well Contractor)
David R. Hunt, Washington
Reappointment

Effective: Upon Confirmation
Term: September 15, 2017

CONSENT CALENDAR AGENDA

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

DEPARTMENT OF TRANSPORTATION

#A. Authorized the Bureau of Turnpikes to continue its 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 2015. **100% Turnpike Funds.**

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

THE ADJUTANT GENERAL'S DEPARTMENT

#A. Authorized the confirmation of Captain Florangel Merten, Shirley, MA, to the rank of Major, NH Army National Guard.

THE ADJUTANT GENERAL'S DEPARTMENT

#B. Authorized the confirmation of Major Nelson E. Perron, Nottingham, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

THE ADJUTANT GENERAL'S DEPARTMENT

#C. Authorized the confirmation of Major Jennifer K. Jusseume, Stratham, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

THE ADJUTANT GENERAL'S DEPARTMENT

#D. Authorized the confirmation of William T. Conway, East Greenwich, RI, to the rank of Colonel, NH Army National Guard.

THE ADJUTANT GENERAL'S DEPARTMENT

#E. Authorized the confirmation of Major Mark J. Curdo, Wilmington, MA, for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

THE ADJUTANT GENERAL'S DEPARTMENT

#F. Authorized the confirmation of Captain Eric D. Barricklow, Bedford, NH, to the rank of Major, NH Army National Guard.

DEPARTMENT OF JUSTICE

#G. Authorized to reappoint Philip B. Bradley as an Assistant Attorney General, at a salary level of \$80,000. Effective upon G&C approval through September 30, 2019.

REGULAR AGENDA

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of Medicaid Business and Policy

#3 Authorized to amend an agreement with the Health Services Advisory Group Inc., Phoenix, AZ (originally approved by G&C on 8-14-13, item #31), for the provision of an external quality review for NH's Medicaid Care Management program beneficiaries, by increasing the price by \$139,723 from \$1,692,344 to \$1,832,067, with no change to the completion date of July 24, 2016. Effective upon G&C approval. **75% Federal, 25% General Funds.**

Bureau of Human Resource Management

#3A Authorized to process an increment for Marilee Nihan, increasing her pay from KK Step 3 \$107,906.99 to KK Step 4 \$113,836.91. Effective upon G&C approval. **67.3% General, 36.7% Federal Funds.**

Division of Public Health Services

#4 Authorized the Bureau of Population Health and Community Services, Maternal & Child Health Section to accept and expend federal funds in the amount of \$11,723 from the Department of Health and Human Services, Assistant Secretary for Preparedness and Response, CDC Procurement and Grants Office to fund the Sudden Death in the Youth Registry. Effective **retroactive** to September 30, 2014 through June 30, 2015. **100% Federal Funds.** (2)Further authorized to enter into a memorandum of agreement with the Department of Justice, Concord, NH, to develop the Sudden Death in the Youth Registry, for a total price of \$42,704. Effective **retroactive** to September 30, 2014 through September 29, 2018.

#5 Authorized to enter into a **sole source** agreement with United Way of Massachusetts Bay Inc., d/b/a United Way of Greater Seacoast, Boston, MA, to provide community health improvement planning and substance use disorder planning services, in an amount not to exceed \$25,000. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

Bureau of Drug and Alcohol Services

#6 Authorized with Councilor Wheeler voting **no**, to enter into an agreement with The Research Group Inc., Florence, MA, to provide questionnaire printing, scanning and the delivery of a clean data set for the NH Youth Risk Behavior Surveys, in an amount not to exceed \$38,907. Effective upon G&C approval through June 30, 2015. **52% Federal, 48% General Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#7 Authorized the Bureau of Right of Way to pay property owners \$31,620 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from December 2, 2014 through December 17, 2014. Effective upon G&C approval.

#8 Authorized the Bureau of Turnpikes to **retroactively** pay prior year invoices to Unitil Energy Systems Inc., Boston, MA, for outdoor lighting bills, in the amount of \$616.63, for the periods of February 23, 2012 to March 28, 2012(\$292.88), and February 19, 2014 to March 25, 2014 (\$323.75). (2)Further authorized to **retroactively** pay a prior year invoice to Otis Elevator Co., Manchester, NH, for elevator maintenance services in the amount of \$393 for the period of February 1-28, 2010. Effective upon G&C approval. **100% Turnpike Funds.**

#9 Authorized the Bureau of Planning and Community Assistance to enter into a **sole source** joint funding agreement with the US Geological Survey, Pembroke, NH, US Department of the Interior in the amount not to exceed \$609,041 for statewide high-resolution aerial orthoimagery, of which the Department of Transportation will provide \$459,041. Effective upon G&C approval through September 30, 2016. **100% Federal Funds.** (2)Further authorized the Department of Safety to provide the Department of Transportation funding in the amount of \$150,000 for the remaining contract amount for statewide high-resolution aerial orthoimagery. Effective upon G&C approval through September 30, 2016. **100% Other Funds (E911).**

#10 Authorized the Bureau of Highway Maintenance, Well Section, to enter into a contract with Skillings & Sons Inc., Amherst, NH, for a 6-inch drilled well and pump on the property of Donna Cupp, Pelham, NH, in the amount of \$21,650. Effective upon G&C approval through July 24, 2015. **100% Highway Funds.**

#11 Authorized the Bureau of Bridge Design to enter into an agreement with CLD Consulting Engineers Inc., Manchester, NH, for the final design for the replacement of the Red List bridge carrying NH Route 153 over Cocheco River in the Town of Farmington, for a total amount not to exceed \$326,807. Effective upon G&C approval through August 31, 2017. **100% Federal Funds.**

DEPARTMENT OF CULTURAL RESOURCES

#12 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas, authorized the NH State Library to **retroactively** renew membership with the Chief Officers of State Library Agencies, Lexington, KY, in the amount of \$3,800. Effective January 1, 2015 through December 31, 2015. **100% Federal Funds.**

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

The Governor and Council acted as follows:

#13 Authorized the Division of Agricultural Development to enter into a **sole source** contract with Deirdre Brickner-Wood, Durham, NH, to provide grant coordination services, in the amount of \$4,800. Effective upon G&C approval through March 1, 2015. **100% General Funds.**

#14 Authorized the Division of Animal Industry to accept and expend **retroactive** grant funds from the US Department of Agriculture Animal and Plant Health Inspection Service, in the amount of \$40,605, to conduct surveillance and response for animal disease and traceability which will support the NHDAMF's ability to protect human health, the state's economy, food safety, and animal resources, as well as deliver educational programs to the growing number of livestock and poultry owners in the state. Effective May 13, 2014 through March 31, 2015. **100% Federal Funds – USDA Animal Health.**

HIGHWAY SAFETY AGENCY

#15 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Sununu, authorized to amend a lease agreement with McCarthy Properties, West Wareham, MA (originally approved by G&C on 1-13-10, item #13), to provide a six month extension of term effective February 1, 2015 through July 31, 2015 for 2,200 square feet of office space, for an amount not to exceed \$16,279.98, an increase from \$156,199.92 to \$172,479.90. **26% Federal, 74% Highway Funds.**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#16 Authorized to accept and expend funds made available through the Swift and Certain Sanctions/Replicating HOPE Project sub grant from the NH Department of Justice in the amount of \$56,676 to improve supervision strategies of offenders in the community, promote collaboration among agencies, and improve offender outcomes. Effective upon G&C approval through September 30, 2016. **100% Agency Income (federal funds at origin).**

#17 **TABLED** – The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Sununu, voted to **table** the request to accept and expend a sub-grant from the Manchester Police Department in the amount of \$8,760 to support the Project Safe Neighborhoods initiative by providing certified Probation/Parole Officer(s) as part of a dual-agency approach to reduce gun and gang violence in the City of Manchester. Effective upon G&C approval through August 31, 2015. **100% Agency Income.**

NEW HAMPSHIRE LIQUOR COMMISSION

The Governor and Council acted as follows:

#18 Authorized to continue one Retail Store Manager III position, salary grade 9, in a temporary status from January 14, 2015 to January 13, 2016, at an estimated cost of \$48,135. **100% Liquor Funds.**

#19 Authorized to continue one Attorney IV position, salary grade 32, in a temporary status from January 18, 2015 to January 17, 2016, at an estimated cost of \$105,605. **100% Liquor Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#20 Authorized to accept and place on file the Mining and Reclamation 2014 Annual Reports.

#21 Authorized the Division of Forests and Lands to enter into two lease agreements with New England Power Company d/b/a National Grid, Waltham, MA, for equipment and antenna space in designated areas at Cannon Mountain and Kearsarge Mountain. (2)Further authorized to accept annual rental payments of \$12,000 for 2015, \$12,360 for 2016, \$12,730.80 for 2017, \$13,112.72 for 2018, and \$13,506.10 for 2019 for the Kearsarge Mountain Lease. (3)Further authorized to accept annual rental payments of \$18,000 for 2015, \$18,540 for 2016, \$19,096.20 for 2017, \$19,669.09 for 2018, and \$20,259.16 for 2019 for the Cannon Mountain Lease. Effective April 1, 2015 through March 31, 2020, with the option to renew for three additional 5-year periods.

#22 Authorized the Division of Forests and Lands to enter into a **retroactive** lease agreement with Northeast Wireless Networks LLC, Falmouth, ME for equipment and antenna space in designated areas at Cannon Mountain – Franconia Notch State Park, and accept annual fees of \$26,000 for 2015, \$26,780 for 2016, \$27,583.40 for 2017, \$28,410.90 for 2018, and \$29,263.23 for 2019. Effective January 1, 2015 through December 31, 2019, with the option to renew for three additional 5-year periods.

#23 Authorized the Division of Forests and Lands to enter into two lease agreement with Central Vermont Communications Inc of Vermont, Rutland, VT for equipment and antenna space in designated areas on Kearsarge Mountain in Warner, NH and Mount Washington in Sargents Purchase, NH. (2)Further authorized to accept annual Kearsarge Mountain rental payments of \$4,810.32 for year 1, \$4,954.63 for year 2, \$5,103.27 for year 3, \$5,256.37 for year 4, and \$5,414.06 for year 5. Effective July 1, 2015 through June 30, 2020. (3)Further authorized to accept annual Mount Washington rental payments of \$8,659.77 for year 1, \$9,092.76 for year 2, \$9,547.40 for year 3, \$10,024.77 for year 4 and \$10,526.01 for year 5. Effective August 1, 2015 through July 31, 2020.

#24 Authorized the Division of Forests and Lands to enter into four **retroactive** lease agreements with Public Service Company of NH, Manchester, NH, for equipment and antenna space in designated areas at each of the following sites: Belknap Mountain, Kearsarge Mountain, Prospect Mountain and Mount Sunapee. (2)Further authorized to accept annual rental payments of \$5,600 for 2015, \$5,768 for 2016, \$5,941.04 for 2017, \$6,119.27 for 2018, and \$6,302.85 for 2019 for the Belknap Mountain, Kearsarge Mountain and Prospect Mountain Leases. (3)Further authorized to accept annual rental payments of \$3,500 for 2015, \$3,605 for 2016, \$3,713.15 for 2017, \$3,824.54 for 2018, and \$3,939.28 for 2019 for the Mount Sunapee Lease. Effective January 1, 2015 through December 31, 2019, with the option to renew for three additional 5-year periods.

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#25 Authorized to surplus 1.5 acres of land near Laurel Lake in the Town of Fitzwilliam, for the appraised value of \$28,000, plus a \$1,100 administrative fee. (2)Further authorized to convey the 1.5 acres of land near Laurel Lake to the Town of Fitzwilliam, contingent on the Town of Fitzwilliam 2015 Town meeting in favor of the acquisition.

#26 **TABLED** – The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Kenney, voted to **table** the request to acquire conservation easements on 1321 +/- acres in Conway from The Nature Conservancy, in the amount of \$234,000. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.** (2)Further authorize to deposit \$22,000 in the NH Land Conservation Endowment held by the Department of Treasury for conservation easement monitoring and stewardship by the Office of Energy and Planning, Conservation Stewardship Program on behalf of Fish and Game and enabled by an MOA approved by G&C on 7-24-13, item #37. **100% Other (Wildlife Habitat) Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#27 Authorized with Councilor Sununu abstaining, to enter into an agreement with the North Country Council Inc., Bethlehem, NH, to complete the *Campton Village Water Precinct Infrastructure Protection Project*, in the amount of \$30,000. Effective upon G&C approval through December 31, 2016. **100% Federal Funds.**

#28 Authorized to enter into an agreement with the Strafford Regional Planning Commission, Rochester, NH, to complete the *Development of a Septic System Database for the Sunnyside Drive, Woodridge Road, and Foss Farm Road Neighborhoods in the Town of Durham Project*, in the amount of \$43,183. Effective upon G&C approval through December 31, 2016. **100% Federal Funds.**

#29 Authorized to enter into a contract with Milone and MacBroom Inc., Waterbury, VT, to complete sediment quantity estimation and transport fact sheets to support a DES sediment protocol for dam and channel barrier removal projects, in an amount not to exceed \$15,000. Effective upon G&C approval through June 1, 2015. **100% Federal Funds.**

#30 Authorized to enter into a grant agreement with the City of Rochester, NH, to fund a Household Hazardous Waste collection project, in the amount of \$14,293. Effective upon G&C approval through June 30, 2015. **100% Hazardous Waste Cleanup Funds.**

#31 Authorized David Lemieux's request to perform work on Bellamy River in Dover.

NEW HAMPSHIRE VETERANS HOME

#32 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas, authorized to enter into a **retroactive** contract with Lakes Region General Healthcare Foot Clinic, Laconia, NH, to provide foot clinic services to the Homes residents, in the amount of \$84,000. Effective December 1, 2014 through November 30, 2017. **33% Federal, 33% General, 34% Other Funds.**

DEPARTMENT OF SAFETY

#33 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Van Ostern, authorized the Division of Homeland Security and Emergency Management to enter into a memorandum of agreement with the Division of State Police for the purpose of enhancing the cyber terrorism/cyber security and incident response capabilities, for a total amount of \$95,825. **100% Federal Funds.** (2)Further authorized the Division of State Police to accept and expend \$95,825 of federal funds from the Division of Homeland Security and Emergency Management for the purpose of enhancing the cyber terrorism/cyber security and incident response capabilities Effective upon G&C approval through September 30, 2015. **100% Agency Income.**

DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

#34 Authorized to enter into a sub-grant with the Merrimack County Sheriff's Department in the total amount of \$30,000 from the 2015 Regional Drug Task Force appropriation to support Drug Task Force program operations. Effective upon G&C approval through June 30, 2015. **100% General Funds.**

#35 Authorized to enter into subgrants totaling \$12,000 with the Merrimack County Sheriff, in the amount of \$7,500, and with the Manchester Police Department in the amount of \$4,500, utilizing funds from the US Department of Justice's Office of Juvenile Justice and Delinquency Prevention's Enforcing Underage Drinking Laws Block Grant Programs for the purpose of funding increased enforcement of NH's underage drinking laws, to include outreach, education and training. Effective upon G&C approval through March 31, 2015. **100% Federal Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#36 Authorized the Bureau of Public Works Design and Construction to enter into a contract with Martini Northern LLC, Portsmouth, NH, for the UPS Replacement (Uninterruptible Power Supply) Concord, NH, for a total price not to exceed \$35,750. (2)Further authorized the amount of \$2,000 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$37,750. Effective upon G&C approval through February 8, 2015. **100% Transfer Funds.**

#37 **TABLED** – The Governor and Council on motion of Councilor Sununu, seconded by Councilor Wheeler, voted to **table** the request of the Bureau of Public Works Design and Construction to enter into a Construction Management contract with Harvey Construction Corp., Bedford, NH, for the Department of Safety Marine Patrol Headquarters, Gilford, NH, for a total price not to exceed \$7,998,717. (2)Further authorize a contingency in the amount of \$225,000 for unanticipated expenses, bringing the total to \$8,223,717. (3)Further authorize the amount of \$234,000 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$8,457,717. Effective upon G&C approval through May 1, 2016. **100% Other (Navigation Safety) Funds.**

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The Next regular Governor and Executive Council meeting is scheduled for Wednesday January 28, 2015, at the State House, Concord, NH.

Honorable Board then Adjourned at 11:15 a.m.