

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
December 5, 2018 1:30 p.m.

The Governor and Executive Council convened at 1:30 p.m. with all members present.

Councilor Kenney offered a prayer and lead the Pledge of Allegiance.

The Governor and Executive Council on motion of Councilor Kenney, seconded by Councilor Pappas voted to approve the minutes of November 14, 2018 meeting.

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 November 14, 2018 meeting.

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

RESIGNATIONS

The Governor and Council accepted the following resignation:

Medical Review Subcommittee - RSA 329:17-V-a

David R. Coursin, Northwood

Effective: December 5, 2018

Real Estate Appraisers Board - RSA 310-B

Donald A. St. Germain, Manchester

Effective: December 5, 2018

CONFIRMATIONS

The Governor and Council confirmed the following:

Board of Licensure of Interpreters for the Deaf and Hard of Hearing - RSA 326-I:3

(Recommended by N.H. Association of the Deaf)

Lori M. Johnstone, Auburn

Reappointment

Effective: December 5, 2018

Term: October 10, 2021

Current Use Advisory Board - RSA 79-A

(Public Member)

Thomas N. Thomson, Orford

Reappointment

Effective: December 5, 2018

Term: November 16, 2020

Director, Division of Personnel, DAS - RSA 21-I: 2

Lorrie A. Rudis, Merrimack

Reappointment

Salary: LG HH, \$105,128.40

Effective: December 5, 2018

Term: January 1, 2023

Family Mediator Certification Board - RSA 328-C:4

(Public Member)

Erin P. Jasina, Hampton

Reappointment

Effective: December 5, 2018

Term: April 10, 2020

Justice, New Hampshire Circuit Court - RSA 490-F

Kerry P. Steckowych, Goffstown

Effective: December 5, 2018

Term: Until 70 years of Age

Part-time Justice, New Hampshire Circuit Court - RSA 490-F

James R. Gleason, Henniker

Effective: December 5, 2018

Term: Until 70 years of Age

Justice, New Hampshire Superior Court - RSA 491: 1 – Councilors Volinsky and Pappas voted no.
Daniel I. St. Hilaire, Concord Effective: December 5, 2018
Term: Until 70 years of Age

Mechanical Licensing Board - RSA 153:27-a
(Certified Water Treatment Technician – Nonvoting Member)
Steven G. Guercia, Concord Effective: December 5, 2018
Reappointment Term: October 2, 2021

New Hampshire State Council on the Arts - RSA 19-A
Timothy G. Sink, Concord Effective: December 5, 2018
Reappointment Term: November 23, 2023

New Hampshire State Council on the Arts - RSA 19-A
William H. Stelling, Manchester Effective: December 5, 2018
Reappointment Term: November 23, 2023

New Hampshire Transportation Council - RSA 238-A
(Knowledgeable in transportation technology)
Cosema E. Crawford, Berkeley Heights, NJ Effective: December 5, 2018
Vacancy Term: December 5, 2021

Site Evaluation Committee - RSA 162-H: 3 – Councilors Volinsky and Pappas voted no.
George I. Kassas, Salem Effective: February 1, 2019
Succeeding: Patricia M. Weathersby, Rye Term: December 3, 2022

Waste Management Council - RSA 21:0:9
(Rep. of Private Industries that Generate Hazardous Waste)
Daniel P. Sweet, Kensington Effective: December 5, 2018
Reappointment Term: August 22, 2022

CONFIRMATION FAILED

The Governor asked for a motion for the confirmation below. Councilor Prescott made the motion with Councilor Kenney seconding the motion for the purposes of discussion.

Following discussion, the Governor and Council on motion of Councilor Prescott, seconded by Councilor Wheeler voted to table the confirmation below; with Councilors Kenney, Volinsky, and Pappas voting **no**, the motion to table **failed**.

Then, the Governor asked for a vote to approve the confirmation below; with Councilors Kenney, Volinsky and Pappas voting **no**, the motion to confirm **failed**.

Councilor Volinsky disclosed that he didn't think that this creates an ethics issue or disqualifies him but wanted to make it clear that he now has a client for the Supreme Court in his private legal practice in the northern pass case. He is not before the SEC, and he understands that he is not permitted to appear before the SEC.

Site Evaluation Committee - RSA 162-H: 3
Geoffrey K. Mitchell, Exeter Effective: December 24, 2018
Succeeding: Rachael D. Whitaker, Dummer Term: December 23, 2022

NOMINATIONS

The following nominations were submitted:

Board of Psychologists - RSA 329-B:3
(Public Member)

Klaran W. Warner, Grantham
Succeeding: Catherine E. Shanelaris, Merrimack

Effective: Upon Confirmation
Term: July 1, 2021

Compensation Appeals Board - RSA 281-A:42-a
(Attorney)

Timothy S. Wheelock, Portsmouth
Reappointment

Effective: Upon Confirmation
Term: November 15, 2021

Current Use Advisory Board - RSA 79-A
(Public Member/Agriculture)

Charles H. Souther, Concord
Reappointment

Effective: Upon Confirmation
Term: November 16, 2020

Division of Ports and Harbors Advisory Council - RSA 12-G:44

Christopher D. Holt, Stratham
Reappointment

Effective: Upon Confirmation
Term: December 16, 2023

Medical Review Subcommittee - RSA 329:17-V-a

Lisa A. Patterson, Winchester
Succeeding: Peter H. Wilson, Concord

Effective: Upon Confirmation
Term: December 3, 2021

Manufactured Housing Installation Standards Board - RSA 205-D:2

(Owner/Operator 100 or fewer lots)
Gary Francoeur, Hudson
Reappointment

Effective: Upon Confirmation
Term: October 3, 2021

Manufactured Housing Installation Standards Board - RSA 205-D:2

(Installer)
John T. Flanders, Concord
Reappointment

Effective: Upon Confirmation
Term: October 3, 2021

New Hampshire State Council on the Arts - RSA 19-A

Catherine V. Sununu, Exeter
Succeeding: Sarah Stewart, Manchester (*became commissioner of agency*)

Effective: Upon Confirmation
Term: November 23, 2021

Passenger Tramway Safety Board - RSA 225-A

(Cable Lift)
Robert Hoyt, Freedom
Reappointment

Effective: Upon Confirmation
Term: June 20, 2022

Real Estate Appraisers Board - RSA 310-B

(Representative of NH lending institution)
Justin K. Macagba, New Boston
Succeeding: Donald A. St. Germain, Manchester (resigned)

Effective: Upon Confirmation
Term: August 12, 2019

Site Evaluation Committee - RSA 162-H: 3

G. Michael Vose, Epping
Succeeding: Rachael D. Whitaker, Dummer

Effective: December 24, 2018
Term: December 23, 2022

State Committee on Aging - RSA 161-F
(Hillsborough County)
Daniel A. Marcek, Brookline
Succeeding: Norma J. Brettell, Glen

Effective: Upon Confirmation
Term: June 24, 2019

State Commission for Human Rights - RSA 354-A:4
Nancy G. LeRoy, Laconia
Succeeding: Sylvia E. Gale, Nashua

Effective: Upon Confirmation
Term: November 1, 2023

CONSENT CALENDAR AGENDA

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

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

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Bureau of Human Resource Management

#A. Authorized to enter Sarah Goss into an educational tuition agreement with Southern NH University, Manchester, NH, to participate in: Business Communication; Population Health and Cultural Competence; Evaluation Methods in Public Health; and Perspectives in Liberal Arts, during the period of January 7, 2019 through April 28, 2019, and to pay said costs in the amount of \$3,456. **100% General Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Bureau of Human Resource Management

#B. Authorized to enter Jennifer VanderNoot into an educational tuition agreement with Southern NH University, Manchester, NH, to participate in Healthcare Quality, during the period of December 17, 2018 through March 3, 2019, and to pay said costs in the amount of \$1,881. **100% General Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Bureau of Human Resource Management

#C. Authorized to enter Pauline J. Cote into an educational tuition agreement with Granite State College, Concord, NH, to participate in Introduction to Psychology, during the period of January 7, 2019 through April 1, 2019, and to pay said costs in the amount of \$1,455. **100% General Funds.**

STATE TREASURY

#D. Authorized the Comptroller to issue a warrant from funds not otherwise appropriated in the amount of \$55,527 and the State Treasurer to issue checks in the amount of \$55,526.40 to the rightful owners of abandoned or unclaimed funds.

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

THE ADJUTANT GENERALS DEPARTMENT

#A. Authorized to accept donations of engraving on the walkway, brick and paver engraving, donations of monuments to the memorial walkway and computer services in the amount of \$54,563 for the NH State Veterans Cemetery to be used for the operation, maintenance, and improvement of the cemetery.

DEPARTMENT OF ADMINISTRATIVE SERVICES

#B. Authorized to accept two Christmas trees to be placed at the Bridges House on Mountain Road and at the State House in Concord, NH. The trees are being donated by Noel's Tree Farm located in Litchfield, NH. The value of this donation is approximately \$150.

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

DEPARTMENT OF ADMINISTRATIVE SERVICES

#A. Authorized to accept and place on file the Report and Findings of Councilor David K. Wheeler with regard to a certain project in participation with Young Men's Christian Association of Greater Nashua, Nashua, NH.

INSURANCE DEPARTMENT

#B. Authorized to accept and place on file the Annual Report for Fiscal Year 2018.

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

THE ADJUTANT GENERALS DEPARTMENT

#A. Authorized the confirmation of Captain Craig W. Sanderson, Gilford, NH, to the rank of Major, NH Army National Guard.

THE ADJUTANT GENERALS DEPARTMENT

#B. Authorized the nomination of Captain Raymond R. Youngs, Wentworth, NH, for promotion to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grades, having been found to be physically, mentally, morally, and professionally qualified.

DEPARTMENT OF JUSTICE

#C. Authorized to appoint Gregory M. Albert as an Assistant Attorney General, at a salary level of \$74,000. Effective upon G&C approval or December 21, 2018, whichever is the latter, through April 29, 2020.

DEPARTMENT OF JUSTICE

#D. Authorized to appoint Rebecca D. Ricard as an Attorney at a salary level of \$61,500. Effective upon G&C approval or December 7, 2018, whichever is the latter.

DEPARTMENT OF TRANSPORTATION

#E. Authorized the Bureau of Right of Way's request for a hearing on the proposed rehabilitation or replacement of the bridge carrying US 4 over NHRR-Br. No. 156/104 in the Town of Danbury. A suggested Commission to determine whether there is occasion for the rehabilitation or replacement of the bridge, and a suggested budget of \$849.17 as detailed in letter dated October 24, 2018.

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

DEPARTMENT OF TRANSPORTATION

#A. Authorized the Bureau of Highway Design to amend a contract with Vanasse Hangen Brustlin Inc., (originally approved by G&C on 2-1-17, item #26), for preliminary design of improvements to US 202 at its intersection with NH 124 and NH 137 in the Town of Jaffrey, by extending the completion date from January 31, 2019 to June 30, 2019. No Additional Funding.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

#B. Authorized to amend a \$300,000 grant agreement with the City of Keene, NH (originally approved by G&C on 12-21-16, item #39), to allow for the completion of the MamaSezz project, by extending the completion date of December 31, 2018 to December 31, 2019. No Additional Funding. **100% Federal Funds.**

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

#C. Authorized to amend a \$300,000 grant agreement with the County of Cheshire, Keene, NH (originally approved by G&C on 4-19-17, late item #A), to allow for the completion of the Unity Building Technologies, a subsidiary of Benson Wood Working Company Inc., expansion project, by extending the completion date of December 31, 2018 to December 31, 2019. No Additional Funding. **100% Federal Funds.**

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

#D. Authorized to amend a \$499,000 grant agreement with the Town of Exeter, NH (originally approved by G&C on 12-7-16, item #33), to allow for the completion of the GourmetGiftBaskets.com Inc., equipment purchase project, by extending the completion date of December 31, 2018 to December 31, 2019. No Additional Funding. **100% Federal Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

#E. Authorized to amend a sole source agreement with the NH Rivers Council, Concord, NH (originally approved by G&C on 3-9-16, item #82), for the *Development of a Watershed Management Plan for the Winnicut River* project, by extending the completion date to December 31, 2019 from December 31, 2018. No Additional Funding. **100% Federal Funds.**

REGULAR AGENDA

BUSINESS FINANCE AUTHORITY

#6 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Volinsky, authorized to hold a Public Hearing with respect to the financing of a loan to Capital Regional Development Council located in Concord, NH. Action will authorize a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON DECEMBER 5, 2018
COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE**

* * * * *
At approximately 2:00 p.m., the Governor announced that the next matter to be considered would be loan made by the Business Finance Authority to Rockingham Economic Development Corporation to finance a line of credit for expansion and retention of businesses and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loan. The Governor then said that the meeting would hear anyone wishing to speak on the subject. Michael Donahue, Senior Credit Officer of the Authority briefly explained the project. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Kenney introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDDING A LOAN UNDER RSA 162-A:7 FROM THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE TO CAPITAL REGIONAL DEVELOPMENT COUNCIL" and moved its adoption, which was seconded by Councilor Volinsky. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Kenney, Councilor Volinsky, Councilor Prescott, Councilor Pappas and Councilor Wheeler; those abstaining were Councilor(s): None; and those voting against were Councilor (s): None. The Governor declared that the resolution was passed.
* * * * *

**A RESOLUTION UNDER RSA 162-A:18 AWARDDING A LOAN
UNDER RSA 162-A:7 FROM THE BUSINESS FINANCE AUTHORITY OF
THE STATE OF NEW HAMPSHIRE TO CAPITAL REGIONAL
DEVELOPMENT COUNCIL**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to a loan by the Authority to Capital Regional Development Council (the "Borrower") in the original principal amount of up to \$500,000 to provide additional loan capital to support the expansion and retention of businesses (the "Loan");

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

WHEREAS, the Governor and Council will receive all the documentation and information with respect to the proposed Loan by the Authority; and

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

NOW, THEREFORE, it is hereby resolved that:

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

a. Special Findings.

(i) The Loan in consistent with local or regional development plans or policies.

b. General Findings.

(i) The Loan that the Authority has proposed will serve a public use and provide a public benefit.

(ii) The Loan that the Authority has proposed is within the policy of, and the authority conferred, by RSA Chapter 162-A.

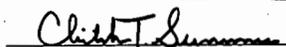
(iii) The Loan that the Authority has proposed will preserve or increase the social welfare or economic prosperity of the State and one or more of its political subdivisions, and will promote the general welfare of the State's citizens.

(iv) The Loan that the Authority has proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. Governor and Council approve the Loan by the Authority as recommended by the Authority and authorize the Authority to cause the execution and delivery of the loan documents substantially in the form submitted to Governor and Council and to take such further action as the act with respect to the transaction as may be required.

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

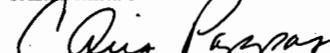
Passed and agreed to December 5, 2018.

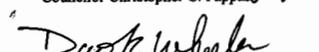

Governor Christopher T. Sununu


Councilor Joseph D. Kenney


Councilor Andru Volinsky


Councilor Russell E. Prescott


Councilor Christopher C. Pappas


Councilor David K. Wheeler

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

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

#7 Authorized the determination made by the Commissioner that on October 14, 2018 a Registered Nurse at the NH Hospital sustained an injury in the line of duty 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.

#8 Authorized the determination made by the Commissioner that on November 2, 2018 a Mental Health Worker II, at the NH Hospital sustained an injury in the line of duty 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.

Office of the Commissioner

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

#9 Authorized **retroactive** reimbursement to Melissa St. Cyr, Chief Legal Officer, \$184 for travel expenses incurred September 21-26, 2018.

#10 Authorized to make a **retroactive** payment for annual membership dues to the New England States Consortium Systems Organization, Shrewsbury, MA, in the amount of \$28,500 for the period of July 1, 2018 through June 30, 2019. **100% General Funds.**

Office of Health Equity

#11 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Pappas, authorized to accept and expend federal funds in the amount of \$75,000 from the Administration of Children and Families. Effective upon G&C approval through September 30, 2020. **100% Federal Funds.**

Bureau of Facilities Maintenance and Office Services

#12 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Kenney, authorized to make a **retroactive** unencumbered payment to Landsite Corporation Inc., Antrim, NH, in the amount of \$55,227 to provide emergency dredging services to the Home Hydro-electric Impoundment pond. Effective upon G&C approval. **100% General Funds.**

Bureau of Employment Supports

#13 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Kenney, authorized to enter into a memorandum of understanding with NH Employment Security, Concord, NH, for the Granite Workforce pilot program component of the Granite Advantage Health Care Program, in an amount not to exceed \$357,800. Effective upon G&C approval through June 30, 2019. **100% Federal Funds.**

Division for Children, Youth & Families

#14 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Pappas, authorized to accept and expend the Promoting Safe and Stable Families grant in the amount of \$219,448. Effective upon G&C approval through June 30, 2019. **Fiscal Committee approved.**

Bureau of Population Health and Community Services

#15 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Kenney, authorized the Chronic Disease Prevention and Screening Section to accept and expend federal funds in the amount of \$289,505 from the Centers for Disease Control and Prevention to fund the Arthritis Program. Effective upon G&C approval through June 30, 2019. **100% Federal Funds. Fiscal Committee approved.**

Division of Public Health Services

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

#16 Authorized to enter into an agreement with Keene State College, Keene, NH, to provide physical activity and nutrition assessment in child care programs and public schools, in an amount not to exceed \$280,000. Effective upon G&C approval through June 30, 2022. **100% Federal Funds.**

#17 Authorized to exercise a renewal option and amend an existing **sole source** contract with Bio-Rad Laboratories Inc., Hercules, CA (originally approved by G&C on 6-15-16, item #11B), to provide maintenance and repair services for the Bio-Rad Evolis laboratory equipment, by increasing the price by \$49,275 from \$49,200 to an amount not to exceed \$98,475, and by extending the completion date from December 11, 2018 to December 31, 2021. **100% General Funds.**

#18 Authorized to enter into an agreement with JSI Research and Training Institute Inc., d/b/a Community Health Institute, Bow, NH, to conduct a statewide primary care needs assessment in an amount not to exceed \$63,760. Effective upon G&C approval through June 30, 2020. **100% General Funds.**

#19 Authorized to establish lists of outpatient core medical providers, with the ability to expand the lists to include additional individuals and organizations licensed by the State of NH, to provide core medical services to clients enrolled in the NH Ryan White CARE Program and NH Tuberculosis Financial Assistance Program. No maximum client or service volume is guaranteed. Accordingly, the shared price limitations among all services are as detailed in letter dated October 18, 2018. Effective upon G&C approval through March 31, 2021. **93% Other, 7% General Funds.**

Bureau of Drug and Alcohol Services

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

#20 Authorized to enter into a **sole source** amendment to an existing contract with JSI Research & Training Institute d/b/a Community Health Institute, Bow, NH (originally approved by G&C on 10-17-18, item #6), for the coordination of services provided to the NH Alcohol and Other Drug Continuum of Care System, by increasing the price by \$1,450,000 from \$3,400,734 to an amount not to exceed \$4,850,734. Effective upon G&C approval through the original completion date of June 30, 2020. **45.22% Federal, 16.67% General, 38.11% Other Funds.**

#21 Authorized to enter into **sole source** agreements with the vendors as detailed in letter dated September 28, 2018, to provide Student Assistance Program services, in an amount not to exceed \$191,470. Effective upon G&C approval through June 30, 2019. **98.63% Federal, 1.37% General Funds.**

#22 Authorized to enter into agreements with the vendors as detailed in letter dated November 14, 2018, to provide comprehensive Medication Assisted Treatment, in an amount not to exceed \$1,125,710. Effective upon G&C approval through September 29, 2020. **100% Federal Funds.**

#23 Authorized to enter into a **sole source** amendment to 8 of the 13 vendors as detailed in letter dated November 14, 2018, to provide substance use disorder treatment and recovery support services statewide, by increasing the total combined price by \$3,362,900 from \$4,915,198 to an amount not to exceed \$8,278,098 with no change in the completion date of June 30, 2019. **69.35% Federal, 13.50% General, 17.15% Other Funds.**

#23A Authorized to enter into an agreement with Portland Webworks Inc., Portland, ME, for the provision of designing, developing, implementing, hosting and managing a single, consolidated website for the purpose of ensuring the general public has access to consistent and accurate information on services related to Substance Use Disorders, in an amount not to exceed \$200,000. Effective upon G&C approval through June 30, 2020. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

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

#24 Authorized the Bureau of Right of Way to revise the Special Committee for the Derry-Londonderry 13605 (Exit 4A) project (originally approved by G&C on 9-20-18, item #4E). (2) Further authorized to utilize design build contracting method for the 13605 project to construct a new interchange along I-93 (Exit 4A) in Londonderry with easterly connection to NH Route 102 in Derry.

#25 Authorized the Bureau of Human Resources to enter into a **sole source** agreement with Federal Highway Administration Finance Division, National Highway Institute, Arlington, VA, for an amount not to exceed \$113,100 for training. Effective upon G&C approval through September 30, 2019. **75% Federal, 25% Highway Funds.**

#26 Authorized the Bureau of Bridge Design to enter into an agreement with Hardesty & Hanover, LLC, for the preliminary design, public involvement process, and associated environmental & cultural services for rehabilitation of the existing bridge carrying NH Route 175 over Pemigewasset River in the Town of Woodstock, for a total amount not to exceed \$337,157.54. Effective upon G&C approval through June 30, 2021. **100% Other Funds (SB 367 Funds).**

#27 Authorized the Bureau of Planning and Community Assistance to enter into an agreement with the City of Portsmouth sub-recipient to provide funding and services under the Federal Highway Safety Improvement Program through a local project administration process, totaling \$869,840.10. Effective upon G&C approval through June 30, 2022. **100% Federal Funds.**

#28 Authorized the Bureau of Planning and Community Assistance to enter into a contract with the Southern NH Planning Commission, Manchester, NH, to provide Transit Oriented Development Planning Services, in the amount of \$200,000. Effective upon G&C approval through December 31, 2020. **100% Federal Funds.**

#29 Authorized the Bureau of Planning and Community Assistance to amend an agreement with the Town of Northfield sub-recipient (originally approved by G&C on 10-29-14, item #25), to provide funding and services under the State Highway Aid Program and State Bridge Aid Program through a Local Project Administration process, by increasing the amount by \$2,300,000 from \$200,000 to \$2,500,000. Effective upon G&C approval through June 30, 2021. **78% Highway, 22% Agency Income (Town Share).**

#30 Authorized the Bureau of Planning and Community Assistance to enter into a contract with the Central NH Regional Planning Commission, Concord, NH, to provide Transportation Demand Management Services and Rideshare Coordination in the State of NH, in the amount of \$228,794. Effective upon G&C approval through December 31, 2021. **100% Federal Funds.**

#31 Authorized the Bureau of Bridge Design to amend a **sole source** contract with Kleinfelder Northeast Inc., Manchester, NH (originally approved by G&C on 9-7-16, item #18), for the preliminary design for the replacement of the Red List bridge carrying NH Route 101 over Pulpit Brook in the Town of Bedford, by increasing the amount by \$156,562.82 from \$165,918.18 to \$322,481 for additional design services, and by extending the completion date from December 31, 2018 to December 31, 2019. **100% Federal Funds.**

#32 Authorized the Bureau of Highway Design to enter into an agreement with Vanasse Hangen Brustlin Inc., Bedford, NH, for on-call engineering services for various transportation projects located throughout the State, for an amount not to exceed \$500,000. Effective upon G&C approval through December 31, 2021.

#33 Authorized the Bureau of Materials and Research to enter into a **sole source** amendment with Deighton Associates Ltd, Bowmanville, Ontario, Canada (originally approved by G&C on 12-11-07, item #95), to continue to support the use and development of the Department's computer based software Pavement Management System, by increasing the amount by \$18,618 from \$720,427.32 to \$739,045.32, and by extending the completion date and software licensing to December 31, 2019. **100% Federal Funds.**

#34 Authorized the Bureau of Highway Design to enter into an agreement with Stantec Consulting Services Inc., Bedford, NH, for on-call engineering services for various transportation projects located throughout the State, for an amount not to exceed \$500,000. Effective upon G&C approval through December 31, 2021.

#35 Authorized the Bureau of Construction to enter into a contract with Northeast Traffic Control Services Inc., Plymouth, MA, for replacing bridge-mounted sign structures and signs on the I-93 overpass bridges in the Town of Hooksett, on the basis of a low bid of \$196,590.75. (2)Further authorized a contingency in the amount of \$9,829.54 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 4, 2019. **100% Federal Funds.**

#36 Authorized the Bureau of Construction to enter into a contract with Brox Industries Inc., Dracut, MA, for constructing a two-way left turn lane on NH 125 in Rochester, on the basis of a low bid of \$476,806.55. (2)Further authorized a contingency in the amount of \$28,608.39 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through September 27, 2019. **100% Federal Funds.**

#37 Authorized the Bureau of Construction to enter into a contract with Brox Industries Inc., Dracut, MA, for pavement resurfacing in Maintenance Districts 5 and 6, on the basis of a low bid of \$2,461,238.87. (2)Further authorized a contingency in the amount of \$123,061.94 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through September 13, 2019. **100% Federal Funds.**

#38 Authorized the Bureau of Construction to enter into a contract with R.M. Piper Inc., Plymouth, NH, bridge preservation work on the bridge that carries the US 1 bypass over Hodgson Brook in the City of Portsmouth, on the basis of a low bid of \$1,016,408.70. (2)Further authorized a contingency in the amount of \$20,328.17 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 18, 2019. **100% Federal Funds.**

#39 Authorized the Bureau of Construction to enter into a contract with Weaver Brothers Construction Co. Inc., Bow, NH, for intersection safety improvements on Scobie Pond Road and English Range Road in Derry, on the basis of a low bid of \$1,232,979.65. (2)Further authorized a contingency in the amount of \$86,308.58 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through September 27, 2019. **100% Federal Funds.**

#40 Authorized the Bureau of Construction to enter into a contract with The Gorman Group LLC, Albany, NY, for pavement preservation on I-93, beginning at Exit 20 in Tilton and extending northerly just south of Exit 22 in Sanbornton, on the basis of a low bid of \$2,129,987.50. (2)Further authorized a contingency in the amount of \$106,499.38 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through August 23, 2019. **100% Federal Funds.**

#41 Authorized the Bureau of Construction to enter into a contract with Modern Protective Coatings Inc., Hudson, NH, for repainting of four bridges on I-89 in Concord, on the basis of a low bid of \$1,199,450. (2)Further authorized a contingency in the amount of \$59,972.50 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through August 23, 2019. **100% Federal Funds.**

#42 Authorized the Bureau of Construction to enter into a contract with E.D. Swett Inc., Concord, NH, for NH 28 bridge preservation efforts for two bridges carrying NH 28 over the Suncook River and Beauty Hill Road in Hooksett, on the basis of a low bid of \$897,858.90. (2)Further authorized a contingency in the amount of \$89,785.89 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 4, 2019. **100% Federal Funds.**

The Governor read into the record that item #42 above contained a typo. The Item should read: "over the Suncook River and Beauty Hill Road in *Barnstead*, on the basis of a low bid of \$897,858.90."

#43 Authorized the Bureau of Construction to enter into a contract with Mitchell Sand & Gravel LLC, Shelburne, MA, for NH 119 intersection safety improvements in Fitzwilliam, on the basis of a low bid of \$772,561. (2)Further authorized a contingency in the amount of \$38,628.05 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through August 23, 2019. **100% Federal Funds.**

#43A Authorized the Bureau of Right of Way to amend the contracts issued to Innovision Realty Group LLC, Goffstown, NH, to combine and transfer funds through rents collected to the operational budgets for the maintenance and management of State owned properties within Regions 1 and 2 per the contracts approved by G&C on June 20, 2018. Effective upon G&C approval. This amendment combines the total monthly balance allowed for Regions 1 and 2 to a maximum of \$75,000 but it does not change the percentages billed for management fees within reach region.

OFFICE OF STRATEGIC INITIATIVES

#44 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Volinsky, authorized to enter into a contract with Horizon Residential Energy Services NH LLC, Concord, NH, to provide quality assurance inspection services for the federally funded NH Weatherization Assistance Program, in an amount not to exceed \$67,226. Effective upon G&C approval through June 30, 2020. **100% Federal Funds.**

DEPARTMENT OF INFORMATION TECHNOLOGY

#45 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Pappas, authorized to enter into a **sole source** contract amendment and exercise a renewal option with MTX Group Inc., Troy, NY, to provide independent verification and validation services, by increasing the amount by \$350,000 from \$225,000 to \$575,000, and by extending the completion date from December 31, 2019 to December 31, 2022. **100% Capital Funds.**

DEPARTMENT OF STATE

#46 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Kenney, and with Councilor Pappas abstaining, authorized the return of votes cast at the biennial election held on November 6, 2018 in the several towns and wards of the State for Representatives in Congress from the First and Second Districts and the proposed amendments to the New Hampshire Constitution.

DEPARTMENT OF REVENUE ADMINISTRATION

#47 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Pappas, authorized to enter into a **sole source** contract with Axiomatic LLC, Portsmouth, NH, for Municipal and Property Management System support and maintenance, in an amount not to exceed \$822,168. Effective January 1, 2019 through December 31, 2020 with three options to renew for two additional years each. **100% General Funds.**

THE ADJUTANT GENERALS OFFICE

#48 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Pappas, authorized an annual salary step increase for David J. Mikolaities, the Adjutant General, in the amount of \$5,699.72 from Grade II, Step 4 (\$103,825.28) to Grade II, Step 5 (\$109,525). Effective October 1, 2018.

INSURANCE DEPARTMENT

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

#49 Authorized to establish the starting salary of Christie Rice in the position of Assistant Commissioner, unclassified grade EE, at an annual salary of \$98,500. Effective December 7, 2018. **100% Agency Income.**

#50 Authorized to hire Christian Citarella into the position of Chief Property and Casualty Actuary, unclassified grade HH, Step 5 with an annual salary of \$105,128.40. Effective December 7, 2018. **100% Agency Income.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

#51 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas, authorized to amend the current lease agreement with Littleton Area Learning Center LLC, Littleton, NH (originally approved by G&C on 3-30-11, item #39A), for rental of 6,510 square feet of office space located at 646 Union Street, Littleton, for an additional six months, commencing January 1, 2019 through June 30, 2019, at a total cost of \$40,692. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

#52 The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Pappas, authorized to purchase a 2013 New Holland TS4.5 Tractor with front bucket and forks, not to exceed \$30,000. Effective upon G&C approval through June 30, 2019. **100% Other Funds. Fiscal Committee approved.**

#53 NOT USED

NEW HAMPSHIRE LIQUOR COMMISSION

#53A The Governor and Council on motion of Councilor Prescott, seconded by Councilor Kenney, authorized to amend the contract agreement with Exel Inc., d/b/a DHL Supply Chain Americas, Westerville, OH, for transportation services, by exercising the first of two options to extend the completion date and by amending the transportation service and fuel charges. The original contract was approved by G&C on 8-14-13, item #48A) and expires January 31, 2019. This amendment will extend the contract for a five-year term, ending on January 31, 2024. **100% Liquor Funds.**

PUBLIC UTILITIES COMMISSION

#54 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Kenney, authorized to accept and expend \$44,634 in grant funds from the US Department of Transportation – Pipeline and Hazardous Materials Safety Administration for non-gas related work performed in the enforcement of the Underground Utility Damage Prevention System. Effective upon G&C approval through June 30, 2019. **100% Federal Funds.**

DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS

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

#55 Authorized the Division of Economic Development, Office of International Commerce to accept and expend grant funds from the US Small Business Administration-State Trade Expansion Program grant program, in the amount of \$250,000. Effective upon G&C approval through June 30, 2019. **100% Federal Funds. Fiscal Committee approved.**

#56 Authorized the Office of Workforce Opportunity to amend **retroactive a sole source** contract for services with the Cookson Strategies Corporation (originally approved by G&C on 10-11-17, item #21), for the provision of sector marketing services, by increasing the amount by \$20,000 for a new total of \$145,000, and by extending the completion date through June 30, 2019. **100% Federal Funds – Workforce Innovation and Opportunity Act, Governor’s Discretionary Funds.**

#57 Authorized the Office of Workforce Opportunity to amend a **sole source** contract for services with the NH Lodging & Restaurant Association (originally approved by G&C on 12-20-17, item #54) for the provision of sector intermediary services, by increasing the amount by \$39,985 for a new total of \$119,955, and by extending the completion date through June 30, 2019. **100% Federal Funds – Workforce Innovation and Opportunity Act, Governor’s Discretionary Funds.**

#58 Authorized the Office of Workforce Opportunity to amend a **sole source** contract for services with the Manufacturing Extension Program of NH (originally approved by G&C on 12-6-17, item #30) for the provision of sector intermediary services, by increasing the amount by \$36,149 for a new total of \$116,149, and by extending the completion date through June 30, 2019. **100% Federal Funds – Workforce Innovation and Opportunity Act, Governor’s Discretionary Funds.**

#58A Authorized the Office of Workforce Opportunity to amend a **sole source** contract for services with NH Health Care Association, Pembroke, NH (originally approved by G&C on 6-21-17, item #93), for the provision of Health Care Sector Intermediary services, by increasing the amount by \$37,290 from \$85,019 to \$122,309.88, and by extending the end date through June 30, 2019. **100% Federal Funds – Workforce Innovation and Opportunity Act, Governor’s Discretionary Funds.**

#58B Authorized the Office of Workforce Opportunity to amend a **sole source** contract with the Business and Industry Association of NH (originally approved by G&C on 12-20-17, item #31), for the provision of sector intermediary services, by increasing the amount by \$40,975 from \$81,530 to \$120,835, and by extending the end date through June 30, 2019. **100% Federal Funds – Workforce Innovation and Opportunity Act, Governor’s Discretionary Funds.**

#58C Authorized the Office of Workforce Opportunity to amend a **sole source** contract with NH High Technology Council Inc., d/b/a NH Tech Alliance Inc. (originally approved by G&C on 12-20-17, item #53), for the provision of sector intermediary services, by increasing the amount by \$39,875 from \$79,200 to \$119,075, and by extending the end date through June 30, 2019. **100% Federal Funds – Workforce Innovation and Opportunity Act, Governor’s Discretionary Funds.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

#59 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Wheeler, authorized to acquire the fee title to 100+/- acres in Groton, NH, from Clarence M. and Judith Merrill at the fair market value of \$75,000. Effective upon G&C approval through December 30, 2018. **100% Federal Funds.**

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

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

#60 Authorized to acquire fee title to 33.40 +/- acres in the Town of Warner, NH, from Lawrence Tusoni at the fair market value of \$40,000. Effective upon G&C approval. **50% Federal, 50% Agency Income Funds.**

#61 Authorized the NH State Library to make a **retroactive sole source** payment to Brodart Inc., Williamsport, PA, in the amount of \$5,102.61 for an unpaid invoice dated November 8, 2018. **100% Agency Income.**

#62 Authorized the State Council on the Arts to award a Public Value Partnership Grant in the amount of \$13,000 to the Arts Alliance of Northern NH, Lancaster, NH, to strengthen their capacity for affordable diverse arts programs to NH residents and visitors. Effective upon G&C approval through June 30, 2019. **100% Federal Funds.**

#63 Authorized the State Council on the Arts to award a Public Value Partnership Grant in the amount of \$13,000 to the Prescott Park Arts Festival, Portsmouth, NH, to strengthen their capacity for affordable diverse arts programs to NH residents and visitors. Effective upon G&C approval through June 30, 2019. **100% Federal Funds.**

#64 Authorized the Bureau of Trails to enter into Grant-In-Aid Trail Maintenance Agreements (Winter Snowmobile Trail Grooming) with the snowmobile clubs as detailed in letter dated November 6, 2018, in the total amount of \$1,673,747.52. Effective upon G&C approval through May 31, 2019. **100% Transfer from Fish and Game.**

#65 Authorized the Division of Parks and Recreation, Cannon Mountain, to enter into a **retroactive sole source** contract with GW Tatro Construction Inc., Jeffersonville, VT, to complete the relocation and repair on one of the main snowmaking lines at Cannon Mountain and Franconia Notch State Park, in the amount of \$28,000. Effective October 1, 2018 through October 12, 2018. **100% Cannon Mountain Capital Improvement Funds.**

#66 Authorized the Division of Forests and Lands to **retroactively** expend \$10,187.10 for membership dues in the National Association of State Foresters. Effective upon G&C approval through September 30, 2019. **100% General Funds.**

#67 Authorized the Division of Forests and Lands to enter into a lease agreement with New Cingular Wireless PCS LLC, Atlanta, GA, for equipment and antenna space in designated areas at Mount Washington in Mount Washington State Park. Effective upon G&C approval through a period of five years. (2)Further authorized to accept an initial annual rental payment of \$33,844.08. In each subsequent year of the lease, the rent will be adjusted using the Consumers Price Index.

#68 Authorized the Division of Forests and Lands to enter into a lease agreement with Ossipee Mountain Electronics Inc., Moultonborough, NH, for equipment and antenna space in designated areas at Mount Washington in Mount Washington State Park. Effective upon G&C approval through a period of five years. (2)Further authorized to accept an initial annual rental payment of \$9,600 and additional payment increases of \$1,200 in each subsequent year, further annually adjusted using the Consumers Price Index.

#69 Authorized the Division of Forests and Lands to enter into a lease agreement with the NH Electric Cooperative Inc., Plymouth, NH, for equipment and antenna space in designated areas at Mount Sunapee in Mount Sunapee State Park. Effective upon G&C approval through a period of five years. (2)Further authorized to accept an initial annual rental payment of \$29,516.88. Total fiscal revenue over the 5-year term of the lease will be \$156,709.20.

#70 Authorized the Division of Forests and Lands to enter into a lease agreement with the NH Electric Cooperative Inc., Plymouth, NH, for equipment and antenna space in designated areas at Belknap Mountain in Belknap Mountain State Forest. Effective upon G&C approval through a period of five years. (2)Further authorized to accept an initial annual rental payment of \$28,657.20. Total fiscal revenue over the 5-year term of the lease will be \$152,144.88.

#71 Authorized the Division of Forests and Lands to enter into a lease agreement with NH Electric Cooperative Inc., Plymouth, NH, for equipment and antenna space in designated areas at Mount Washington in Mount Washington State Park. Effective upon G&C approval through a period of five years. (2)Further authorized to accept an initial annual rental payment of \$39,024.58 and additional payment increases of \$8,393.86 in each subsequent year, further annually adjusted using the Consumers Price Index.

#72 Authorized the Division of Forests and Lands to enter into a lease agreement with the NH Electric Cooperative Inc., Plymouth, NH, for equipment and antenna space in designated areas at Kearsarge Mountain in Kearsarge Mountain State Forest. Effective upon G&C approval through a period of five years. (2)Further authorized to accept an initial annual rental payment of \$29,516.88. Total fiscal revenue over the 5-year term of the lease will be \$156,709.20.

#72A Authorized the Division of Historical Resources to enter into a **sole source** contract with Peter E. Randall Publisher, Portsmouth, NH, to publish the expanded second edition of *Preserving Old Barns: Preventing the Loss of a Valuable Resource*, in an amount not to exceed \$18,853. Effective upon G&C approval through December 31, 2019. **100% Other Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

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

#73 Authorized to amend item #104, originally approved by G&C on June 6, 2018, to accept and expend an additional \$24,220,000 in Drinking Water and Groundwater Trust Funds for Fiscal Year 2019 for the purpose of implementing RSA 485-F. Effective upon G&C approval through June 30, 2019. **100% Drinking Water Groundwater Trust Fund. Fiscal Committee approved.**

#74 Authorized to transfer funds in and among classes within an accounting unit in the amount of \$89,000 for better use of appropriated federal funds. Effective upon G&C approval through March 31, 2019. **100% Federal Funds. Fiscal Committee approved.**

#75 Authorized to budget and expend funds in the amount of \$40,000,000 for the issuance of below market interest rate loans for water pollution control measures. Effective upon G&C approval through June 30, 2019. **100% Clean Water Revolving Loan Fund. Fiscal Committee approved.**

#76 Authorized to enter into a **sole source** agreement with the University of NH, Durham, NH, in the amount of \$110,000 to complete the *Nutrient Pollution Implementation and Planning for UNH and other Great Bay Watershed Communities* project. Effective upon G&C approval through December 31, 2020. **100% Clean Water State Revolving Fund.**

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

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

#79 Authorized a Clean Water State Revolving Fund loan agreement with the City of Nashua, in an amount not to exceed \$2,600,000 to finance the CMOM Implementation Project. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#80 Authorized a Clean Water State Revolving Fund loan agreement with the Meriden Village Water District, in an amount not to exceed \$29,732 to finance the Wastewater Collection System Asset Management Program. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#81 Authorized to **retroactively** pay fiscal year 2019 membership dues to the New England Interstate Water Pollution Control Commission, Lowell, MA, in the amount of \$15,485. Effective upon G&C approval through June 30, 2019. **100% Clean Water Revolving Administration Funds.**

#82 Authorized to accept two parcels of land in Antrim, with a combined size of approximately 5.3 acres and which abut state-owned property at the state-owned Steels Pond Dam in Antrim, from Contoocook Hydropower LLC, the lessee of the Steels Pond Dam. The Town of Antrim has assessed the value of the property at \$187,965 and NHDES is acquiring it for forgiveness of \$27,792 in outstanding back rent. Effective upon G&C approval.

#83 Authorized to **retroactively** accept and place on file the 2016 and 2017 annual reports of the Oil Fund Disbursement Board.

#84 Authorized West Alton Marina, LLC's request to amend condition #3 on permit to "Dredge 17,255 square feet of lakebed and 4,550 square feet of palustrine scrub shrub wetland, excavate 1,632 square feet of bank along 1,268 linear feet of shoreline, and dredge or fill 16,793 square feet of palustrine forested wetland to reconfigure and expand existing commercial marina and marine construction contracting operations on multiple properties having approximately 11,956 feet of contiguous frontage along Lake Winnepesaukee including Smalls Cove, in Alton. Compensatory mitigation for wetland and bank impacts includes a one-time payment of \$245,012.03 into the Aquatic Resource Mitigation Fund.

DEPARTMENT OF EDUCATION

#85 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Kenney, authorized to hold the NH Leadership in Education Awards Ceremony at Hampshire Hospitality Holdings LLC d/b/a Mill Falls at the Lake, Meredith, NH, on December 6, 2018 for a total meeting cost not to exceed \$3,375. Effective upon G&C approval through December 6, 2018. **100% Other Funds (Geskus grant).**

NEW HAMPSHIRE LOTTERY COMMISSION

#86 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Prescott, and with Councilor Volinsky voting **no**, authorized to enter into a contractual agreement with the Bert R. Whittemore Revocable Trust of 1993 to purchase the real estate located at 14 Integra Drive, Concord, New Hampshire for a price of \$2,975,000 to serve as the Lottery's headquarters. (2) Further authorized to enter into an agreement with Northway Bank, Berlin, NH to finance the purchase of real estate located at 14 Integra Drive, Concord, NH, for a price of \$2,975,000 over a period of 20 years at a fixed rate of 3.35%.

DEPARTMENT OF SAFETY

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

#87 Authorized to accept and expend Emergency Management Assistance Compact Interstate Mutual Aid Request Assistance funds in the amounts of \$158,870 from the Government of North Carolina for the deployment of a Swiftwater Rescue Team in response to inland and coastal flooding from Hurricane Florence. Effective upon G&C approval through June 30, 2019. **100% Agency Income. Fiscal Committee approved.**

#88 Authorized the Division of Fire Standards and Training and Emergency Medical Services, to accept and expend funds from the Federal Emergency Management Agency, entitled Assistance for Firefighters grant, in the amount of \$308,902.00 for the purchase of equipment and software for training firefighters and emergency medical personnel throughout the state. (2)Further authorized to accept and expend funds from the Federal Emergency Management Agency, entitled State Fire Training Systems Grant Program for Firefighters in the amount of \$20,000.00 for the purpose of providing training and education from the National Fire Academy to first responders throughout the state. Effective upon Governor and Council approval through June 30, 2019. **100% Federal Funds. Fiscal Committee approved.**

#89 Authorized the Division of Fire Standards and Training and Emergency Medical Services to accept and expend \$405,419 of federal pass through funds entitled "NH EMS Records Management Module", from the Office of Highway Safety to provide computer software for first responders to process license and training information. Effective upon G&C approval through June 30, 2019. **100% Agency Income. Fiscal Committee approved.**

#90 Authorized the Division of Fire Standards and Training and Emergency Medical Services to **retroactively** accept and expend funds from the Substance Abuse and Mental Health Services Administration grant, entitled First Responder Comprehensive Addiction and Recovery Act, in the amount of \$720,870 for the continuation of the subrecipient grant program for first responders and communities with the goal of reducing opioid overdoses and fatalities throughout the State. (2)Further authorized to **retroactively** continue two existing temporary full-time positions, a Program Specialist IV (LG25) and a Program Specialist II (LG21) (originally approved by G&C on 2-7-18, item #44), for the purpose of implementing and supporting the Substance Abuse and Mental Health Services Administration grant, entitled First Responder Comprehensive Addiction and Recovery Act. Effective October 1, 2018 through June 30, 2019. **100% Federal Funds. Fiscal Committee approved.**

#91 Authorized the Division of Homeland Security and Emergency Management to establish one temporary Program Specialist III (LG 23) to function as the Community Outreach Coordinator for the Division. (2)Further authorized to transfer funds within the account entitled Information Analysis Center, in the amount of \$88,701. Effective upon G&C approval through June 30, 2019. **100% Federal Funds. Fiscal Committee approved.**

#92 Authorized the Division of State Police to **retroactively** amend item #63, originally approved by G&C on September 27, 2017, to continue one existing temporary part-time Program Assistant II (LG 15) position that provides needed administrative support to the NH Information and Analysis Center (NHIAC) under the supervision of its Director. Effective October 1, 2018 through June 30, 2019. **100% Agency Income.** (2)Further authorized the Division of Homeland Security and Emergency Management to **retroactively** enter into a memorandum of agreement with the Division of State Police for providing continued administrative support to the NHIAC with a part-time Program Assistant II (LG 15) in the amount of \$30,000. Effective October 1, 2018 through June 30, 2019. **100% Federal Funds.** (3)Further authorized the Division of State Police to **retroactively** accept and expend funds from the Division of Homeland Security and Emergency Management in an amount not to exceed \$22,500 for providing continued administrative support and assistance to the NHIAC through the existing part-time Program Assistant II (LG 15) position. Effective October 1, 2018 through June 30, 2019. **100% Agency Income. Fiscal Committee approved.**

#93 Authorized the Division of Administration to enter into a **sole source** memorandum of agreement with the Commonwealth of Kentucky Transportation Cabinet, Division of Motor Carriers International Fuel Tax Agreement Processing Consortium, for a price not to exceed \$808,180 to continue facilitating the IFTA and providing a basis for the processing of NH's IFTA tax returns. Effective January 1, 2019 through December 31, 2023. **100% Agency Income (Cost of Collection).**

#94 Authorized the Division of State Police to **retroactively** pay \$607 to Ace Welding Company, Merrimack, NH, for items installed in addition to work completed. Effective upon G&C approval. **100% Revolving Funds.**

#95 Authorized to enter into a grant agreement with the Department of Fish and Game in the amount of \$13,819.50 to purchase equipment for use by the dive team. Effective upon G&C approval through August 31, 2021. **100% Federal Funds.**

#96 Authorized to enter into a grant agreement with the NH General Court, in the amount of \$22,164.95 to purchase equipment for use in securing the General Court Capital Complex. Effective upon G&C approval through August 31, 2021. **100% Federal Funds.**

#97 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Lakes Region Planning Commission to update Local Hazard Mitigation Plans for multiple communities for a total amount of \$24,000. Effective upon G&C approval through January 30, 2021. **100% Federal Funds.**

#98 Authorized to enter into a grant agreement with the NH Department of Health and Human Services, in the amount of \$20,000 for sub-grantees to administer the Metropolitan Medical Response System portion of the Federal Fiscal Year 2018 Homeland Security Grant Program. Effective upon G&C approval through August 31, 2021. **100% Federal Funds.**

#99 Authorized the Division of State Police to accept and expend \$25,900 of pass-through funds from the Institute for Intergovernmental Research for the purpose of providing search capabilities with the Regional Information Sharing Systems Criminal Intelligence Database on the RISS Secure Cloud. Effective upon G&C approval through June 30, 2019. **100% Agency Income.**

#99A Authorized the Office of Highway Safety to enter into a contractual agreement with the Capital Hotel Company LLC d/b/a Courtyard Marriott/Grappone Conference Center, Concord, NH, to serve as the host site for the 2018 Annual Impaired Driving Conference Lunch scheduled for December 10, 2018, in an amount not to exceed \$9,000. Effective upon G&C approval through December 31, 2018. **100% Federal Funds.**

DEPARTMENT OF JUSTICE

#100 **REMOVED** – The Governor removed this item from the agenda at the request of the Council. Authorize consideration of whether the petition of Pamela Smart (age 51) requesting a pardon hearing for the offense of Accomplice to First Degree Murder should be granted. The petitioner is not eligible for an annulment.

#101 Authorized on motion of Councilor Kenney, seconded by Councilor Prescott and with Councilor Pappas voting **no**, consideration of whether the petition of Joseph Barton (age 43) requesting a pardon hearing for the offense of Simple Assault, Resisting Arrest and Disorderly Conduct should be granted. The petitioner is not eligible for an annulment until June 28, 2020.

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

#102 Authorized to accept and expend a sum not to exceed \$1,175,000 from funds not otherwise appropriated for the purpose of covering projected shortfalls in general litigation expenses incurred in the defense of the State and the prosecution of criminal law. Effective upon G&C approval through June 30, 2019. **100% General Funds. Fiscal Committee approved.**

#103 Authorized to accept and expend a grant in the amount of \$749,886 from the Office of Justice Programs, Office for Victims of Crime to be utilized to support children impacted by the opioid crisis. Effective upon G&C approval through June 30, 2019. **100% Federal Funds. Fiscal Committee approved.**

#104 Authorized to accept and expend a grant in the amount of \$5,354,297 from the Office of Justice Programs, Office for Victims of Crime to be utilized to support programs for victims of crime. Effective upon G&C approval through June 30, 2019. **100% Federal Funds. Fiscal Committee approved.**

OFFICE OF THE CHILD ADVOCATE

#104A The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Pappas, authorized the Director to **retroactively** accept a gift in the amount of \$1,130.10 from Casey Family Programs, New York, NY, for travel, meals and overnight accommodations for site visits to, and education regarding the New Jersey Department of Child & Family Services' System of Care. This trip was July 9-11, 2018. (2)Further authorized the Director to **retroactively** accept a gift in an amount not to exceed \$52,000 from the Casey Family Programs, Seattle Washington for training, technical assistance, and development of critical incident review instrument based in safety science for purposes of developing a system learning review process from Collaborative Safety LLC, Nashville, TX. Training too place in Manchester NH, October 25-26, 2018 and ongoing technical assistance will be available for up to 12 months. (3)Further authorized the Director to **retroactively** accept a gift in an amount not to exceed \$400 from Voices for VT Kids, Montpelier VT for convention, travel and overnight accommodation to attend and present a workshop at the 2018 Fall Child/Youth Advocacy Conference held in Stowe VT, November 14-15, 2018.

DEPARTMENT OF ADMINISTRATIVE SERVICES

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

#105 Authorized a Working Capital Warrant in the amount of \$475,000,000 to cover the payment of expenditures for the Month of January 2019.

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

#107 Authorized the Risk Management Unit to accept and expend funds from Agency Income revenue in the amount of \$43,090 for the administration of Advice to Pay Services for Short-Term Disability Income Protection provided to eligible state employees consistent with certain State Collective Bargaining Agreements in Fiscal Year 2019. (2)Further authorized to amend an existing contract with Managed Medical Review Organization Inc., Novi, MI, for the administration of Advice to Pay Services for the Short-Term Disability Income Protection program in the approximate amount of \$349,600, increasing the total amount of the contract from \$104,000 to an amount not to exceed \$453,600 to pay for the administrative fee associated with providing the STD-IP benefit to the newly eligible State Employees' Association of NH, employees effective January 1, 2019. Originally approved by G&C on 12-20-17, item #84. **100% Agency Income.**

#108 Authorized to enter into a memorandum of understanding with the Liquor Commission, in the amount of \$20,000 for the purpose of covering overtime by DAS personnel in support of NHLIC's NextGen Project and performing tasks as outlined in the MOU. Effective upon G&C approval through December 31, 2019.

#109 Authorized the State Suggestion and Extraordinary Service Award Evaluation Committee to award a net sum of \$300 each to Joshua Mann, Timothy Martineau, Jedidiah Jackson, Paul Connolly and Jared Guay of the Department of Safety. Effective upon G&C approval.

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LATE ITEMS

Prior to discussion of the late items A-C below, the Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky, voted to waive the attorney client privilege on the document sent to the Governor and the Councilors through Attorney General Gordon MacDonald from Diane Martin, Senior Assistant Attorney General, dated December 3, 2018, referencing legal sufficiency of the Mount Sunapee Ski Area lease.

Following discussion, the Governor and Council on motion of Councilor Volinsky, seconded by Councilor Pappas, and with Councilors Kenney and Wheeler voting **no**, voted to **table** the late items A-C below.

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

#A Authorize the Department of Natural and Cultural Resources to amend the terms of the Lease and Operating Agreement of the ski area at Mount Sunapee State Park by adding Change of Control language effective upon G&C approval through June 30, 2028. The original lease was approved by G&C on June 10, 1998, and an amendment to Lease and Operating Agreement was approved by G&C on April 6, 2016.

#B Authorize the Department of Natural and Cultural Resources to amend the terms of the Lease and Operating Agreement of the ski area at Mount Sunapee State Park to accept land and to provide for the expansion of the Mount Sunapee State Park. The Amendment shall be effective upon G&C approval. The original Lease was approved by G&C on June 10, 1998 and an Amendment to Lease and Operating Agreement was approved by G&C on April 6, 2016.

#C Authorize the Department of Natural and Cultural Resources to amend the terms of the Lease and Operating Agreement of the ski area at Mount Sunapee State Park to establish the requirement that the Lessee shall meet with the Mount Sunapee Advisory Commission at the call of the the Commissioner and shall operate with the Commission. The Amendment shall be effective Upon G&C approval. The original Lease was approved by G&C on June 10, 1998 and an Amendment to Lease and Operating Agreement was approved by Governor and Executive Council on April 6, 2016.

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The Next regular Governor and Executive Council meeting is scheduled for Wednesday December 19, 2018, at the State House, Concord, New Hampshire.

Honorable Board then Adjourned at 3:35 p.m.