

GOVERNOR AND EXECUTIVE COUNCIL MINUTES  
State House, Concord, New Hampshire  
December 20, 2017 10:00 a.m.

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

Today's pre-meeting ceremonial items included:

- Pledge of Allegiance and prayer was led by Councilor Wheeler
- Music: Concord High School Chamber Choir under the direction of A. Brin Cowette singing "Winter Song" by Sara Bareilles and "Ain't That Good News" by William Dawson.
- Commendation(s):
  - Recognizing Dr. Laura Landerman-Garber of the Department of Education for her work organizing a card drive for service members aboard the USS Theodore Roosevelt

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The Governor and Executive Council on motion of Councilor Kenney, seconded by Councilor Wheeler, voted to approve the minutes of December 6, 2017.

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The Governor and Executive Council, on motion of Councilor Kenney, seconded by Councilor Volinsky, approved the appointment of several persons nominated for Civil Commissions from the December 6, 2017 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 resignation:

<u>Higher Education Commission</u> - RSA 21-N:8-a James M. Fitzgerald, Laconia	Effective: December 20, 2017
<u>Independent Investment Committee</u> - RSA 100-A: 14-b-1 C. Patrick O'Donnell, Jr., Concord	Effective: December 20, 2017
<u>Volunteer New Hampshire Board of Directors</u> - RSA 19-H Julianne DeFilippis, Manchester	Effective: December 20, 2017

**CONFIRMATIONS**

The Governor and Council confirmed the following:

<u>Board of Mental Health Practice</u> - RSA 330-A:3 (Marriage and Family Therapist) Diane L. Vaccarello, Bedford Reappointment	Effective: December 20, 2017 Term: October 31, 2020
<u>Board of Registration of Medical Technicians</u> - RSA 328-I:1 (Medical Technician) Sarah V. Wilder, Plainfield Vacancy	Effective: December 20, 2017 Term: December 20, 2022
<u>Current Use Advisory Board</u> - RSA 79-A (Representing assessing official from town with less than 5,000 population) Normand G. Bernaiche, Acworth Reappointment	Effective: December 20, 2017 Term: December 23, 2019

<u>Commissioner, Department of Revenue Administration - RSA 21-J</u> Lindsey M. Stepp, Holderness Succeeding: John T. Beardmore, Hopkinton (resigned) Salary: LG LL, \$128,259.56	Effective: December 20, 2017 Term: September 1, 2020
<u>Fish and Game Commission - RSA 206: 2</u> (Sullivan County) Bruce K. Temple, i, Claremont Succeeding: Thomas H. Hubert, Newport	Effective: December 20, 2017 Term: June 29, 2020
<u>Milk Sanitation Board - RSA 184</u> (Milk Producer) David B. Fernald, Nottingham Reappointment	Effective: December 20, 2017 Term: October 11, 2022
<u>Milk Sanitation Board - RSA 184</u> (Milk Producer) Martha C. Crete, Boscawen Reappointment	Effective: December 20, 2017 Term: November 1, 2023
<u>New Hampshire State Council on the Arts - RSA 19-A</u> Angela F. Brown, Randolph Reappointment	Effective: December 20, 2017 Term: November 10, 2022
<u>New Hampshire State Council on the Arts - RSA 19-A</u> Leah K. Woods, Dover Vacancy	Effective: December 20, 2017 Term: November 23, 2022
<u>Personnel Appeals Board - RSA 21-I:45</u> Marilee Nihan, Bow Vacancy	Effective: December 20, 2017 Term: June 2, 2019
<u>Physical Therapy Governing Board - RSA 328-F:4</u> Gillian Cavezzali, Plymouth Reappointment	Effective: December 20, 2017 Term: January 8, 2021
<u>Recreational Therapy Governing Board - RSA 328-F:4</u> Allison Wilder, Nottingham Succeeding: Rebecca K. Taylor, Manchester	Effective: December 20, 2017 Term: October 25, 2019
<u>Residential Ratepayers Advisory Board - RSA 363:28-a</u> (Represents interests of small business owners) Dana C. Nute, Sanbornton Reappointment	Effective: December 20, 2017 Term: January 5, 2021
<u>Rivers Management Advisory Committee - RSA 483:8</u> (Recreation Interests) Norman H. Sims, Winchester Succeeding: Kenneth D. Kimball, Jackson	Effective: December 20, 2017 Term: December 28, 2020
<u>Site Selection Committee - RSA 482-A:32</u> (Nominated by the Northeast Region of American Rivers and the New Hampshire Rivers Council) Michael P. Burke, Newcastle, ME Vacancy	Effective: December 20, 2017 Term: November 10, 2020

State Committee on Aging - RSA 161-F  
(Belknap County)  
Susan F. Houghton, Alton  
Vacancy  
Effective: December 20, 2017  
Term: June 24, 2018

Waste Management Council - RSA 21:0: 9  
(Local Conservation Commission Member)  
Duncan P. Watson, Drewsville  
Reappointment  
Effective: December 20, 2017  
Term: November 10, 2021

Waste Management Council - RSA 21:0: 9  
(Public Member)  
Rudy Bazelmans, Nashua  
Reappointment  
Effective: December 20, 2017  
Term: November 10, 2021

Water Council - RSA 21-0  
(Industrial Interest)  
Christopher M. Rawnsley, Antrim  
Reappointment  
Effective: December 20, 2017  
Term: September 17, 2021

### **NOMINATIONS**

The following nominations were submitted:

Director, Division of Procurement and Support Services, Department of Administrative Services - RSA 21-I: 11  
Gary S. Lunetta, Hampton  
Succeeding: Lisa M. Pollard, Somersworth  
Salary: LG HH, \$98,187.96  
Effective: Upon Confirmation  
Term: May 1, 2021

Cannon Mountain Advisory Commission - RSA 12-A: 29-b  
Karen K. Irwin, Hopkinton  
Reappointment  
Effective: Upon Confirmation  
Term: January 1, 2021

Community Development Finance Authority - RSA 162-L  
(Community Development Organization)  
Michael C. Clafin, Sugar Hill  
Succeeding: Christine Walker, Warner  
Effective: Upon Confirmation  
Term: December 18, 2021

Deputy Commissioner, Department of Information Technology - RSA 21-R: 3  
Kenneth R. Dunn, Litchfield  
Vacancy  
Salary: LG KK; \$124,606.04  
Effective: Upon Confirmation  
Term: 4 years from Confirmation

Fish and Game Commission - RSA 206: 2  
(Belknap County)  
Ernest G. Millette (i), Belmont  
Succeeding: John W. McGonagle, Gilford  
Effective: Upon Confirmation  
Term: June 29, 2021

Manufactured Housing Installation Standards Board - RSA 205-D: 2  
(Owner/Operator more than 100 lots)  
Eric Kaufman, Sudbury, Ma  
Succeeding: Kenneth R. Burgess, Hooksett  
Effective: Upon Confirmation  
Term: October 3, 2020

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

(NH Municipal Association)

Scott M. Myers, Laconia

Succeeding: Julia N. Griffin, Hanover

Effective: Upon Confirmation

Term: September 5, 2019

Occupational Therapy Governing Board - RSA 328-F

(Licensed Occupational Therapist)

Sarah L. Hinkley, Dover

Succeeding: Maris M. Wofsy, Salisbury

Effective: Upon Confirmation

Term: January 8, 2021

State Committee on Aging - RSA 161-F

(Rockingham County)

Nancy A. Formella, East Kingston

Vacancy

Effective: Upon Confirmation

Term: 3 years from Confirmation

Volunteer New Hampshire Board of Directors - RSA 19-H

(Person between 16 & 25/participant in a service program)

Colby R. Chaput, Manchester

Succeeding: Julianne DeFilippis, Manchester (resigned)

Effective: Upon Confirmation

Term: December 19, 2020

Volunteer New Hampshire Board of Directors - RSA 19-H

Gregory S. Stephens, Manchester

Reappointment

Effective: Upon Confirmation

Term: December 3, 2020

Volunteer New Hampshire Board of Directors - RSA 19-H

(Local government)

Justin Kates, Nashua

Reappointment

Effective: Upon Confirmation

Term: October 10, 2020

Volunteer New Hampshire Board of Directors - RSA 19-H

Michael C. Castaldo, Dover

Succeeding: Timothy Acerno, Epping (resigned)

Effective: Upon Confirmation

Term: October 7, 2018

Water Council - RSA 21-O

(Water Works)

John J. Boisvert, Stratham

Reappointment

Effective: Upon Confirmation

Term: July 8, 2021

**CONSENT CALENDAR AGENDA**

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

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Bureau of Human Resource Management**

#A. Authorized to enter Bonnie Cornish into an educational tuition agreement with Manchester Community College, Manchester, NH, to participate in Computers in Healthcare during the period of January 16, 2018 through May 4, 2018, and to pay said costs in an amount of \$788. **100% General Funds (Employee Training).**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Bureau of Human Resource Management**

#B. Authorized to enter Barbara Bishop into an educational tuition agreement with Southern NH University, Manchester, NH, to participate in Psy 570 Ethical Practice in Psychology, during the period of February 12, 2018 through April 22, 2018, and to pay said costs in an amount of \$500. **100% General Funds (Employee Training).**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Bureau of Human Resource Management**

#C. Authorized to enter Tabitha Coykendall into an educational tuition agreement with University of Massachusetts – Boston, Boston, MA, to participate in Healthy Aging Perspectives and Organization and Financing of Aging Services, during the period of January 22, 2018 through May 9, 2018, and to pay said costs in an amount of \$2,000. **100% General Funds (Employee Training).**

**INSURANCE DEPARTMENT**

#D. Authorized to enter Mary Verville into an educational tuition agreement with Southern NH University, to participate in MBA Capstone Project, during the period of February 12, 2018 through April 22, 2018, and to pay costs not to exceed \$1,881. **Agency Income.**

**INSURANCE DEPARTMENT**

#E. Councilor Wheeler requested that this item be removed from the consent calendar for discussion. Following discussion, the Governor and Council on motion of Councilor Prescott, seconded by Councilor Pappas, and with Councilor Wheeler voting **no**, authorized to enter Mary Tarbell into an educational tuition agreement with College for America at Southern NH University, to participate in 12 Completed Projects, during the period of January 1, 2018 through June 30, 2018, and to pay costs not to exceed \$1,500. **100% Other (Department Administrative Assessment).**

**INSURANCE DEPARTMENT**

#F. Councilor Wheeler requested that this item be removed from the consent calendar for discussion. Following discussion, the Governor and Council on motion of Councilor Prescott, seconded by Councilor Pappas, and with Councilor Wheeler voting **no**, authorized to enter Emily Bolduc-Fabian into an educational tuition agreement with College for America at Southern NH University, to participate in 12 Completed Projects, during the period of January 1, 2018 through June 30, 2018, and to pay costs not to exceed \$1,500. **100% Other (Department Administrative Assessment).**

**NEW HAMPSHIRE LOTTERY COMMISSION**

#G. Authorized to enter Tiffani McIntosh into an educational tuition agreement with NH Technical Institute, Concord, NH, to participate in Intermediate Accounting II, during the period of January 16, 2018 through May 4, 2018, and to pay costs not to exceed \$928. **Lottery Funds.**

**NEW HAMPSHIRE LOTTERY COMMISSION**

#H. Authorized to enter Travis Emerson into an educational tuition agreement with Granite State College, Concord, NH, to participate in Project Management Strategies and Brand Management, during the period of January 8, 2018 through March 30, 2018, and to pay costs not to exceed \$2,456. **Lottery Funds.**

**STATE TREASURY**

#I. Authorized the Comptroller to issue a warrant from funds not otherwise appropriated in the amount of \$72,453 and the State Treasurer to issue checks in the amount of \$72,452.63 to the rightful owners of abandoned or unclaimed funds.

**STATE TREASURY**

#J. Authorized to pay annual membership and participation costs to the College Saving Foundation, Arlington, VA, in the amount of \$2,500 for continued information, communication, and legislative updates to state sponsors. Effective January 1, 2018 through December 31, 2018. **100% Other Funds (Unique Plan Management Fees).**

**DEPARTMENT OF NATURAL AND CULTURAL RESOURCES**

#K. Authorized the NH State Library to renew membership with the Chief Officers of State Library Agencies, Lexington, KY, in the amount of \$5,000. Effective January 1, 2018 through December 31, 2018. **100% Federal Funds.**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

#L. Authorized to pay calendar year 2018 membership dues to the Association of State Drinking Water Administrators, Arlington, VA, in the amount of \$6,900. Effective upon G&C approval. **100% Federal Funds.**

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

**DEPARTMENT OF EDUCATION**

#A. Authorized the Division of Career Technology and Adult Learning, Office of Services for Blind and Visually Impaired, to accept a donation in the amount of \$50 from Ms. Evelyn R. Sleeper of Laconia.

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

**DEPARTMENT OF LABOR**

#A. Authorized to accept and place on file the 62<sup>nd</sup> Biennial Report for the period of July 1, 2015 through June 30, 2017.

**PUBLIC UTILITIES COMMISSION**

#B. Authorized to accept and place on file the Biennial Report for Fiscal Years 2016 and 2017.

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

**THE ADJUTANT GENERAL'S DEPARTMENT**

#A. Authorized the confirmation of Colonel Jed J. French for promotion to the rank of Brigadier General, NH Air National Guard.

**THE ADJUTANT GENERAL'S DEPARTMENT**

#B. Authorized the nomination of Captain Jared N. Davis for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally and professionally qualified.

**THE ADJUTANT GENERAL'S DEPARTMENT**

#C. Authorized the nomination of Captain Barry D. Emmert for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

**THE ADJUTANT GENERAL'S DEPARTMENT**

#D. Authorized the nomination of Captain Mark J. Fazio for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

**THE ADJUTANT GENERAL'S DEPARTMENT**

#E. Authorized the nomination of Captain Heath D. Huffman for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

**THE ADJUTANT GENERAL'S DEPARTMENT**

#F. Authorized the nomination of Captain Benjamin R. Leonard for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

**THE ADJUTANT GENERAL'S DEPARTMENT**

#G. Authorized the nomination of Major Dan M. Tzizik for promotion to the rank of Lieutenant Colonel, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

**DEPARTMENT OF JUSTICE**

#H. Authorized to reappoint Elizabeth A. Lahey as an Assistant Attorney General at a salary of \$70,980. Effective upon G&C approval.

**DEPARTMENT OF JUSTICE**

#I. Authorized to appoint Katherine A. Triffon as an Attorney, at a salary level of \$72,000. Effective upon G&C approval or January 15, 2018, whichever is the latter.

**DEPARTMENT OF JUSTICE**

#J. Authorized to reappoint Todd M. Flanagan as a Criminal Investigator at a salary level of \$74,184.76 (LG BB, Step 6). Effective December 31, 2017 through December 31, 2022.

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

**DEPARTMENT OF TRANSPORTATION**

#A. Authorized to enter into a contract amendment with the St. Lawrence & Atlantic Railroad Company, Auburn, ME (originally approved by G&C on 9-7-16, item #17), to modify the scope of its bridge and track improvement project, and by changes the completion date from December 31, 2017 to May 31, 2018. No Additional Funds.

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

#B. Authorized to amend an agreement with the City of Laconia, NH, to complete the *Meredith, Paugus, and Saunders Bay Implementation project – Phase I Weirs Beach* project by extending the completion date to December 31, 2018 from December 31, 2017, and by changing exhibit A to revise the Scope of Services, and by changing exhibit B to revise the task payment amounts effective upon G&C approval. No Additional Funds. **100% Federal Funds.**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

#C. 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, 2018 from December 31, 2017. No Additional Fund. **100% Federal Funds.**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

#D. Authorized to amend a **sole source** agreement with the NH Rivers Council (originally approved by G&C on 4-17-13, item #78), for the *McQuesten Brook and Pond Watershed Restoration Plan – Phase 2 Implementation: Dam Removals* project, by changing the completion date from December 31, 2017 to December 31, 2018. No Additional Funds. **100% Federal Funds.**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

#E. Authorized to amend a **sole source** agreement with Inter-Fluve Inc. (originally approved by G&C on 6-22-11, item #96), to complete the *Geomorphology-Based Restoration Design and Permitting for the Suncook River and Floodplain* project, by extending the completion date to December 31, 2018 from December 31, 2017. No Additional Funds. **100% Capital (General) Funds.**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

#F. Authorized to amend a contract with Gomez and Sullivan Engineers P.C., Henniker, NH (originally approved by G&C on 5-3-17, item #70), to conduct an assessment of Target Fish Communities for twenty-five river segments across NH, by extending the end date to September 30, 2018 from December 31, 2017. No Additional Funds. **60% Federal, 40% General Funds.**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Division for Behavioral Health**

#G. Authorized the Bureau of Drug and Alcohol Services to amend **sole source** contracts by exercising a renewal option with the vendors as detailed in letter dated November 22, 2017 (originally approved by G&C on 3-9-16, item #22; 4-6-16, item #9; 7-13-16, item #6C), for the continuation of Regional Access Point Services to assist individuals with substance use disorders to obtain the help they need, by extending the completion date from December 31, 2017 to March 31, 2018. Effective upon G&C approval. No Additional Funds.

**REGULAR AGENDA**

**BUSINESS FINANCE AUTHORITY**

#6 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Volinsky, authorized to hold a Public Hearing with respect to the financing of an industrial facility by the Business Finance Authority for Metz Realty, Inc. in Salem, New Hampshire. Action will Authorized a Resolution under RSA 162-I:9 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE  
GOVERNOR AND COUNCIL HELD DECEMBER 20, 2017  
IN THE STATE HOUSE, CONCORD, NEW HAMPSHIRE**

At 11:30 a.m. the Governor announced that the next matter to be considered would be the financing of an industrial facility project by the Business Finance Authority (“Authority”) for Metz Realty, Inc. and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received the written recommendation of the Authority and other documentation and information with respect to the project. The Governor said that the meeting would then hear anyone wishing to speak on the subject. James Key-Wallace, Executive Director of the Authority, briefly explained the project, and emphasized that the credit of the State was not involved. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Volinsky introduced a resolution entitled "A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF AN INDUSTRIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR METZ REALTY, INC. IN SALEM, NEW HAMPSHIRE" and moved its adoption, which was seconded by Councilor Prescott. After discussion of the resolution, 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.

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**A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE ISSUANCE OF UP TO \$3,625,000  
REVENUE BONDS BY THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW  
HAMPSHIRE TO FINANCE AN INDUSTRIAL FACILITY FOR METZ REALTY, INC. IN SALEM,  
NEW HAMPSHIRE**

WHEREAS, the Governor and Council 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 a determination under RSA 162-I:9 with respect to the financing of an industrial facility for Metz Realty, Inc. (the "Borrower") in Salem, New Hampshire, by the Authority's issuance of up to \$3,625,000 aggregate amount of revenue bonds (the "Bonds") under RSA 162-I:1 et seq. (the "Act"); and

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

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

NOW, THEREFORE, in consideration of the foregoing, IT IS HEREBY RESOLVED THAT:

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

(a)        Special Findings.

- (1)        The project to be financed with the proceeds of the Bonds consists of the following: (i) refinancing and financing the up to \$3,625,000 cost of the acquisition, renovation and equipping of a facility located at 5 Industrial Way in Salem, New Hampshire (the "Property") to be owned by the Borrower; and (ii) paying related financing, closing and other costs and expenses, possibly including issuance expenses and capitalized interest (collectively the "Facility" or the "Project"). The Facility is within the definition of "Industrial Facility" in RSA 162-I:2 and may be financed under the Act.
- (2)        The establishment and operation of the Facility will create or preserve employment opportunities directly or indirectly within the State of New Hampshire (the "State") and will likely be of general benefit to the community as a whole.

(b)        General Findings.

- (1)        The Project and the proposed financing of the Project are feasible.
- (2)        The Borrower and its related entity, Scott Electronics, Inc., have the skills and financial resources necessary to operate the Facility successfully.
- (3)        The Loan and Security Agreement, the Escrow Agreement, the Mortgage, Security Agreement and Financing Statement, the Collateral Assignment of Leases and Rents, the Continuing Covenants Agreement, the Security Agreement, the Guaranty Agreements, the Environmental Compliance and Indemnity Agreement, the Collateral Assignment of Contracts, Plans and Permits and the other documents to be executed in connection with the issuance of the Bonds (collectively, the "Financing Documents"), contain provisions so that under no circumstances will the Authority be obligated, directly or indirectly, to pay Project costs, debt service or expenses of operation, maintenance and upkeep of the Facility except from proceeds of the Bonds or from funds received under the Financing Documents, exclusive of funds received under the Financing Documents by the Authority for its own use.

- (4) The Financing Documents do not purport to create any debt of the State with respect to the Facility, other than a special obligation of the Authority acting on behalf of the State under the Act.
- (5) The proposed financing of the Project by the Authority and the proposed operation and use of the Facility will serve one or more needs and implement one or more purposes set forth in RSA 162-I:1, will preserve or increase the social or economic prosperity of the State and one or more of its political subdivisions and will promote the general welfare of the State's citizens.

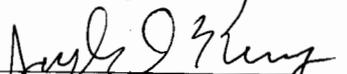
Section 2.      Ultimate Finding and Determination.    The Governor and Council find that the proposed financing, operation and use of the Facility will serve a public use and provide a public benefit and determine that the Authority's financing of the Project will be within the policy of, and the authority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

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

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

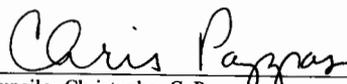
Passed and Agreed to: December 20, 2017

  
Governor Christopher T. Sununu

  
Councilor Joseph D. Kenney

  
Councilor Andre Volinsky

  
Councilor Russell E. Prescott

  
Councilor Christopher C. Pappas

  
Councilor David K. Wheeler

#7      The Governor and Council on motion of Councilor Pappas, seconded by Councilor Prescott, authorized to hold a Public Hearing with respect to the financing of an industrial facility by the Business Finance Authority for Lonza America, Inc. in Portsmouth, New Hampshire. Action will Authorized a Resolution under RSA 162-I:9 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE  
GOVERNOR AND COUNCIL HELD DECEMBER 20, 2017  
IN THE STATE HOUSE, CONCORD, NEW HAMPSHIRE**

At 11:40 a.m. the Governor announced that the next matter to be considered would be the financing of an industrial facility project, consisting of solid waste disposal facilities, by the Business Finance Authority for Lonza America Inc. in Portsmouth and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received documentation and information with respect to the project. The Governor said that the meeting would then hear anyone wishing to speak on the subject. James Key-Wallace, Executive Director of the Authority, stated that the Authority had approved the financing and recommended that the Governor and Council make the required findings under RSA 162-I:9 and approve the issuance of the Bonds under Section 147(f) of the Internal Revenue Code. He also briefly explained the project and emphasized that the credit of the State was not involved. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Volinsky introduced a resolution entitled "A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF AN INDUSTRIAL FACILITY, CONSISTING OF SOLID WASTE DISPOSAL FACILITIES, BY THE BUSINESS FINANCE AUTHORITY FOR LONZA AMERICA INC. IN PORTSMOUTH" and moved its adoption, which was seconded by Councilor Prescott. After discussion of the resolution, 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.

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**RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING  
OF AN INDUSTRIAL FACILITY, CONSISTING OF SOLID WASTE DISPOSAL FACILITIES,  
BY THE BUSINESS FINANCE AUTHORITY FOR LONZA AMERICA INC. IN PORTSMOUTH**

Whereas, the Governor and Council have received from the Business Finance Authority (the "Authority") its written recommendations that the Governor and Council make certain findings and a determination pursuant to RSA 162-I:9 with respect to the financing for Lonza America Inc. (the "Borrower") of an industrial facility, consisting of solid waste disposal facilities, at the manufacturing complex of the Borrower's wholly-owned subsidiary, Lonza Biologics Inc. (the "Subsidiary"), located at 101 International Drive at the Pease International Tradeport in Portsmouth, by the Authority's issuance of up to \$50,000,000 of Bonds under RSA 162-I (the "Act") and to approve the issuance of the Bonds under Section 147(f) of the Internal Revenue Code;

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

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

IT IS HEREBY RESOLVED THAT:

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

(a) Special findings:

(1) The Project consists of the acquisition, construction and installation of structures, facilities and equipment for the disposal of solid waste at the manufacturing complex of the Subsidiary at 101 International Drive at the Pease International Tradeport in Portsmouth. The Project is within the definition of "industrial facility" in the Act and may be financed under the Act; and

(2) The establishment and operation of the Project has created and will preserve employment opportunities within the State of New Hampshire and will help to protect and enhance the physical environment of the State of New Hampshire.

(b) General findings:

(1) The Project and the proposed financing of the Project are feasible;

(2) The Borrower and the Subsidiary have the skills and financial resources necessary to operate the Project successfully;

(3) The Loan Agreement to be dated the date of issuance of the Bonds (the "Agreement") between the Authority and the Borrower and the Indenture of Trust to be dated the date of issuance of the Bonds (the "Indenture") between the Authority and Regions Bank, as trustee (the "Trustee"), contain provisions so that under no circumstances will the Authority be obligated directly or indirectly to pay Project costs, debt service or expenses of operation, maintenance and upkeep of the Project except from Bond proceeds or from funds received under the Agreement, exclusive of funds received thereunder by the Authority for its own use;

(4) Neither the Agreement nor the Indenture purports to create any debt of the State with respect to the Project, other than a special obligation of the Authority acting on behalf of the State under the Act; and

(5) The proposed financing of the Project by the Authority and the proposed operation and use of the Project will serve one or more needs and implement one or more purposes set forth in RSA 162-I:1, will preserve or increase the social or economic prosperity of the State and one or more of its political subdivisions, and will promote the general welfare of the State's citizens.

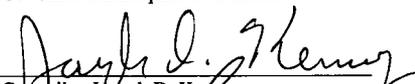
**Section 2. Ultimate Finding and Determination.** The Governor and Council find that the proposed financing, operation and use of the Project will serve a public use and provide a public benefit; and the Governor and Council determine that the Authority's financing of the Project will be within the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

**Section 3. Approval.** The Governor and Council approve the Authority's taking such further action under the Act with respect to the transaction as may be required and approve the issue of the Bonds under Section 147(f) of the Internal Revenue Code.

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

Passed and Agreed to December 20, 2017.

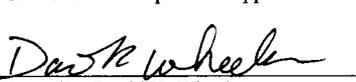
  
Governor Christopher T. Sununu

  
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 Pappas, seconded by Councilor Volinsky acted as follows:

#8 Authorized to finalize the determination made by the Commissioner that on November 7, 2017 a Child Protective Service Worker at the Sununu Youth Center sustained an injury in the line of duty due to a hostile or over act, or an act caused by another during the performance of duties which are considered dangerous in nature. Effective upon G&C approval.

#9 Authorized to finalize the determination made by the Commissioner that on October 18, 2017 a Youth Counselor II at the Sununu Youth Center sustained an injury in the line of duty due to a hostile or over act, or an act caused by another during the performance of duties which are considered dangerous in nature. Effective upon G&C approval.

#10 Authorized to finalize the determination made by the Commissioner that on October 18, 2017 a Youth Counselor III at the Sununu Youth Center sustained an injury in the line of duty due to a hostile or over act, or an act caused by another during the performance of duties which are considered dangerous in nature. Effective upon G&C approval.

**Division for Children, Youth and Families**

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

#11 Authorized to exercise a renewal option to a **sole source** contract with Early Learning NH, Concord, NH (originally approved by G&C on 12-2-15, item #17), to continue oversight, management, administrative and project support for the NH's Early Childhood Advisory Council, known as Spark NH, by increasing the price by \$150,000 from \$150,000 to an amount not to exceed \$300,000, and by extending the completion date from December 31, 2017 to December 31, 2019, effective January 1, 2018. **100% Federal Funds.**

#12 Authorized to enter into an agreement with Mount Prospect Academy, Plymouth, NH, for the provision of an Enhanced Placement Capacity Program, in an amount not to exceed \$4,654,978. Effective upon G&C approval through June 30, 2019. **50% Federal, 50% General Funds.**

#13 Authorized to enter into an agreement with Thisvi McCormick MLADC, Manchester, NH, for the provision of master licensed alcohol and drug counseling services in the Southern District Office, in an amount not to exceed \$87,750 per year for a total value of \$175,500. Effective upon G&C approval through June 30, 2019. **100% Federal Funds.**

#13A Authorized to enter into a **sole source** agreement with the Public Consulting Group, Boston, MA, for the provision of an adequacy and enhancement assessment of the Division of Children, Youth & Families' service array, in an amount not to exceed \$195,933. Effective January 1, 2018 or upon G&C approval, whichever is later, through September 30, 2018. **50% General, 50% Federal Funds.**

#13B Authorized to enter into a **sole source** contract with Child and Family Services of NH, Manchester, NH, to provide services to DCYF to assist in closing overdue Child Protection Assessments, in an amount not to exceed \$126,922. Effective January 1, 2018 or upon G&C approval, whichever is later, through June 30, 2018. **100% General Funds.**

#13C Authorized to enter into an agreement with Nashua Children's Home, Nashua, NH, for the provision of an Enhanced Placement Capacity Program, in an amount not to exceed \$818,279. Effective January 1, 2018 or upon G&C approval, whichever is later, through June 30, 2019. **50% Federal, 50% General Funds.**

#### **Bureau of Homeless and Housing Services**

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

#14 Authorized to enter into a **sole source** agreement with Harbor Homes Inc., Nashua, NH, to provide a permanent housing program to chronically homeless individuals and families through the Federal Continuum of Care program, in an amount not to exceed \$86,136. Effective January 1, 2018 through December 31, 2018. **100% Federal Funds.**

#15 Authorized to enter into a **sole source** agreement with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, to provide Housing Security Guarantee Program services in an amount not to exceed \$75,000. Effective January 1, 2018 through June 30, 2019. **100% General Funds.**

#### **Office of Health Equity**

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

#16 Authorized to enter into **retroactive** agreements with the vendors as detailed in letter dated December 5, 2017, for the NH Refugee Health Promotion Program, in an amount not to exceed \$225,000 to provide health and mental health promotion services to newly arriving and vulnerable NH refugees. Effective September 1, 2017 through August 14, 2020. **100% Federal Funds.**

#### **Bureau of Drug and Alcohol Services**

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

#17 Authorized to enter into an agreement with the Department of Corrections, Concord, NH, to provide substance use disorder case management services to the residents of the Shea Farm Transitional Housing Unit and to make available Naloxone kits and related instruction on administration to individuals re-entering the community from any correctional facility or State-run transitional housing, in an amount not to exceed \$900,000. Effective upon G&C approval through June 30, 2019. **100% Federal Funds.**

#18 Authorized to enter into an amendment to an existing contract with JSI Research & Training Institute Inc., d/b/a Community Health Institute, Bow, NH (originally approved by G&C on 12-16-15, item #28), for the provision of training technical assistance, and data evaluation, by increasing the price by \$652,788 from \$2,938,769.50 to \$3,591,557.50, and by extending the contract completion date from December 31, 2017 to June 30, 2018. **57% Federal, 39% Other, 4% General Funds.**

#19 Authorized to enter into a **sole source** agreement with Boys & Girls Clubs of Central NH Inc., Concord, NH, to provide the SMART Moves program which teaches youths the life skills necessary to manage negative peer and media pressure regarding alcohol, tobacco, other drug use, and early sexual interactions, in an amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2019. **100% Other Funds.**

#### **Division of Public Health Services**

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

#20 Authorized a contract with the Foundation for Healthy Communities, Concord, NH, to assist Critical Access Hospitals to improve quality of care for Medicare beneficiaries, with a price limitation of \$81,000. Effective upon G&C approval through August 31, 2018. **100% Federal Funds.**

#### **Bureau of Developmental Services**

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

#21 Authorized to enter into a **sole source** agreement with the Community College System of NH, Concord, NH, for the provision of educational services and tuition assistance in the Community Social Services Program, in an amount not to exceed \$37,445. Effective January 1, 2018 or upon G&C approval, whichever is later, through June 30, 2018. **100% General Funds.**

#### **Bureau of Developmental Services – Special Medical Services**

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

#22 Authorized to enter into a **retroactive** agreement with NH Coalition for Citizens with Disabilities Inc., d/b/a Parent Information Center, Concord, NH, for the provision of Family-to-Family Health Information Services that support families as caregivers for children with special health care needs, in an amount not to exceed \$357,416.74. Effective July 1, 2017 through June 30, 2019. **30% Federal, 70% General Funds.**

#### **Bureau of Elderly & Adult Services**

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

#23 Authorized to enter into **retroactive** amendments with the vendors as detailed in letter dated November 2, 2017 (originally approved by G&C on 12-21-16, item #15), for the provision of Nutrition and/or Transportation Services, by increasing the price by \$8,597,592 from \$17,667,902 to an amount not to exceed \$26,265,494, and by extending the completion date from September 30, 2018 to June 30, 2019. Effective July 1, 2017. **43% General, 57% Federal Funds.**

#### **Division for Behavioral Health**

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

#23A Authorized to enter into an agreement with NFI North Inc., for the provision of transitional housing beds and services for adults who have severe mental illness or severe and persistent mental illness and who no longer meet the level of care provided by NH Hospital or a Designated Receiving Facility, in an amount not to exceed \$900,000. Effective upon G&C approval through June 30, 2019. **100% General Funds.**

## DEPARTMENT OF TRANSPORTATION

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

- #24 Authorized the Bureau of Rail & Transit to enter into a **retroactive** lease agreement for a 450 square foot parcel of State owned land located on the Manchester & Lawrence Railroad corridor in the City of Manchester to Outfront Media for 30% of annual advertising income for the location or a minimum annual rent of \$1,400 and the one-time administrative fee of \$1,100. Effective January 1, 2017 through December 31, 2017.
- #25 Authorized the Bureau of Rail & Transit to enter into a **retroactive** lease agreement for a 450 square foot parcel of State owned land located on the Portsmouth Branch Railroad corridor in the City of Manchester to Outfront Media for 30% of annual advertising income for the location or a minimum annual rent of \$1,100 and the one-time administrative fee of \$1,100. Effective January 1, 2017 through December 31, 2017.
- #26 Authorized the Bureau of Rail & Transit to enter into a **retroactive** lease agreement for a 450 square foot parcel of State owned land located on the Manchester & Lawrence Railroad corridor in the City of Manchester to Outfront Media for 30% of annual advertising income for the location or a minimum annual rent of \$1,500 and the one-time administrative fee of \$1,100. Effective January 1, 2017 through December 31, 2017.
- #27 Authorized the Bureau of Rail & Transit to enter into a **retroactive** lease agreement for a 450 square foot parcel of State owned land located on the Manchester & Lawrence Railroad corridor in the Town of Salem to Outfront Media for 30% of annual advertising income for the location or a minimum annual rent of \$1,400 and the one-time administrative fee of \$1,100. Effective January 1, 2017 through December 31, 2017.
- #28 Authorized the Bureau of Rail & Transit to enter into a contract with the St. Lawrence & Atlantic Railroad Company, Auburn, ME, for track improvements on the St. Lawrence & Atlantic Railroad in Coos County, for an amount not to exceed \$900,000. Effective upon G&C approval through December 31, 2019. **100% Capital General Funds.**
- #29 Authorized the Bureau of Rail & Transit to enter into a **retroactive** lease agreement for a 1,000 square foot parcel of State owned land located on the Manchester & Lawrence Railroad corridor in the City of Manchester to Outfront Media for 35% of annual advertising income for the location or a minimum annual rent of \$23,400 and the one-time administrative fee of \$1,100. Effective January 1, 2017 through December 31, 2017.
- #30 Authorized the Bureau of Planning and Community Assistance to enter into a **sole source** project agreement with the University of NH, Civil Engineering Department, Durham, NH, to administer the Local Technical Assistance Program for a fee not to exceed \$1,005,953. Effective January 1, 2018 through December 31, 2019. **100% Federal Funds.**
- #31 Authorized the Bureau of Materials and Research to enter into agreements with John Turner Consulting Inc., Dover, NH, and R.W. Gillespie & Associates Inc., Newington, NH, for the purposes of providing materials testing and construction inspection services, for a combined total not to exceed \$700,000. Effective upon G&C approval or December 31, 2017, whichever is later, through December 31, 2019. **100% Federal Funds.**
- #32 Authorized the Bureau of Materials and Research to enter into a **sole source** amendment of the agreement 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 computer based software Pavement Management System, by increasing the total amount by \$18,618 from \$701,809.32 to \$720,427.32, and by extending the completion date and the software licensing to December 31, 2018. **100% Federal Funds.**
- #33 Authorized the Bureau of Fuel Distribution to enter into a contract with TNT Electrical Contractors LLC, Laconia, NH, for electrical services for facilities maintained by the Bureau of Fuel Distribution, in an amount not to exceed \$149,130. Effective upon G&C approval through June 30, 2019. **48% Highway, 52% Other Funds.**

#34 Authorized the Bureau of Turnpikes to enter into three individual agreements with the firms of AECOM Technical Services Inc., Manchester, NH; HNTB Corporation, Westbrook, ME; and Jacobs Engineering Group Inc., Bedford, NH, for on-call Turnpike-related consulting services, for an amount not to exceed \$750,000 each. Effective upon G&C approval through October 31, 2020. **100% Turnpike Funds.**

#35 Authorized the Bureau of Construction to enter into a contract with C.L.H. & Son Inc., Auburn, ME, for rehabilitation of bridge 055/091, located on US 302 in Crawford Notch, on the basis of a low bid of \$1,783,089. (2)Further authorized a contingency in the amount of \$89,154.45 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 5, 2018. **100% Federal Funds.**

#36 Authorized the Bureau of Construction to enter into a contract with Miller Construction Inc., Windsor, VT, for bridge preservation work on four bridges on NH 11 and NH 103 over the Sugar River in Sunapee, on the basis of a low bid of \$1,777,558.15. (2)Further authorized a contingency in the amount of \$177,755.82 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 19, 2018. **100% Federal Funds.**

#37 Authorized the Bureau of Construction to enter into a contract with Evroks Corporation, Northfield, NH, for bridge preservation work on three bridges in the Towns of Andover and Danbury, on the basis of a low bid of \$1,564,424. (2)Further authorized a contingency in the amount of \$156,442.40 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 19, 2018. **100% Federal Funds.**

#38 Authorized the Bureau of Construction to enter into a contract with Continental Paving Inc., Londonderry, NH, for pavement rehabilitation along Interstate 93 in Canterbury and Northfield and off-ramp widening and intersection reconfiguration onto NH Route 104 in New Hampton, on the basis of a low bid of \$5,056,832.50. (2)Further authorized a contingency in the amount of \$303,409.95 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through September 7, 2018. **100% Federal Funds.**

#39 Authorized the Bureau of Materials & Research to enter into an agreement with Terracon Consultants Inc., Manchester, NH, for the purposes of providing materials testing and construction inspection services, for total fees not to exceed \$500,000. Effective upon G&C approval through December 31, 2019. **100% Federal Funds.**

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

#40 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott, authorized to award a grant to the Town of Salem, NH, in the amount of \$500,000 for the purpose of providing funds to the Regional Economic Development Center of Southern NH, to provide a loan to Salem Ford LLC. Effective December 20, 2017 through December 30, 2019. **100% Federal Funds.**

#### **OFFICE OF STRATEGIC INITIATIVES**

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

#41 Authorized to enter into a memorandum of agreement with the NH Department of Natural and Cultural Resources, Concord, NH; the NH Fish and Game Department, Concord, NH; and the NH Department of Environmental Services, Concord, NH, to provide \$27,500 for the purposes of maintaining and improving the existing GRANIT web site, archiving and distribution agency data through the GRANIT database and providing technical support services for the development of GIS data and applications. Effective December 20, 2017 through June 30, 2018. (2)Further authorized to enter into a **sole source** contract amendment with the University of NH, Earth Systems Research Center, Durham, NH (originally approved by G&C on 6-21-17, item #77), for the GRANIT project, by increasing the amount by \$27,500 from \$140,000 to \$167,500. Effective upon G&C approval through June 30, 2018. **100% Other Funds.**

#42 Authorized to enter into a memorandum of agreement with the Department of Administrative Services, Concord, NH, to support energy efficiency in state buildings, in the amount of \$18,000. Effective December 20, 2017 through June 30, 2018. **100% Federal Fund (State Energy Program).**

## DEPARTMENT OF INFORMATION TECHNOLOGY

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

#43 Authorized, on behalf of the Department of Revenue, to enter into a contract with Innovative Technical Consulting Inc., Suwanee, GA, for the purpose of providing comprehensive technical support services for the IBM Power 6 Server in the amount of \$60,000. Effective upon G&C approval through December 31, 2019, with an option to renew up to four years upon G&C approval. **100% Other (Agency Class 27) Funds: the Agency Class 027 used by the Department of Revenue to reimburse DoIT is 100% General Funds.**

#44 Authorized, on behalf of the Public Utilities Commission, to enter into a contract with Spruce Technology Inc., Clifton, NJ, for the design, development coordination, facilitation and documentation of the Safety Database Scheduler, Violation, Inspection and Federal Reporting, in an amount not to exceed \$97,092.80. Effective upon G&C approval through December 31, 2018, with the option to renew for up to two times for 2 years each upon G&C approval. **100% Other (Agency Class 27) Funds: the Agency Class 027 used by the Public Utilities Commission to reimburse DoIT is 100% Other Funds.**

## STATE TREASURY

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

#45 Authorized to accept and place on file the quarterly report of the New Hampshire State Treasury for the period ended September 30, 2017.

#46 Authorized the State Treasurer to proceed with the sale and issuance of up to \$5 million of general obligation bonds through a private placement with the NH Municipal Bond Bank (NHMBB) should the NHMBB choose to proceed with a new money issue and/or a refunding issue. Effective upon G&C approval through March 31, 2018.

## THE ADJUTANT GENERAL'S DEPARTMENT

#47 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky, authorized to dispose of the State Armory located at 110 Hastings Avenue in Keene, NH, to include the building structures and 6.5 acres of land.

## DEPARTMENT OF CORRECTIONS

#48 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott, authorized to accept and expend funds in the amount of \$96,200 from the NH Department of Justice for the purchase of four *TruNarc* hand held narcotics analyzers which will be used operationally by the Department as a tool to examine and understand which illegal substances are coming into evidence by the Division of Field Services, Bureau of Investigation and Corrections security staff. Effective upon G&C approval through June 30, 2018. **100% Agency Income.**

## BANKING DEPARTMENT

#49 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Volinsky, authorized to place Ms. Chiara Dolcino at Step 6 for the position of General Counsel, unclassified salary grade FF, earning \$92,649.44 annually. Effective upon G&C approval. **100% Other Funds.**

## NEW HAMPSHIRE LIQUOR COMMISSION

#50 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Pappas, authorized to grant an annual salary increment to Nicole Brassard-Jordan, Director, Division of Marketing, Merchandising and Warehousing, Position #9U571, from Salary Group GG, Step 5 \$95,094.48 to Salary Group GG, Step 6 \$100,035.52. Effective on the anniversary date and upon G&C approval. **100% Liquor Funds.**

## **PUBLIC UTILITIES COMMISSION**

#51 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Volinsky, authorized to increase the Safety Division fleet by one vehicle by allowing the Commissioner to purchase a 2018 Chevrolet Traverse SUV from the state contract offerings at a cost of \$25,877. Effective upon G&C approval. **100% Other Funds.**

## **DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS**

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

#52 Authorized the Office of Workforce Opportunity to amend a **sole source** contract with Families in Transition Inc., Manchester, NH (originally approved by G&C on 3-9-16, item #75), for the delivery of Program Navigator services, by extending the end date to September 30, 2018 from February 15, 2018, and to expand the Reporting Requirements provision. No Additional Funds. **100% Federal Funds (Federal Workforce Innovation and Opportunity Act (WIOA) Funds – approved by the State Workforce Innovation Board).**

#53 Authorized the Office of Workforce Opportunity to enter into a contract for services with the NH High Technology Council Inc., Manchester, NH, for the provision of Technology Sector Intermediary services, in an amount not to exceed \$79,200. Effective upon G&C approval through December 6, 2018. **100% Federal Funds (Workforce Innovation and Opportunity Act, Governor's Discretionary Funds).**

#54 Authorized with Councilor Pappas recusing himself, the Office of Workforce Opportunity to enter into a contract with NH Lodging and Restaurant Association, Concord, NH, for the provision of Hospitality Sector Intermediary services, in an amount not to exceed \$79,970. Effective upon G&C approval through December 20, 2018. **100% Federal Funds (Workforce Innovation and Opportunity Act, Governor's Discretionary Funds).**

## **DEPARTMENT OF NATURAL AND CULTURAL RESOURCES**

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

#55 Authorized the Division of Forests and Lands to deposit a \$62,000 required contribution from The Conservation Fund, a non-profit land trust, into the NH Land Conservation Endowment Fund held by NH State Treasury to permanently endow conservation easement monitoring and stewardship. Effective upon G&C approval. The MOA between DNCR, CORP, and OSI was approved by G&C on 6-4-14, item #65.

#56 Authorized the Division of Forests and Lands to accept and expend \$20,000 from available federal grant funds for the Wildland Fire Hazardous Fuels program. Effective upon G&C approval through September 30, 2020. **100% Federal Funds.**

#57 Authorized the Bureau of Trails to take ownership of a 2005 Bombardier BR 120 Groomer with 1672.8 hours of use and a 2005 Mogul Master Drag 16-08, with a total value estimated between \$35-\$40,000, formerly owned by the Pemigewasset Snowmobile Club. No State Funds are involved in this transfer of ownership.

#58 Authorized the Bureau of Trails to enter into a **retroactive** emergency Grant-In-Aid agreement with the Jefferson Hi-Landers Inc., snowmobile club in the total amount of \$14,913.02. Effective November 20, 2017 through May 31, 2018. **100% Transfer from Fish and Game.**

#59 Authorized the Bureau of Trails to accept permanent trail easements from Steve and Mahala Voydatch of Dunbarton, NH for continued snowmobile corridor trail use. No State Funds are involved.

#60 Authorized the Bureau of Trails to enter into **retroactive** emergency Grant-In-Aid Trail Maintenance agreements with the snowmobile clubs as detailed in letter dated December 4, 2017, in the total amount of \$241,358. Effective November 20, 2017 through June 30, 2018. **100% Transfer from Fish and Game.**

## NEW HAMPSHIRE FISH AND GAME DEPARTMENT

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

#61 Authorized to enter into a lease agreement with the Town of Sugar Hill for the purpose of maintaining a public cartop access site at Coffin Pond and pedestrian trails on the property. Effective upon G&C approval through a period of ten years. No Cost lease agreement.

#62 Authorized to accept from the City of Manchester Department of Aviation 56.66 acres in Londonderry and Manchester as mitigation for wetlands impact associated with construction at the Manchester Airport. Effective upon G&C approval.

#62A Authorized to enter into a contract with McManus & Nault Appraisal Company Inc., Bow, NH, to prepare an appraisal report that conforms to Standards 1 and 2 of the most recent edition of the Uniform Standards of Professional Appraisal Practice to determine the fair market value for 1,376 acres in Gilsum belonging to the Casagrande Family Real Estate Trust, in the amount of \$6,200. Effective upon G&C approval through January 12, 2018. **100% Federal Funds.**

#62B Authorized to enter into a contract with Ray's Electric and General Contracting Inc., Berlin, NH, to construct a Dining Hall Expansion at Barry Conservation Camp in Milan, NH, in the amount of \$107,000. Effective upon G&C approval through December 31, 2018. **100% Other (46% Wildlife Heritage Foundation Grant Funds, 54% Gifts and Donation Account Funds).**

## DEPARTMENT OF ENVIRONMENTAL SERVICES

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

#63 Authorized to accept and expend additional federal funds in the amount of \$15,000,000 for the issuance of low interest loans for wastewater system upgrades. Effective upon G&C approval through June 30, 2019. **100% Federal Funds. Contingent upon Fiscal Committee approval on December 15, 2017.**

#64 Authorized to **retroactively** pay 2018 membership dues to the New England Interstate Water Pollution Control Commission, Lowell, MA, in the amount of \$14,790. Effective upon G&C approval through June 30, 2018. **81% Federal, 19% Clean Water Revolving Administration Funds.**

#65 Authorized to award state aid grant funds for wastewater facility projects for the City of Portsmouth, NH, in the cumulative amount of \$4,237,837. Effective upon G&C approval. **100% General Funds.**

#66 Authorized a loan agreement with the City of Franklin, NH, in the amount not to exceed \$250,000 to finance water system improvements. Effective upon G&C approval. **100% Drinking Water State Revolving Loan Fund Repayment Funds.**

#67 Authorized a Clean Water State Revolving Fund loan agreement with the Town of Seabrook, in an amount not to exceed \$60,000 to finance the Asset Management Program for the Wastewater and Stormwater Collection Systems. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#68 Authorized a loan agreement with the Town of Exeter, NH, in the amount not to exceed \$1,500,000 to finance water system improvements. Effective upon G&C approval. **100% Drinking Water State Revolving Loan Fund Repayment Funds.**

#69 Authorized a Clean Water State Revolving Fund loan agreement with the Town of Farmington, NH, in an amount not to exceed \$60,000 to finance the Wastewater and Stormwater Asset Management Program. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#70 Authorized to enter into a **sole source agreement** with the University of NH, Durham, NH, to complete the *Great Bay Pollution Tracking and Accounting Pilot Project (PTAPP): Phase 3*, in the amount of \$89,000. Effective upon G&C approval through June 30, 2019. **1% Federal, 99% Clean Water State Revolving Fund.**

#71 Authorized Sierra Homes Inc's request to perform work on the Merrimack River, in Hooksett.

#72 Authorized Curvey 1998 Issue Trust's request to perform work on Lake Winnepesaukee in Alton.

#### DEPARTMENT OF EDUCATION

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

#73 Authorized to make a **retroactive** one-time payment to Cheri White, Administrator I, in the amount of \$1,209.56 to compensate for wages that were not paid in State Fiscal Year 2017, for the period of February 2, 2017 through June 30, 2017. **100% Federal Funds.**

#74 Authorized the Division of Educational Improvement to amend an existing **sole source** contract with GEM Consulting, Hollis, NH, to develop processes and programs to analyze state assessment and other accountability data, by increasing the price by \$80,000 from \$9,000 to \$89,000, and by extending the completion date from June 30, 2018 to November 30, 2018. **100% Federal Funds.**

#### NEW HAMPSHIRE VETERANS HOME

#75 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Volinsky, authorized the increase of salary for Margaret D. LaBrecque, Commandant, position #9U102 (an unclassified position at labor grade HH) to establish a \$1,000 differential above a subordinate classified employee, at the annual salary of \$113,798 which is \$4,837 above labor grade HH maximum step on the unclassified salary chart. Effective upon G&C approval. **28% Federal, 47% General, 25% Other Funds.**

#### DEPARTMENT OF SAFETY

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

#76 Authorized the Division of Administration to accept and expend "Fuel Tax Evasion – Intergovernmental Enforcement Effort" funds in the amount of \$18,498 from the Federal Highway Administration. Effective upon G&C approval through June 30, 2019. **100% Federal Funds.**

#77 Authorized the Division of Fire Safety to **retroactively** enter into a memorandum of understanding with the Division of Fire Standards and Emergency Medical Services to support their hazardous materials training program, in the amount of \$49,501. Effective October 1, 2017 through September 30, 2018. **100% Federal Funds.**

#78 Authorized the Division of State Police to enter into a **sole source** contract amendment with North East Police Accreditation Consultants LLC, Cumberland, RI (originally approved by G&C on 6-24-15, item #163), for continued consulting services for developing a comprehensive Commission on Accreditation for Law Enforcement Agencies Inc., complaint Policy and Procedure Manual for the NH State Police, in the amount of \$12,600, increasing the total from \$30,000 to \$42,600, and by extending the completion date from December 31, 2017 to December 31, 2020. **100% Private Local Funds.**

#79 Authorized the Division of State Police to enter into a contract with Harriman Associates, Auburn, ME, for the purpose of providing consulting services for the State Police Forensic Laboratory Needs Assessment, in an amount not to exceed \$97,000. Effective upon G&C approval through June 30, 2018. **100% Federal Funds.**

#79A Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Alton to purchase an emergency management trailer, barricades & emergency signage equipment, and equipment for the community's Command Vehicle for a total amount of \$24,999. Effective upon G&C approval through September 30, 2018. **100% Federal Funds.**

**DEPARTMENT OF JUSTICE**

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

#80 Authorized to amend a **sole source** contract with Dr. Jeremy Stuelpnagel (originally approved by G&C on 9-27-17, item #73), to aid the Office of the Chief Medical Examiner during the period of December 30, 2017 to January 3, 2018, by increasing the price by \$9,999 from \$9,999 to \$19,998, and by changing the end date from November 30, 2017 to January 31, 2018. **100% General Funds.**

#81 **DENIED** – The Governor and Council on motion of Councilor Pappas, seconded by Councilor Volinsky voted to **deny** the request for consideration of whether the petition of Jayme C. Reif (age 53) requesting a pardon hearing for the offense of Theft by UnAuthorized Taking, should be granted. The petitioner is not eligible for an annulment.

**DEPARTMENT OF ADMINISTRATIVE SERVICES**

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

#82 Authorized the Bureau of Court Facilities to enter into a Use of Premises Agreement with the County of Hillsborough, Goffstown, NH, for leasing of state owned property located in the Hillsborough County Superior Court, Manchester, NH, for the amount not to exceed \$495,747.24. Effective January 1, 2018 through December 31, 2021. **100% Agency Income.**

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

#84 Authorized the Risk Management Unit to enter into a contract with Managed Medical Review Organization Inc., Novi, MI, for the administration of Advice to Pay Services for Short-Term Disability Income Protection program provided to eligible state employees consistent with certain State Collective Bargaining Agreements, in an amount not to exceed \$104,000. Effective January 1, 2018 through December 31, 2022, with the option to renew for up to two additional years. **100% Agency Income.**

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**ITEM REMOVED FROM THE TABLE**

The Governor and Council on motion of Councilor Kenney, seconded by Councilor Wheeler voted to remove item #31- which was tabled at the December 6, 2017 Meeting.

**DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS**

#31 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Prescott, and with Councilors Volinsky and Pappas voting **no**, voted to approve the request of the Office of Workforce Opportunity to enter into a contract with Business and Industry Association of NH, Concord, NH, for the provision of Infrastructure Sector Intermediary services, in an amount not to exceed \$79,860. Effective upon G&C approval through December 6, 2018. **100% Federal Funds (Workforce Innovation and Opportunity Act, Governor’s Discretionary Funds).**

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**ITEM REMOVED FROM THE TABLE**

**DEPARTMENT OF ADMINISTRATIVE SERVICES** *(Tabled at the 12/6/17 G&C Meeting)*

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

At the G&C Meeting of December 6, 2017 the Governor and Council on motion of Councilor Pappas, seconded by Councilor Volinsky voted to **table** position #21064. The Governor and Council on motion of Councilor Kenney, seconded by Councilor Wheeler voted to **table** position #42941. The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Kenney authorized the remainder of item #44, the Division of Personnel's request for waiver of classification decisions. Effective upon G&C approval.

At the Meeting of December 20, 2017 the Governor and Council on motion of Councilor Volinsky, seconded by Councilor Pappas voted to remove item #44 from the table.

At the Meeting of December 20, 2017 the Governor and Council on motion of Councilor Volinsky, seconded by Councilor Wheeler voted to approve position #21064.

At the Meeting of December 20, 2017 the Governor and Council on motion of Councilor Wheeler, seconded by Councilor Pappas voted to **table** position #42941.

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The Next regular Governor and Executive Council meeting is scheduled for Wednesday January 10, 2018, at The State House, Concord, New Hampshire.

Honorable Board then Adjourned at 12:15 p.m.