

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
December 23, 2014, 10:00 a.m.

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

Councilor Sununu led the Pledge of Allegiance.

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Today's pre-meeting ceremonial items included:

- Music by Concord Community Music School's Scholarship Vocal Ensemble
- Citation for Weir Christmas Tree Farm
- Proclamation for Councilor Debora Pignatelli

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The Governor and Executive Council on motion of Councilor Pappas, seconded by Councilor Pignatelli, accepted the minutes of December 3, 2014.

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The Governor and Executive Council, on motion of Councilor Sununu, seconded by Councilor Kenney, approved the appointment of several persons nominated for Civil Commissions from the December 3, 2014 meeting.

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The Governor and Executive Council swore into office the following Representatives-elect:

Hillsborough County District No. 2

Gary S. Hopper, r, Weare (107 Buxton School Road) 03281

Hillsborough County District No. 12

Ted Rokas, d, Manchester (393 Wilson Street) 03103

Hillsborough County District No. 21

Dick Barry, r, Merrimack (12 Kyle Road) 03054

Hillsborough County District No. 26

Christopher R. Adams, r, Brookline (10 Sargent Road) 03033

Merrimack County District No. 26

Jason R. Parent, r, Northfield (40 Twin Bridge Road) 03276

Sullivan County District No. 9

Virginia O'Brien Irwin, d, Newport (182 Fletcher Road) 03773

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RESIGNATIONS

The Governor and Council accepted the following resignations:

Advanced Manufacturing Education Advisory Council

(Public Member)

Peter M. Kujawski, Bedford

Effective: December 23, 2014

Health Services Planning and Review Board

Paul D. Spiess, Amherst

Effective: December 31, 2014

Assistant Commissioner of the Department of Safety
Earl M. Sweeney, Belmont

Effective: January 1, 2015

CONFIRMATIONS

The Governor and Council confirmed the following:

Appellate Board - RSA 282-A
(Attorney- Vice Chair)
Thomas P. Mullins, Peterborough
Succeeding: Heather E. Krans, Exeter

Effective: December 23, 2014
Term: November 21, 2016

Athletic Trainers Governing Board - RSA 328-F
(Public Member)
Andrew S. York, Mont Vernon
Succeeding: George S. Tosatti, Manchester

Effective: December 23, 2014
Term: February 17, 2016

Business Finance Authority - RSA 162-A
Dick Anagnost, Bedford
Reappointment

Effective: December 23, 2014
Term: November 3, 2017

Fish and Game Commission - RSA 206:2
(Grafton County)
Todd Baldwin (i), Thornton
Succeeding: Sharon S. Guaraldi, West Canaan

Effective: December 23, 2014
Term: June 29, 2019

Fish and Game Commission - RSA 206:2
(Strafford County)
Barry J. Carr (i), Milton
Succeeding: Robert S.S. Blake, Durham

Effective: December 23, 2014
Term: June 29, 2019

Board of Home Inspectors - RSA 310-A:186
(Home Inspector)
Joseph M. Griffin, Goffstown
Succeeding: David J. Roth, Hollis (resigned)

Effective: December 23, 2014
Term: December 18, 2015

State Commission for Human Rights - RSA 354-A:4
Sarah L. Browning, Manchester
Succeeding: Christine C. Wellington, Derry (resigned)

Effective: December 23, 2014
Term: November 1, 2016

Lakes Management Advisory Committee - RSA 483-A
(NH Association of Realtors)
Mary D. Truell, Meredith
Reappointment

Effective: December 23, 2014
Term: June 27, 2017

State Lottery Commission - RSA 284:21-a
David Gelinas, Manchester
Succeeding: Douglas Scamman, Stratham

Effective: December 23, 2014
Term: June 29, 2017

Manufactured Housing Installation Standards Board - RSA 205-D:2
(Dealer/ Retailer)
James L. Baird, Claremont
Reappointment

Effective: December 23, 2014
Term: October 3, 2017

Midwifery Council - RSA 326-D
(Midwife)
Sherry A. Stevens, Meredith
Succeeding: Cilia Bannenberg, Barrington (term limited)
Effective: December 23, 2014
Term: September 28, 2018

Ports and Harbors Advisory Council - RSA 12-G:44
Donald J. Coker, Strafford
Reappointment
Effective: December 23, 2014
Term: August 29, 2018

Pre-Engineering Technology Advisory Council - RSA 188-E:15
(Public Member)
Nick Soggu, Bedford
Succeeding: Judith E. Houston, Contoocook
Effective: December 23, 2014
Term: September 4, 2016

Respiratory Care Practitioners Governing Board - RSA 328-F
Sarah L. Stone, Alstead
Succeeding: Robert G. Fishwick, Allenstown (term limited)
Effective: December 23, 2014
Term: January 8, 2017

Rivers Management Advisory Committee - RSA 483
(Recreation Interests)
Kenneth D. Kimball, Jackson
Reappointment
Effective: December 28, 2014
Term: December 28, 2017

Site Evaluation Committee - RSA 162-H:3 – **Councilor Kenney recused himself.**
(Public Member- Alternate)
Rachel E.D. Whitaker, Dummer
Vacancy (new appointment created under the Laws of 2014 Chapter 217)
Effective: December 23, 2014
Term: December 23, 2018

University System of New Hampshire Board of Trustees - RSA 187-A
Joseph G. Morone, Portsmouth
Reappointment
Effective: December 23, 2014
Term: June 30, 2018

University System of New Hampshire Board of Trustees - RSA 187-A
Michael A. Vlacich, Concord
Succeeding: George Epstein, Conway
Effective: December 23, 2014
Term: June 30, 2018

New Hampshire Water Well Board - RSA 482-B
(Pump Installer)
Kelly M. Dobrowolski, Kingston
Succeeding: Stephen R. Smith, Dunbarton (term limited)
Effective: December 23, 2014
Term: September 15, 2017

New Hampshire Water Well Board - RSA 482-B
(Technical Driller)
Steven Garside, Henniker
Reappointment
Effective: December 23, 2014
Term: September 15, 2017

Water Council - RSA 21-O
(Granite State Designers & Installers Association)
Deborah L. Hinds, Boscawen
Reappointment
Effective: December 23, 2014
Term: June 13, 2018

CONSENT CALENDAR AGENDA

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

THE NEW HAMPSHIRE LOTTERY COMMISSION

#A. Authorized to enter Tiffani Coriaty into an Educational Tuition Agreement with NHTI, Concord's Community College, to participate in the course entitled Accounting I, for the period of January 20, 2015 through May 11, 2015, and to pay said costs not to exceed \$666. **Lottery Funds.**

THE NEW HAMPSHIRE LOTTERY COMMISSION

#B. Authorized to enter John Pedone into an Educational Tuition Agreement with Southern NH University, Manchester, to participate in the course entitled Accounting Controllership, for the period of February 9, 2015 through April 19, 2015, and to pay said costs not to exceed \$1,881. **Lottery Funds.**

STATE TREASURY

#C. Authorized to issue a warrant from funds not otherwise appropriated in the amount of \$229,608, and the Commissioner of the Treasury to issue checks in the amount of \$229,607.50 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF ENVIRONMENTAL SERVICES

#D. Authorized to pay calendar year 2015 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.**

DEPARTMENT OF TRANSPORTATION

#E. Authorized the Bureau of Turnpikes to continue membership and participation with the International Bridge, Tunnel and Turnpike Association, Washington, DC, by paying annual membership dues in the amount of \$29,559 for Calendar Year 2015. Effective upon G&C approval. **100% Turnpike Funds.**

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

THE ADJUTANT GENERAL'S DEPARTMENT

#A. Authorized to accept donations of two-way radios, computer router, coffee, computer services and software in the amount of \$1,075.87 for the NH State Veterans Cemetery to be used for the operation, maintenance, and improvement of the cemetery.

DEPARTMENT OF EDUCATION

#B. Authorized the Division of Career Technology and Adult Learning, Services for Blind and Visually Impaired, to accept a donation in the amount of \$100.

BOARD OF PHARMACY

#C. Authorized Margaret Clifford, Chief Compliance Investigator and Board Member John Genovese to attend the Inspection Blueprint Development Workshop to be held January 14-15, 2015 in Rosemont, IL. (2)Further authorized to accept complimentary scholarship from NABP including admission to the workshop and travel, accommodations not to exceed \$1,500.

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

BUSINESS FINANCE AUTHORITY

#A. Authorized to accept and place on file the Fiscal Year 2014 Financial Statements.

DEPARTMENT OF REVENUE ADMINISTRATION

#B. Authorized to accept and place on file the 2014 Annual Report.

DEPARTMENT OF CORRECTIONS

#C. Authorized to accept and place on file the annual report for the fiscal year ending June 30, 2014.

UNIVERSITY SYSTEM OF NEW HAMPSHIRE

#D. Authorized to accept and place on file the Annual Report for the fiscal year ending June 30, 2014.

DEPARTMENT OF TRANSPORTATION

#E. Authorized to accept and place on file the Bureau of Mechanical Services' Monthly Equipment Acquisition Plan status report for the period ending November 30, 2014.

DEPARTMENT OF STATE

#F. Authorized to accept and place on file the Department of State's Annual Report for the period of July 1, 2013 through June 30, 2014.

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

THE ADJUTANT GENERAL'S DEPARTMENT

#A. Authorized the nomination of Captain Florangel Merten, Shirley, MA 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

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

THE ADJUTANT GENERAL'S DEPARTMENT

#C. Authorized the nomination of Major Mark J. Curdo, Wilmington, MA, for promotion to the rank of Lieutenant Colonel, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

THE ADJUTANT GENERAL'S DEPARTMENT

#D. Authorized the nomination of Major Nelson E. Perron, Nottingham, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

THE ADJUTANT GENERAL'S DEPARTMENT

#E. Authorized the nomination of Major Jennifer K. Jusseaume, Stratham, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

THE ADJUTANT GENERAL'S DEPARTMENT

#F. Authorized the nomination of William T. Conway, East Greenwich, RI, for appointment to the rank of Colonel, 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 confirmation of David A. Stevenson, Manchester, NH, to the rank of Colonel, NH Army National Guard.

DEPARTMENT OF JUSTICE

#H. Authorized to appoint Elizabeth A. Lahey as an Assistant Attorney General at a salary of \$63,000. Effective upon G&C approval through June 14, 2016.

DEPARTMENT OF JUSTICE

#I. Authorized to designate Christen Lavers, as an Assistant Attorney General at a salary of \$52,975. Effective upon G&C approval.

DEPARTMENT OF TRANSPORTATION

#J. Authorized the Bureau of Right of Way's petition to appoint a commission to hold a public hearing on the proposed rehabilitation of Bridge 054/163, Bridge Street, over the Connecticut River, and, if the necessity is found, to lay out the new highway, with a suggested budget of \$1,674.32.

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

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Division of Children, Youth and Families

#A. Authorized to amend an agreement with Teachers College, Columbia University, New York, NY (originally approved by G&C on 7-2-14, item #27), for the provision of expert review and analysis of the draft NH Early Childhood Learning Standards, by extending the completion date from December 31, 2014 to February 28, 2015, with no change to the price limitation of \$99,999. Effective upon G&C approval. **100% Federal Funds.**

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

#B. Authorized to amend a grant agreement with the County of Coos, Stewartstown, NH, (originally approved by G&C on 9-4-13, item #9, in the amount of \$470,000), to allow for the energy and weatherization improvements of Brookside Park Apartments in Berlin, NH, by extending the completion date to December 31, 2015 from December 31, 2014. No Additional Funding. **100% Federal Funds.**

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

#C. Authorized to amend a grant agreement with the Town of Alstead, NH (originally approved by G&C on 9-4-13, item #7, in the amount of \$258,000), to allow for completion of the replacement of the water system at the Well Hill Cooperative, by extending the completion date to December 31, 2015 from December 31, 2014. No Additional Funding. **100% Federal Funds.**

OFFICE OF ENERGY AND PLANNING

#D. Authorized to amend a contract agreement with GDS Associates Inc., Marietta, GA and Manchester, NH, (originally approved by G&C on 9-17-14, item #40), for developing model residential solar photovoltaic permitting and zoning and a guide to PV utility interconnection and related educational residential solar PV installations, by extending the end date from February 27, 2015 to March 30, 2015. No Additional Funding. **100% Federal Funds.**

DEPARTMENT OF AGRICULTURE, MARKETS AND FOOD

#E. Authorized to amend a grant with Monadnock Conservancy, (originally approved by G&C on 7-10-13, item #20, in the amount of \$20,000), for the California Brook Natural Area Project, by extending the completion date from April 30, 2015 to April 30, 2016. No Additional Funding. **100% Other Funds – Soil Conservation.**

PUBLIC UTILITIES COMMISSION

#F. Authorized to amend an award of grant funds to the NH Retail Association (originally approved by G&C on 12-8-10, item #71, in the amount of \$2,000,000), for the purpose of partnering with the Jordan Institute to expend its 2009 Energy Efficiency program designed for retail business, by extending the completion date from December 31, 2014 to June 30, 2015. No Additional Funding. **100% Greenhouse Gas Emissions Reduction Fund.**

PUBLIC UTILITIES COMMISSION

#G. Authorized to amend an award of grant funds to Northwoods Renewables LLC, (originally approved by G&C on 12-20-13, item #67, in the amount of \$125,000), to increase the capacity of renewable energy production at the Golden Pond Hydroelectric site in Ashland, by extending the completion date from June 30, 2015 to December 20, 2015. No Additional Funding. **100% Renewable Energy Fund.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

#H. Authorized to amend an existing contract with the Wildlife Management Institute (originally approved by G&C on 2-22-12, item #49), for the restoration and management of Cottontail, by extending the complete date from December 31, 2014 to September 30, 2015. No Additional Funds. **100% Federal Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

#I. Authorized to amend a grant agreement with the Francestown Land Trust Inc., Francestown, NH (originally approved by G&C on 11-6-13, item #92), to provide an Aquatic Resource Mitigation Fund grant, by extending the end date to December 30, 2015 from December 30, 2014. No Additional Funding. **100% Aquatic Resource Mitigation Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

#J. Authorized to amend a memorandum of agreement with the NH Fish and Game Department (originally approved by G&C on 9-22-10, item #126), to complete the remaining repairs to Akers Pond Dam in Errol, by extending the completion date from June 30, 2015 to June 30, 2017. No Additional Funding. **100% Dam Project Funds.**

REGULAR AGENDA

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Facilities and Assets Management

#6 Authorized to enter into a **sole source retroactive** amendment to the lease with DESARN LLC, Bedford, NH, (originally approved by G&C on 1-16-08, item #62), for office space in Londonderry, NH, by increasing the price of \$15,858 to \$234,762 from \$218,904, and by extending the term to June 19, 2015. Effective December 20, 2014. **60% General, 40% Federal Funds.**

#6A Authorized to enter into a **retroactive** renewal lease with the City of Dover, NH, for office space for the Department’s Juvenile Probation and Parole Officers, in the amount of \$116,867.48. Effective October 1, 2014 through September 30, 2019. **40% Federal, 60% General Funds.**

Office of Information Services

#7 Authorized to enter into a **sole source** amendment to an existing contract with Cognosante LLC, Scottsdale, AZ (originally approved by G&C on 12-1-04, late item E), for continuation of quality assurance services in compliance with the Centers for Medicare and Medicaid Services, by increasing the price by \$3,213,420 from \$15,974,891 to \$19,188,311. Effective upon G&C approval through December 31, 2015. **10% General, 90% Federal Funds.**

Division of Public Health Services

#8 Authorized the Bureau of Population Health and Community Services, Maternal & Child Health Section to accept and expend federal funds in the amount of \$98,721 from the Centers for Disease Control and Prevention to fund the Rape Prevention and Education Program. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#9 Authorized the Bureau of Public Health Systems, Policy & Performance, to enter into an agreement with Dr. Imelyn Fernandez, Family Physician, to provide reimbursement for payment of educational loans through the State Loan Repayment Program, in an amount not to exceed \$75,000. Effective January 1, 2015 or upon G&C approval, whichever is later, through December 31, 2017. **100% General Funds.**

Office of Medicaid Business and Policy

#10 Authorized to amend a **sole source** agreement with the University of NH, Institute for Health Policy and Practice, Durham, NH, (originally approved by G&C on 6-5-13, item #86), for the provision of technical and Medicaid administration support by decreasing the price by \$60,151 from \$3,824,546 to \$3,764,395 and changing the scope of services to restructure the service model and rate structure for three current community based services. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#11 Authorized to amend existing individual agreements with the health plans as detailed in letter dated December 8, 2014 (originally approved by G&C on 5-9-12, item #54A), to adjust rates to reflect the actuarially certified rate structure for both the current Medicaid population and the new Health Protection Program population, which decreases the SFY 2015 price by \$99,543,000 from \$752,543,000 to \$653,000,000. Effective January 1, 2015 or upon G&C approval, whichever is later, through the original end date of June 30, 2015. **100% Federal Funds.**

Bureau of Homeless and Housing Services

#12 Authorized to enter into **sole source** agreements with the vendors as detailed in letter dated November 13, 2014, to provide Rapid Rehousing services to individuals and families at immediate risk of homelessness, and to facilitate the movement of homeless individuals and families to permanent housing and maximum self-sufficiency through the Federal Continuum of Care program in an amount not to exceed \$190,518. Effective January 1, 2015 through December 31, 2015. **100% Federal Funds.**

#13 Authorized to enter into a **sole source** agreement with Lakes Region Mental Health Center Inc., d/b/a Genesis Behavioral Health, Laconia, NH, to provide Continuum of Care program services to homeless individuals in an amount not to exceed \$37,670. Effective February 1, 2015 through January 31, 2016. **100% Federal Funds.**

#14 Authorized to amend **sole source** contracts with the vendors as detailed in letter dated November 13, 2014, (originally approved by G&C on 3-26-14, item #28), to provide homeless shelter operations activities to assist homeless individuals through the Emergency Solutions Grant program, by increasing the price by \$53,363 from \$106,726 to \$160,089, and by extending the completion date from December 31, 2014 to June 30, 2015. **100% Federal Funds.**

#15 Authorized to amend **sole source** contracts with the vendors as detailed in letter dated November 7, 2014, (originally approved by G&C on 3-26-14, item #28 & on 4-9-14, item #43), to provide homeless shelter operations activities to assist homeless individuals through the Emergency Solutions Grant program, by increasing the price by \$174,588.50 from \$349,177 to \$523,765.50, and by extending the completion date from December 31, 2014 to June 30, 2015. **60.95% Federal, 39.05% General Funds.**

Bureau of Drug and Alcohol Services

#16 Authorized to amend existing **sole source** agreements with two of the fifteen vendors (originally approved by G&C on 6-20-12, item 108 & #102), for a continuum of substance abuse treatment services statewide, by increasing the price by \$296,844 from \$22,333,404 to \$22,630,248 in the aggregate. Effective upon G&C approval through June 30, 2015. **46% Federal, 54% General Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#17 Authorized the Bureau of Right of Way to pay property owners \$131,356.84 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from November 7, 2014 through December 1, 2014.

#18 Authorized the Bureau of Construction to enter into a contract with East Coast Signals Inc., Deerfield, NH, for replacing signal cabinets and the associated equipment housed inside the cabinet at four locations throughout the State, on the basis of a low bid of \$109,000. Effective upon G&C approval through June 26, 2015. **100% Betterment Funds.**

#19 Authorized the Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for 8 miles of pavement rehabilitation on NH 12 between Charlestown and Claremont and the Green Mountain Railroad crossing near the intersection of Bridge Street in Walpole, on the basis of a low bid of \$1,594,211.75. (2)Further authorized a contingency in the amount of \$159,421.18 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through August 28, 2015. **100% Federal Funds.**

#20 Authorized the Bureau of Construction to enter into a contract with Beck & Bellucci Inc., Franklin, NH, for bridge rehabilitation work on Main Street over B&M Railroad, Merrimack River and Riverside Street in the Town of Hooksett, on the basis of a low bid of \$1,515,398.20. (2)Further authorized a contingency in the amount of \$151,539.82 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through October 30, 2015. **100% Federal Funds.**

#21 Authorized the Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for pavement rehabilitation and bridge rehabilitation work along approximately 7 miles of Interstate 89 between Exit 12A and Exit 13 from New London to Grantham, on the basis of a low bid of \$6,432,993.45. (2)Further authorized a contingency in the amount of \$321,649.67 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through October 16, 2015. **100% Federal Funds.**

BUSINESS FINANCE AUTHORITY

#22 The Governor and Council on motion of Councilor Van Ostern, seconded by Councilor Pappas, and further on a roll call vote as follows: Councilor Kenney – yes, Councilor Van Ostern – yes, Councilor Sununu – yes, Councilor Pappas – yes, and Councilor Pignatelli – yes, voted to approve to hold a Public Hearing with respect to the financing of a loan to Coastal Economic Development Corporation located in Hampton, NH. Action will Authorized 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 23, 2014 COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE

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At approximately 10:59 a.m., the Governor announced that the next matter to be considered would be loan made by the Business Finance Authority to Coastal 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. She said that she 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 Van Ostern introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDDING A LOAN UNDER RSA 162-A:7 FROM THE BUSINESS FINANCE AUTHORITY TO COASTAL ECONOMIC DEVELOPMENT CORPORATION" and moved its adoption, which was seconded by Councilor Pappas. Those voting in favor were: The Governor and Councilor Kenney, Councilor Van Ostern, Councilor Sununu, Councilor Pappas, and Councilor Pignatelli; 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 AWARDED A LOAN
UNDER RSA 162-A:7 FROM THE BUSINESS FINANCE AUTHORITY OF
THE STATE OF NEW HAMPSHIRE TO COASTAL ECONOMIC
DEVELOPMENT CORPORATION**

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 Coastal Economic Development Corporation (the "Borrower") in the original principal amount of up to \$500,000 to provide loan capital to 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 23, 2014.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

#23 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Pappas, authorized to award a grant to the County of Grafton, N. Haverhill, NH, for the purpose of providing capacity funding to the NH Alliance of Regional Development Corporations, in the amount of \$200,000. Effective December 23, 2014 through December 31, 2015. **100% Federal Funds.**

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#24 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 \$20,000. Effective December 23, 2014 through June 30, 2015. **100% Federal Funds (State Energy Program).**

#25 Authorized to enter into a contract with AECOM Technical Services Inc., Boston, MA, for writing services and graphic design for a statewide Risk Mapping, Assessment, and Planning Business Plan for the federally funded Federal Emergency Management Agency Cooperative Technical Partners Program, in an amount not to exceed \$30,000. Effective December 23, 2014 through February 25, 2015. **100% Federal Funds.**

#26 Authorized to enter into a **sole source** contract with the Community Development Finance Authority, Concord, NH, to operate existing revolving loan funds and loan loss reserves which support a program known as Better Buildings under the terms of an ARRA-Energy Efficiency and Conservation Block Grant's Retrofit Ramp-up Program award to OEP from the Department of Energy. Effective January 1, 2015 through December 31, 2016.

DEPARTMENT OF CULTURAL RESOURCES

#27 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas, authorized the Division of Arts to award a Partnership Initiative Grant in the amount of \$23,000 to NH Writers Project for the Poetry Out Loud Project. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

THE ADJUTANT GENERAL'S DEPARTMENT

The Governor and Council acted as follows:

#28 Authorized to accept a **retroactive** donation in the amount of \$344.50 for travel expenses for Carolyn J. Protzmann, Deputy Adjutant General, who attended the 2014 Annual Commission Meeting of the Interstate Commission on Educational Opportunity for Military Children which was held November 13-15, 2014 in Nashville, TN.

#29 Authorized to commission the individuals, as detailed in letter dated December 10, 2014, as Aides-de-Camp to the Governor in the ranks as indicated. Effective January 8, 2015.

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

#30 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Van Ostern, authorized the Division of Regulatory Services to budget and expend carry forward funds from the State Fiscal Year 2014, in the amount of \$9,222, for various expenses to fulfill the scope of work related to the Good Agricultural Practices program. These non-lapsing funds are collected to conduct GAP audits of operations in NH. Effective upon G&C approval through June 30, 2015. **100% Other Funds – GAP.**

INSURANCE DEPARTMENT

#31 The Governor and Council on motion of Councilor Van Ostern, seconded by Councilor Pappas, authorized to enter into a contract with Gorman Actuarial LLC, Marlborough, MA, to assist in preparing data for and producing an annual supplemental report on the health insurance market in NH, provide consulting services in connection with the annual public hearings concerning health insurance premium rates and to develop a strategic plan for the data collection efforts of the Department, in the amount of \$499,470. Effective upon G&C approval through December 31, 2017. **50% Federal, 50% Other Funds.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

#32 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Sununu, authorized to enter into a **sole source** contract amendment with Geographic Solutions Inc., Palm Harbor, FL (originally approved by G&C on 9-17-08, item #36), for an additional year of maintenance and support of the Job Match & Labor Exchange System from July 1, 2015 to June 30, 2016, and to extend maintenance on the Spanish language version of JMS, by increasing the amount by \$217,002 from \$1,484,084 to \$1,701,086.

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#33 Authorized to open bank accounts with TD Bank to hold the personal funds of inmates and residents under the care and custody of the Department.

#34 Authorized a salary increase for Joanne Fortier, Warden, NH State Prison for Women, from grade FF maximum, to grade GG step 4, in the amount of \$2,298.27 from \$87,091.71 to \$89,389.98.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

#34A The Governor and Council on motion of Councilor Pappas, seconded by Councilor Van Ostern, authorized the Division of Forests and Lands to enter into four **retroactive** lease agreements with NH Electric Cooperative Inc., Plymouth, NH, to lease space of certain areas at Mount Kearsarge, Mount Sunapee, Mount Belknap, and Mount Washington. Effective January 1, 2012 through December 31, 2016 for leases at Mount Kearsarge and Mount Sunapee, and effective October 1, 2012 through September 30, 2017 for leases at Mount Belknap and Mount Washington, with the option to renew for three additional 5-year periods. (2) Further authorized to set annual fees to be collected in monthly payments to be deposited in the Tower Fund.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#35 Authorized to accept and place on file the annual report of the Oil Fund Disbursement Board.

#36 Authorized to enter into grant agreements with the City of Portsmouth, and the Town of Wolfeboro, totaling \$8,987 to fund Household Hazardous Waste collection project. Effective upon G&C approval through June 30, 2015. **100% Hazardous Waste Funds.**

#37 Authorized to enter into a contract with Arthur Pyburn & Sons Incorporated of Lynnfield, MA, to conduct leak detection surveys at twenty-six NH community water systems, in an amount not to exceed \$77,300. Effective upon G&C approval through December 31, 2015. **100% Federal Funds.**

#38 Authorized to accept and expend \$99,179 in Pass-Thru Federal FEMA funds from the Department of Safety, Division of Homeland Security and Emergency Management for the purposes of continuing Fluvial Erosion Hazard assessments and technical support of community hazard mitigation plan upgrades. Effective upon G&C approval through September 30, 2015. **100% Other (Interagency Federal Pass-Thru) Funds.**

#39 Authorized the City of Portsmouth's request to perform work on North Mill Pond in Portsmouth.

#40 Authorized Daniel and Paula Marston's request to perform work on Lake Winnepesaukee in Wolfeboro.

#41 Authorized Melvin Prostkoff's request to perform work on the Lamprey River in Newmarket.

#42 Authorized Nancy M. Bulkley's request to perform work on Great Bay in Durham.

#43 Authorized the City of Portsmouth's request to perform work on the Atlantic Ocean in Portsmouth.

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#44 Authorized the Division of State Police to **retroactively** pay Ryan Short for military leave hours not paid in SFY 2013 and SFY 2014 with SFY 2015 funds for a total of \$4,145.49. Effective upon G&C approval. **81% Highway, 19% Turnpike Funds.**

#45 Authorized to **retroactively** pay Anna Griffin the amount of \$1,007.78 for accumulated annual leave during SFY 2014 with SFY 2015 funds. Effective upon G&C approval. **100% Federal Funds.**

#46 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Campton, for the purchase and installation of audio and video equipment, furnishings, and a base radio for the new Emergency Operations Center as well as three portable radios and charger for Emergency Management use for a total amount of \$52,355. Effective upon G&C approval through September 30, 2015. **100% Federal Funds.**

#47 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Lempster, in the amount of \$34,032 for the purchase and installation of a generator, audio-video system, weather station, and other equipment and supplies for the community's Emergency Operations Center. Effective upon G&C approval through September 30, 2015. **100% Federal Funds.**

#48 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Chichester, for a total amount of \$135,000 for implementation of projects identified through the evaluation of natural hazards. Effective upon G&C approval through July 29, 2017. **100% Federal Funds.**

#49 Authorized the Division of Homeland Security and Emergency Management to accept and expend funds in the amount of \$16,770, from Fred Fuller Oil & Propane Co. Inc., for the purpose of reimbursing HSEM for costs incurred while providing assistance during the company's delivery backlog in January 2014. Effective upon G&C approval through June 30, 2015. **100% Agency Income.**

#50 Authorized the Division of State Police, Bureau of Marine Patrol, to purchase the property, consisting of land, buildings, and fixtures, Gilford, NH from Lakeside Realty LLC, Glendale Marine LTD, in the amount of \$1,345,000 for the construction of a new Marine Patrol headquarters to maximize operations. Effective upon G&C approval through December 31, 2014. **73% Capital, 27% Revolving (both Navigational Safety) Funds.** (2)Further authorized the Division of State Police, Bureau of Marine Patrol, to pay associated closing costs related to the purchase of the property above, in an amount not to exceed \$3,000 to Olde Patriot Title Company, bringing the total amount to \$1,348,000. Effective upon G&C approval through December 31, 2014. **100% Revolving (Navigational Safety) Funds.**

#51 Authorized the Division of Emergency Management and Communications to enter into a contract with Red River Computer Co Inc., Claremont, NH, for the purpose of providing professional services to install Cisco Voice over Internet Protocol applications, hardware, and software, in an amount not to exceed \$125,000. Effective upon G&C approval through February 1, 2016. **100% Revolving Funds.**

DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

#52 Authorized to enter into subgrants totaling \$334,314 utilizing funds from the US Department of Justice's Bureau of Justice Assistance, Swift and Certain Sanctions/Replicating HOPE Project program for the purpose of funding intensive supervision, drug and alcohol and mental health counseling and pro-social services for probationers. Effective upon G&C approval through September 30, 2016. **100% Federal Funds.**

#53 Authorized to enter into subgrants with the agencies as detailed in letter dated December 3, 2014, for the total amount of \$60,000 from the 2015 Regional Drug Task Force appropriations, to support drug task force program operations. Effective upon G&C approval through June 30, 2015. **100% General Funds.**

#54 Authorized to accept and expend prior year funds in the amount of \$3,716 from the Prosecute Provider Fraud Program for the purpose of allowing the DOJ to provide investigative and litigation support for the Medicaid Fraud Unit. Effective upon G&C approval through June 30, 2016. **100% Federal Funds.**

#55 Authorized to enter into subgrants with the agencies as detailed in letter dated December 3, 2014, totaling \$637,500 from the Federal Fiscal Year 2014 Violence Against Women Formula Grant, for the purpose of providing services for women in NH who are victims of violent crimes. Effective upon G&C approval through June 30, 2016. **100% Federal Funds.** (2) Further authorized to enter into subgrants with the agencies as detailed in letter dated December 3, 2014, totaling \$140,000 from the Federal Fiscal Year 2013 Violence Against Women Formula Grant, for the purpose of providing services for women in NH who are victims of violent crimes. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#56 Authorized a Working Capital Warrant in the amount of \$500,000,000 to cover payment of expenditures for the month of January.

#57 Authorized to enter into a memorandum of agreement with the Friends of Bridges House Inc., Concord, regarding the official premises of the Governor of NH, the Bridges House located in Concord, NH. The term of the memorandum of agreement will endure until one or both parties decide to terminate the agreement.

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

#59 Authorized, on behalf of the NH Deferred Compensation Commission, to enter into a **sole source** contract with Segal Advisors Inc., New York, NY, to develop a RFP and assist the State/NH Deferred Compensation Commission in the evaluation and award of a contract for a third party administrator for the State of NH Public Employees Deferred Compensation Plan, at a cost not to exceed \$45,000. Effective upon G&C approval through February 1, 2016. **100% Agency Income.**

#60 **WITHDRAWN** – The Agency withdrew the request to enter into a contract with Northern New England Telephone Operations LLC & Enhanced Communications of Northern New England Inc., (Fairpoint Communications), Manchester, NH, for telephone and data communications services, for a total price not to exceed \$13,000,000. Effective upon G&C approval, with actual services starting July 1, 2015 through June 30, 2020.

#61 Authorized the Bureau of Public Works Design and Construction to enter into a contract with Meridian Construction Corporation, Gilford, NH, for the Welcome and Information Center Improvements, Statewide, for a total price not to exceed \$393,587. (2)Further authorized the amount of \$23,615 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$417,202. Effective upon G&C approval through May 1, 2015. **100% Capital – Highway Funds.**

#62 Authorized the Bureau of Public Works Design and Construction to enter into a contract with Morello Construction, Peterborough, NH, for the Sidewalk and Stairs Project – Administrative Office of the Courts, Concord, for a total price not to exceed \$39,760. Effective upon G&C approval through June 30, 2015. **100% Operating – General Funds.**

#63 Authorized with Councilor Pignatelli recusing herself, the Risk Management Unit to amend an existing contract with Anthem Health Plans of NH Inc., d/b/a Anthem Blue Cross and Blue Shield, Manchester, NH (originally approved by G&C on 12-5-12, item #18C), for the administration of the medical benefit provided to state employees and retirees, in the approximate amount of \$406,100, decreasing the total amount of the contract from \$20,526,000 to an amount not to exceed \$20,119,900. Effective upon G&C approval through December 31, 2015. (2)Further authorized the option to extend the existing contract with Anthem, for the administration of the medical benefit provided to state employees and retirees, in an amount not to exceed \$13,250,000, increasing the total from \$20,119,900 to \$33,369,900. **32% General, 18% Federal, 3% Enterprise, 12% Highway, 34% Other, 1% Turnpike Funds.**

#64 Authorized to accept and place on file the report containing a list of vendors that agencies have contracted with for the period of September 17, 2014 through September 30, 2014.

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ITEM REMOVED FROM THE TABLE

The Governor and Council on motion of Councilor Pappas, seconded by Councilor Pignatelli, voted to remove item #56- which was tabled at the December 3, 2014 Meeting.

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

#56 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Van Ostern, and with Councilor Pignatelli voting **no**, voted to approve the request to accept certain rights of enforcement as the beneficiary of the Restated and Amended Declaration of Restrictive Covenants with the Pointe at Riverfront Unit Owners' Association in Manchester, NH. There is no cost nor obligation associated with the acceptance of this instrument.

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The Next regular Governor and Executive Council meeting is scheduled for Thursday, January 8, 2015, at the State House, Concord, NH.

Honorable Board then Adjourned at 11:55 a.m.