

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
Seacoast Science Center, Rye, New Hampshire
October 2, 2019 10:00 a.m.

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

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Today's pre-meeting ceremonial items included:

- Governor Sununu offered a Prayer and led the Pledge of Allegiance.
- Performance by the Students from the Seacoast Academy of Music.
- Proclamation/Commendation(s):
 - Commending the Seacoast Science Center on their community engagement joined by Jim Chase and members of the Seacoast Science Center.
 - Proclaiming October as Cybersecurity Awareness Month, joined by DoIT, Commissioner Denis Goulet.

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The Governor and Executive Council on motion of Councilor Cryans, seconded by Councilor Prescott voted to approve the minutes of September 18, 2019 meeting.

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The Governor and Executive Council, on motion of Councilor Prescott, seconded by Councilor Volinsky, approved the appointment of several persons nominated for Civil Commissions from the September 18, 2019 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:

Rivers Management Advisory Committee - RSA 483:8
Edna Feighner, Concord

Effective: October 2, 2019

CONFIRMATIONS

The Governor and Council confirmed the following:

Council for Responsible Gambling - RSA 338-B:4 – Councilor Volinsky voted no.

Maura McCann, Concord
Vacancy

Effective: October 2, 2019
Term: October 2, 2020

Board of Mental Health Practice - RSA 330-A:3
(Member from a Community Mental Health Center)

Sheryl L. Reasoner, Manchester
Vacancy

Effective: October 2, 2019
Term: October 2, 2022

Board of Mental Health Practice - RSA 330-A:3
(Licensed Clinical Social Worker)

Samuel Rosario, Peterborough
Succeeding, Nancy Dyer, Plymouth

Effective: November 1, 2019
Term: October 31, 2022

Lakes Management Advisory Committee - RSA 483-A:6
(Member of a Conservation Commission)

Bruce P. Allen, Springfield
Reappointment

Effective: October 2, 2019
Term: August 22, 2022

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

Sara W. Germain, Dublin
Reappointment

Effective: October 2, 2019
Term: November 23, 2024

Personnel Appeals Board - RSA 21-I:45

(Attorney licensed in NH & experienced in the conduct of adjudicative hearings and decision writing)

Christopher R. Nicolopoulos, r, Bow,
Vacancy

Effective: October 2, 2019
Term: October 2, 2022

Personnel Appeals Board - RSA 21-I:45

(Attorney licensed in NH & experienced in the conduct of adjudicative hearings and decision writing)

Norman J Patenaude, d, Portsmouth
Vacancy

Effective: October 2, 2019
Term: October 2, 2022

Pharmacy Board - RSA 318:2

(Pharmacist)

Karl V Peicker, New Boston
Succeeding Gary Merchant, Claremont

Effective: October 22, 2019
Term: October 21, 2024

State Veterans Council - RSA 110-B:89

(Veteran)

Roger A. Sevigny, Dover
Vacancy

Effective: October 2, 2019
Term: October 2, 2022

State Veterans Council - RSA 110-B:89

(Veteran)

James H Adams, Pittsfield
Vacancy

Effective: October 2, 2019
Term: October 2, 2021

State Veterans Council - RSA 110-B:89

(Veteran)

Brendan Finn, Manchester
Vacancy

Effective: October 2, 2019
Term: October 2, 2020

CONFIRMATION REMOVED FROM THE TABLE

The Governor and Council on motion of Councilor Gatsas, seconded by Councilor Volinsky, and with Councilor Pignatelli voting **no**, voted to remove the confirmation below from the table.

Following discussion, the Governor on motion of Councilor Gatsas, seconded by Councilor Prescott, and with Councilors Volinsky and Pignatelli voting **no**, confirmed the following:

CONFIRMATION

Director, Division of Field Services, Department of Corrections - RSA 21-H

Robert A. Oxley, Manchester
Succeeding: Michael McAllister, Loudon (*resigned*)
Salary: LG GG, \$108,149.08

Effective: October 2, 2019
Term: Commissioners pleasure

NOMINATIONS

The following nominations were submitted:

Board of Accountancy - RSA 309-B

(Certified Public Accountant)

Jennifer H. Elder, Plymouth

Succeeding: Richard S. Silverman, Hampton

Effective: Upon Confirmation

Term: December 2, 2023

Board of Mental Health Practice - RSA 330-A:3

(Pastoral Psychotherapist)

Dayl H. Hufford, Salem

Reappointment

Effective: Upon Confirmation

Term: October 31, 2021

Board of Mental Health Practice - RSA 330-A:3

(Licensed Clinical Mental Health Counselor)

Gary E. Goodnough, Plymouth

Reappointment

Effective: Upon Confirmation

Term: October 31, 2022

Board of Professional Engineers - RSA 310-A:3

Christopher R Mulleavey, Concord

Reappointment

Effective: Upon Confirmation

Term: August 21, 2024

Board of Veterinary Medicine - RSA 332-B

Suzan Watkins, Allenstown

Succeeding: John M. MacGregor, Durham (*resignation*)

Effective: Upon Confirmation

Term: March 5, 2021

Division Director, Department of Education - RSA 21-N:3

(Division of Program Support)

Caitlin D. Davis, Concord

Reappointment

Salary: LG GG \$108,149.08

Effective: Upon Confirmation

Term: November 8, 2023

Family Mediator Certification Board - RSA 328-C:4

(Public Member)

Joanna M. Summerlin, Auburn

Succeeding: Richard L. Cram, Gilford

Effective: Upon Confirmation

Term: April 10, 2021

Family Mediator Certification Board - RSA 328-C:4

(Nom. by the NH Conflict Resolution Assoc.)

Marianne L. Rousseau, Weare

Reappointment

Effective: Upon Confirmation

Term: September 6, 2022

Family Mediator Certification Board - RSA 328-C:4

(Nom. by the NH Conflict Resolution Assoc.)

Todd H. Prevett, Mont Vernon

Succeeding: Susan L. Towle, Concord

Effective: Upon Confirmation

Term: September 6, 2022

Enhanced 911 Commission - RSA 106-H

(Nom by N.H. Association of Chiefs of Police)

James S. Valiquet, Newbury

Reappointment

Effective: Upon Confirmation

Term: July 8, 2022

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

(Deputy Fire Chief)

John T. Powers Jr, Dover

Reappointment

Effective: Upon Confirmation

Term: October 3, 2022

Poet Laureate - RSA 3-A
Alexandria Peary, Londonderry
Succeeding: Alice B Fogel, Acworth

Effective: Upon Confirmation
Term: March 22, 2024

Real Estate Appraisers Board - RSA 310-B
(Certified General Appraiser)
Andrew G. LeMay, Concord
Succeeding: George S. Lamprey, Center Harbor

Effective: Upon Confirmation
Term: August 12, 2021

Water Council - RSA 21-O:7
(Industrial Interests)
H. Richard Geisser, Atkinson
Reappointment

Effective: Upon Confirmation
Term: November 29, 2023

Wetlands Council - RSA 21-O:5-a
(Member of Municipal Conservation Commission)
Deborah Lievens, Londonderry
Reappointment

Effective: Upon Confirmation
Term: November 21, 2022

CONSENT CALENDAR AGENDA

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

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

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

#A. Authorized the Nongame and Endangered Wildlife Program to allow Melissa Doperalski and Joshua Megyesy, Wildlife Biologists to travel over 300 miles round trip in a non-state vehicle to Berkeley Springs, WV, to attend the Spotted, Blanding's, and Wood Turtle Conservation Symposium from November 3-6, 2019. **50% Federal, 50% Other (Nongame) Funds.**

DEPARTMENT OF SAFETY

#B. Authorized the Division of Fire Safety's request for two Recreational Ride Inspectors to travel over 300 miles one way in a State vehicle issued as a marked Department of Safety vehicle, in the amount of \$2,450.08 to attend the 2019 Parks and Carnivals Educational Amusement Ride Safety Seminar in Altoona, PA during the period of October 28-31, 2019. **100% General Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Commissioner

#C. Authorized to enter Elizabeth L. Biron into an educational tuition agreement with Rivier University, Nashua, NH, to participate in Behavioral Health & Health Promotion, during the period of October 23, 2019 through December 13, 2019, and to pay said costs in an amount of \$1,860. **25% Federal, 75% General Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Commissioner

#D. Authorized to enter Kristie V. Holtz into an educational tuition agreement with Southern NH University, Manchester, NH, to participate in Strategic Human Resource Management and Health Policy and Law, during the period of October 28, 2019 through March 29, 2020, and to pay said costs in an amount of \$3,000. **25% Federal, 75% General Funds.**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office of the Commissioner**

#E. Authorized to enter Yvette Martinez into an educational tuition agreement with Southern NH University, Manchester, NH, to participate in Social Science Research Methods and Human Services Organizational Systems, during the period of October 28, 2019 through March 1, 2020, and to pay said costs in an amount of \$1,728. **25% Federal, 75% General Funds.**

NEW HAMPSHIRE COUNCIL ON DEVELOPMENTAL DISABILITIES

#F. Authorized to pay the National Association of Councils on Developmental Disabilities, Washington, DC, in the amount of \$4,422 for Fiscal year 2020 membership dues. Effective upon G&C approval through September 30, 2020.

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

DEPARTMENT OF INFORMATION TECHNOLOGY

#A. Authorized to accept an award for the Project Summit Business Analyst World Symposium in the amount not to exceed \$1,300. The award provides free registration to the Project Summit Business Analyst World from October 7-8, 2019 at the Boston Marriott Burlington Hotel in Burlington, MA.

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

STATE TREASURY

#A. Authorized to accept and place on file the Annual Report for Fiscal Year 2019.

DEPARTMENT OF REVENUE ADMINISTRATION

#B. Authorized to accept and place on file the Annual Report for the period of July 1, 2018 through June 30, 2019.

NEW HAMPSHIRE EMPLOYMENT SECURITY

#C. Authorized to accept and place on file the 2018-2019 Biennial Report.

DEPARTMENT OF ADMINISTRATIVE SERVICES

#D. Authorized to accept and place on file the Report and Findings of Councilor Michael J. Cryans with regard to a certain project in participation with Dartmouth Hitchcock Health, Lebanon, NH.

DEPARTMENT OF SAFETY

#E. Authorized to accept and place on file the Biennial Report for the period July 1, 2017 through June 30, 2019.

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

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#A. Authorized the confirmation of Captain Jeffrey M. Mnich, Beverly, MA, for promotion to the rank of Major, NH Air National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#B. Authorized the confirmation of Captain William J. Daley, Scarborough, ME, for promotion to the rank of Major, NH Air National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#C. Authorized the nomination of Major Mark B. Patterson, Weare, NH, 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 MILITARY AFFAIRS AND VETERANS SERVICES

#D. Authorized the nomination of Captain Logan T. Kenney, Dover, 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.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#E. Authorized the nomination of Major Martin F. Isabelle, Rollinsford, NH, 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 MILITARY AFFAIRS AND VETERANS SERVICES

#F. Authorized the nomination of Captain Jason P. Longval, Concord, 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.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#G. Councilor Gatsas 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 Gatsas, authorized the nomination of Lieutenant Colonel Jeremy D. Bird in the Illinois Army National Guard, for appointment 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 MILITARY AFFAIRS AND VETERANS SERVICES

#H. Authorized the nomination of Major James J. Surprenant-Piro, Pelham, NH, 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 MILITARY AFFAIRS AND VETERANS SERVICES

#I. Authorized the nomination of Captain Jacob D. Akers, Denmark, ME, 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.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#J. Authorized the nomination of Captain Brandon J. Labelle, Groton, 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.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#K. Authorized the nomination of Captain Jeanne O. Hunter, Middletown, CT, for promotion to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally and professionally qualified.

DEPARTMENT OF JUSTICE

#L. Authorized to reappoint Benjamin J. Agati as an Assistant Attorney General at a salary of \$89,873.44. Effective upon GC& approval or October 11, 2019, whichever is later, through October 14, 2024.

DEPARTMENT OF JUSTICE

#M. Authorized to reappoint Peter Hinckley as an Assistant Attorney General at a salary of \$95,712.75. Effective upon G&C approval or October 11, 2019, whichever is later, through October 14, 2024.

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

DEPARTMENT OF ADMINISTRATIVE SERVICES

#A. Authorized, on behalf of the NH Deferred Compensation Commission, to amend a contract with Great-West Life & Annuity Insurance Company, or its approved affiliate, Denver, CO (originally approved by G&C on 10-7-15, item #74), for the administration of the State of NH Public Employees Deferred Compensation Plan for public officers and employees, by extending the end date from December 31, 2020 to December 31, 2022, and to provide for reduced fees for plan participants.

REGULAR AGENDA

BUSINESS FINANCE AUTHORITY

#6 The Governor and Council on motion of Councilor Cryans, seconded by Councilor Prescott, authorized to hold a Public Hearing with respect to the contract ("Capital Access Program: Lender Participation Agreement") with Primary Bank. Action will Authorized Resolutions under RSA 162-A:18 to determine the contract will serve a public use, provide public benefit, the proposed participating bank is qualified to participate, appropriate measures have been taken to ensure CAP loans will be made under the requirements of the Act, the contract complies with RSA 162-A:12, and reasonable precautions have been made to minimize loss, all within the policy and authority of the Act.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD ON OCTOBER 2, 2019 SEACOAST SCIENCE CENTER, RYE, NEW HAMPSHIRE

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At approximately 11:10am, the Governor announced that the next matter to be considered would be the proposed contract entitled, "Capital Access Program: Lender Participation Agreement" with the following bank: Primary Bank and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loan. The Governor then said that the meeting would hear anyone wishing to speak on the subject. James Key-Wallace, Executive Director and Jeremy Stanizzi, 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 Cryans introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 APPROVING THE EXECUTION OF THE STANDARD CONTRACT ENTITLED "CAPITAL ACCESS PROGRAM: LENDER PARTICIPATION AGREEMENT" OF THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE BY PRIMARY BANK" and moved its adoption, which was seconded by Councilor Prescott. The Governor called for a vote on the motion. Those voting in favor were: Councilor Cryans, Councilor Volinsky, Councilor Prescott, Councilor Gatsas 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.

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A RESOLUTION UNDER RSA 162-A:18 APPROVING THE EXECUTION OF THE STANDARD CONTRACT ENTITLED "CAPITAL ACCESS PROGRAM: LENDER PARTICIPATION AGREEMENT" OF THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE BY PRIMARY BANK

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have previously, upon recommendation of the Business Finance Authority of the State of New Hampshire (the "Authority"), approved the Authority's standard contract entitled "CAPITAL ACCESS PROGRAM: LENDER PARTICIPATION AGREEMENT" (the "Standard Contract") by resolution dated September 2, 1992 (the "Approving Resolution"); and

WHEREAS, at the time of such approval of the Standard Contract, the Governor and Council made, upon recommendation of the Authority, certain findings and determinations pursuant to RSA 162-A:18 with respect to the approval of the Standard Contract, which findings and determinations are stated in the Approving Resolution;

WHEREAS, in the Approving Resolution, the Governor and Council authorized the Authority to take necessary and appropriate steps to cause the execution of the Standard Contract with qualifying State banking institutions; and

WHEREAS, acting pursuant to the direction of the Authority, the Executive Director of the Authority has received interest from Primary Bank (the "Specific Bank") to execute the Standard Contract and participate in the Authority's Capital Access Program through such execution; and

WHEREAS, the Executive Director of the Authority has examined such information as he has deemed necessary and appropriate and has determined that the Specific Bank is a duly organized bank or trust company authorized to make loans and accept deposits in the State of New Hampshire and accordingly is qualified to execute the Standard Contract and participate in the Capital Access Program;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed execution of the Standard Contract which they have requested;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

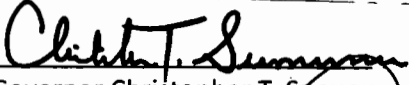
Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and assuming (1) the execution of the Standard Contract as approved by the Governor and Council on September 2, 1992, by the Authority and an authorized officer of the Specific Bank, and (2) review and acceptance of the executed Standard Contract by an appropriate official of the Office of Attorney General upon receipt of a certificate of registration of the Specific Bank and a resolution of the board of directors of the Specific Bank authorizing execution of the Standard Contract, the Governor and Council hereby find:

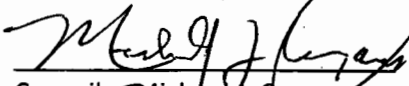
- a. The proposed execution of the Standard Contract and the actions of the Authority and parties executing such Standard Contract taken pursuant to the terms of such Contract will serve a public use and provide a public benefit.
- b. The proposed execution of the Standard Contract and the actions of the Authority and parties executing such Standard Contract taken pursuant to the terms of such Contract is within the policy of, and the authority conferred by RSA Chapter 162-A.
- c. The proposed execution of the Standard Contract and the actions of the Authority and parties executing such Standard Contract taken pursuant to the terms of such Contract 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.
- d. The proposed execution of the Standard Contract and the actions of the Authority and parties executing such Standard Contract taken pursuant to the terms of such Contract will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.
- e. Appropriate measures have been taken to ensure that a the Specific Bank participating under the terms of such Standard Contract makes only loans which meet the requirements of RSA 162-A:12, IV.
- f. The Standard Contract complies with RSA 162-A:12, III.
- g. Reasonable precautions have been taken to minimize the risk of loss to any reserve fund which is established under the terms of the proposed Standard Contract.
- h. The Specific Bank is qualified to execute the Standard Contract and to participate under the terms of such Standard Contract and the applicable provisions of RSA Chapter 162-A.

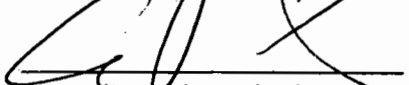
Approval. Subject to (1) the execution of the Standard Contract as approved by the Governor and Council on September 2, 1992, by the Authority and an authorized officer of the Specific Bank, and (2) review and acceptance of the executed Standard Contract by an appropriate official of the Office of Attorney General upon receipt of a certificate of registration of the Specific Bank and a resolution of the board of directors of the Specific Bank authorizing execution of the Standard Contract, the Governor and Council approve the proposed execution of the Standard Contract by the Authority and authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.


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

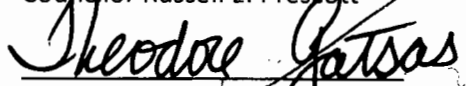
Passed and Agreed to October 2, 2019.

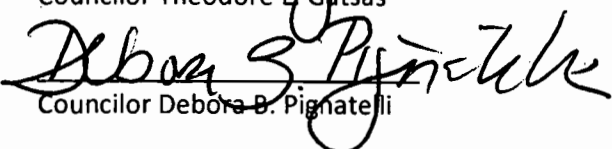

Governor Christopher T. Sununu


Councilor Michael J. Cryans


Councilor Andru Volinsky


Councilor Russell E. Prescott


Councilor Theodore L. Gatsas


Councilor Debora B. Pignatelli

#7 The Governor and Council on motion of Councilor Cryans, seconded by Councilor Prescott, authorized to hold a Public Hearing with respect to the financing of a loan to Strafford Economic Development Corporation located in Dover, 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 OCTOBER 2, 2019 SEACOAST SCIENCE CENTER, RYE, NEW HAMPSHIRE

At approximately 11:15am, the Governor announced that the next matter to be considered would be loan made by the Business Finance Authority to Strafford Economic Development Corporation to finance a line of credit for expansion and retention of businesses and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loan. The Governor then said that the meeting would hear anyone wishing to speak on the subject. James Key-Wallace, Executive Director and Jeremy Stanizzi, Senior Credit Officer of the Authority, briefly explained the project and introduced Dennis McCann, Executive Director of the Strafford Economic Development Corporation. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished

to speak; there being none, Councilor Cryans introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARING A LOAN UNDER RSA 162-A:7 FROM THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE TO STRAFFORD ECONOMIC DEVELOPMENT CORPORATION" and moved its adoption, which was seconded by Councilor Prescott. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: Councilor Cryans, Councilor Volinsky, Councilor Prescott, Councilor Gatsas 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.

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A RESOLUTION UNDER RSA 162-A:18 AWARING A LOAN UNDER RSA 162-A:7 FROM THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE TO STRAFFORD 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 Strafford Economic Development Corporation (the "Borrower") in the original principal amount of \$2,500,000 which will be increased by \$1,000,000 to a total of \$3,500,000 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.

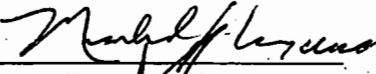
NOW, THEREFORE, it is hereby resolved that:

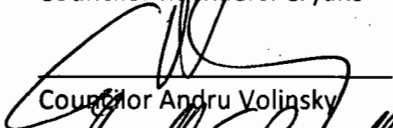
1. Findings and Determination: On the basis of the documentation and information received by the Governor and Council, after a public hearing, the Governor and Council find:
 - a. Special Findings:
 - I. The Loan in consistent with local or regional development plans or policies
 - b. General Findings:
 - 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

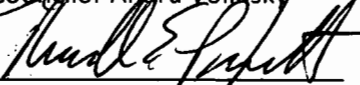
3. Effective Date: This Resolution shall take effect upon its passage

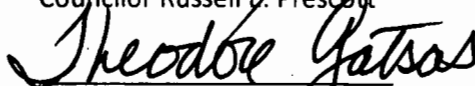
Passed and agreed to October 2, 2019.

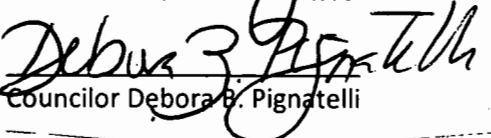

Governor Christopher T. Sununu


Councilor Michael J. Cryans


Councilor Andru Volinsky


Councilor Russell E. Prescott


Councilor Theodore L. Gatsas


Councilor Debora B. Pignatelli

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office of the Commissioner**

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

#8 Authorized to make a **retroactive** one-time payment from SFY 2020 funds to Pratikkumar Patel, Part-time Mental Health Worker II at the NH Hospital, in the amount of \$1,083.03 to compensate for wages that were not paid for SFY 2018 & 2019. **34% General, 21% Federal, 45% Agency Income (Provider Fees) Funds.**

#9 Authorized to make a **retroactive** one-time payment from SFY 2020 funds to Casey Williams, Registered Nurse III at the NH Hospital, in the amount of \$2,099.70 to compensate for wages that were not paid for SFY 2019. **34% General, 66% Agency Income (Provider Fees) Funds.**

#10 Authorized to make a **retroactive** one-time payment from SFY 2020 funds to Susan J. Smith, Registered Nurse III at the NH Hospital, in the amount of \$3,094.73 to compensate for wages that were not paid for SFY 2018 & 2019. **32% General, 29% Federal, 39% Agency Income (Provider Fees) Funds.**

#11 Authorized to finalize the determination made by the Commissioner that on August 17, 2019 a Mental Health Worker III at the Designated Receiving Facility of the Laconia Developmental Center sustained an injury in the line of duty due to a hostile or overt act, or an act caused by another during the performance of duties which are considered dangerous in nature. Effective upon G&C approval.

Office of Medicaid Services

#12 **WITHDRAWN** – The agency withdrew the request to **retroactively** continue one full-time temporary Administrator IV position #8T2950, salary grade 33. Effective July 14, 2019 through July 14, 2020. **50% Federal, 50% General Funds.**

Division of Long Term Supports and Services

#13 **WITHDRAWN** – The agency withdrew the request to accept and expend Money Follows The Person Grant funds from the Centers for Medicare & Medicaid Services in the amount of \$43,838. Effective upon G&C approval through June 30, 2020. **100% Federal Funds.**

Division of Public Health Services

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

#14 Authorized to **retroactively** exercise a renewal option to an existing **sole source** agreement with JSI Research and Training Institute Inc., d/b/a Community Health Institute, Bow, NH (originally approved by G&C on 6-21-17, item #51), to continue providing a broad range of support services across a number of public health programs, by increasing the price by \$2,266,254 from \$1,920,705 to \$4,186,959, and by extending the completion date from June 30, 2019 to June 30, 2021. **81.61% Federal, 12.54% General, 5.85% Other Funds.**

#15 **WITHDRAWN** – The agency withdrew the request to amend an existing **sole source** agreement with the University of Massachusetts, Worcester, MA (originally approved by G&C on 6-24-15, item #54), to provide newborn screening laboratory services, by increasing the price by \$1,004,120 from \$5,668,173 to an amount not to exceed \$6,672,293, with no change to the completion date of June 30, 2021. **100% Other Funds.**

#15A Authorized to exercise a renewal option and amend an existing agreement with Mary Hitchcock Memorial Hospital, Lebanon, NH (originally approved by G&C on 6-7-17, item #22), to secure senior-level infectious disease medical epidemiology support, by increasing the price by \$450,000 from \$448,842 to \$898,842, and by extending the completion date from June 30, 2019 to June 30, 2021. Effective **retroactive** to July 1, 2019. **70% Federal, 8% General, 22% Other Funds from Pharmaceutical Rebates.**

Division for Behavioral Health

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

#16 Authorized to enter into a **sole source** agreement with Green Mountain Treatment Center LLC, Salem, NH, to provide Opioid Use Disorder room and board services in an amount not to exceed \$687,500. Effective upon G&C approval through September 29, 2020. **100% Federal Funds.**

#16A Authorized to **retroactively** exercise a renewal option and amend an existing agreement with Mary Hitchcock Memorial Hospital, Lebanon, NH (originally approved by G&C on 1-24-18, item #8), to provide integrated obstetric, primary care, pediatric, and Medication Assisted Treatment for pregnant and postpartum women with opioid use disorder, by increasing the price by \$1,499,970 from \$2,755,443 to \$4,255,413, and by extending the completion date from June 30, 2019 to September 30, 2020. **100% Federal Funds.**

Division for Children, Youth & Families

#17 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott, authorized to **retroactively** pay the Interstate Commission for Juveniles, Lexington, KY, in the amount of \$12,000 for an annual membership from July 1, 2019 through June 30, 2020. **22.93% Federal, 77.07% General Funds.**

Division of Economic & Housing Stability

#17A The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott, authorized to enter into a **sole source** amendment to an existing agreement with the University of Massachusetts Medical School, Shrewsbury, MA (originally approved by G&C on 10-26-16, item #11), for the provision of Disability Determination services, by increasing the price by \$281,853 from \$1,080,890 to \$1,362,743 with no change in the completion date of June 30, 2020. **75% Federal, 25% General Funds.**

DEPARTMENT OF TRANSPORTATION

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

#18 Authorized the Bureau of Right of Way to **retroactively** pay a property owner \$199,677 as documented in the Contemplated Awards List, for amounts greater than \$5,000 extending from July 20, 2019 through July 30, 2019.

#19 Authorized the Bureau of Aeronautics to provide funding to the City of Claremont, NH, to demolish the terminal building/hangar and construct a new terminal building – Phase II for the Claremont Municipal Airport in Claremont, NH, in the amount of \$755,717. Effective upon G&C approval through June 27, 2023. **95% Federal, 5% General Funds.**

#20 Authorized the Bureau of Aeronautics to provide funding to the City of Claremont NH, to conduct an update to the Airport Master Plan Study for the Claremont Municipal Airport in Claremont, NH, in the amount of \$192,850. Effective upon G&C approval through June 27, 2023. **95% Federal, 5% General Funds.**

#21 Authorized the Bureau of Highway Design to enter into an Interstate Agreement with the State of Maine to allow the Department to bill the MaineDOT for costs associated with work to improve the pavement surface of the roadway and existing bridge (NH Br. Nos. 040/096 and E. Rochester Br. No. 2257) carrying US202/ME11 over the Salmon Falls River between Rochester, NH and Lebanon, ME. Effective upon G&C approval and continuing through construction, inspection, and final acceptance of the completed project, in accordance with the Department's 10-year Transportation Improvement Plan.

#22 Authorized the Bureau of Construction to enter into a contract with New England Signal Systems Inc., Northwood, NH, on the basis of a low bid of \$511,753.50 for conversion of permissive left turns to flashing yellow arrow signal configuration. (2)Further authorized a contingency in the amount of \$25,587.68 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through November 6, 2020. **100% Federal Funds.**

DEPARTMENT OF INFORMATION TECHNOLOGY

The Governor and Council on motion of Councilor Gatsas, seconded by Councilor Cryans acted as follows:

#23 Authorized to enter into a **sole source** contract amendment with SilverTech Inc., Manchester, NH (originally approved by G&C on 3-27-19, item #28), for Web Site Content Strategy and Design services, by increasing the not to exceed amount by \$1,000,000 from \$539,640 to \$1,539,640. Effective upon G&C approval through December 31, 2020. **100% Capital Funds.**

#24 Authorized to enter into a contract with NuHarbor Security Inc., Essex Junction, VT, for the purpose of providing a comprehensive cybersecurity risk assessment of the Executive Branch information technology enterprise, in the amount not to exceed \$499,000. Effective upon G&C approval through June 30, 2020, with the option to renew up to one time for one year. **100% Capital Funds.**

STATE TREASURY

#25 The Governor and Council on motion of Councilor Cryans, seconded by Councilor Volinsky, authorized to accept and place on file the quarterly report of the NH State Treasury for the period ended June 30, 2019.

NEW HAMPSHIRE COUNCIL ON DEVELOPMENTAL DISABILITIES

#26 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky, authorized to accept funds in the amount of \$1,000 from the University of NH, Durham, NH, for the participation of the Council on Developmental Disabilities in a series of project meetings associated with the Disability Community Planning Group of the UNH Institute on Disability, Disability and Public Health Project, in the SFY 2020 through June 30, 2020. **100% Other Funds.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

#27 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott, authorized to **retroactively** accept funds in the amount of \$42,219 from the Department of Health and Human Services, Division of Economic and Housing Stability for outreach activities provided under the Memorandum of Understanding approved by G&C as item #14 on September 18, 2019. **100% Other Funds.**

PUBLIC UTILITIES COMMISSION

#28 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky, authorized to enter into a contract with Navigant Consulting Inc., to conduct the Locational Value of Distributed Generation study required by Commission orders issued in Docket DE 16-576, Development of New Alternative Net Metering Tariffs and/or Other Regulatory Mechanisms and Tariffs for Customer-Generators. Effective upon G&C approval through August 31, 2020. **100% Utility Assessment.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

#29 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky, authorized to enter into a license agreement with Public Service of NH, d/b/a Eversource Energy, to allow PSNH access through the NHFG-owned William B. Ruger South Wildlife Management Area in Croydon and Newport to maintain utility rights-of-way. Effective upon G&C approval through December 31, 2028. No Funding involved.

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

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

#30 Authorized the Division of Parks and Recreation to make a **retroactive** payment to Portside Systems LLC, Portsmouth, NH, in the amount of \$21,542.54 for emergency replacement of the blower, diffusers, and variable frequency drive at the wastewater treatment facility on the summit of Mount Washington in Sargent's Purchase, NH. **100% Capital Funds.**

#31 Authorized the Division of Parks and Recreation to enter into a contract with Hi-Way Safety Systems Inc., Rockland, MA, for Parking Space Line Striping and Sign Installation at Winslow State Park in Wilmot, NH, in the amount of \$11,905. Effective upon G&C approval through October 4, 2019. **100% Capital Funds.**

#32 Authorized the Division of Parks and Recreation, Cannon Mountain Aerial Tramway & Ski Area (Cannon Mountain) to enter into a **sole source** contract with Aerial NDT Inspection Inc., Milton, NH, for magnetic particle testing and inspection of chairlifts at Cannon Mountain, in the amount \$12,065. Effective upon G&C approval through June 30, 2021. **100% Agency Income.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

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

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

#34 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 Wastewater Asset Management Program – Phase 2 project. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#35 Authorized to award an Aquatic Resource Mitigation Fund grant to The Monadnock Conservancy, Keene, NH, in the amount of \$141,960 for the purpose of conserving a 200-acre parcel of land in Jaffrey and Rindge. Effective upon G&C approval through June 30, 2020. **100% ARM Funds.**

#36 Authorized a loan agreement with the Saco Pines Condominium Association, Center Conway, NH, in the amount not to exceed \$170,000 to finance water system improvements. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

DEPARTMENT OF EDUCATION

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

#37 Authorized a salary increment for the Deputy Commissioner, Christine Brennan, from salary grade II, step 5, \$112,835.84 to salary grade II, step 6, \$118,707.68. Effective October 20, 2019.

#38 Authorized the Bureau of Vocational Rehabilitation to enter into a contract with Granite State Independent Living, Concord, NH, to provide Independent Living, Part B services, in an amount not to exceed \$367,235. Effective upon G&C approval through September 30, 2021. **100% Federal Funds.**

#39 Authorized to grant funds to Granite State Management & Resources, Concord, NH, to support the *I Am College Bound/I Applied* effort, in the amount of \$20,000. Effective upon G&C approval through June 30, 2020. **100% Other Funds.**

#40 Authorized the Bureau of Vocational Rehabilitation to enter into a contract with the Brain Injury Association of NH, Concord, NH, to provide Independent Living, Part B services, in an amount not to exceed \$183,620. Effective upon G&C approval through September 30, 2021. **57.80% Federal, 42.20% General Funds.**

POLICE STANDARDS AND TRAINING COUNCIL

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

#41 Authorized to enter into a contract with the Institute of Police Technology Management of the University of North Florida, for \$25,000 to provide technical law enforcement training. Effective upon G&C approval through June 30, 2020. **100% General Funds.**

#42 Authorized to enter into a contract with the National Alliance on Mental Illness, Concord, NH, for \$19,400 to provide technical law enforcement training. Effective upon G&C approval through June 30, 2020. **100% General Funds.**

DEPARTMENT OF SAFETY

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

#43 Authorized the Division of Fire Standards and Training and Emergency Medical Services to **retroactively** enter into a grant agreement with the City of Concord, for a total amount of \$136,999, for the purpose of continuing a mobile integrated healthcare program called NH Project FIRST. Effective September 30, 2019 through September 29, 2020. **100% Federal Funds.**

#44 Authorized the Division of State Police to exercise a renewal option in the contract with Gilford Well Company Inc., Gilford, NH (originally approved by G&C on 2-15-17, item #51), for the purpose of well and water treatment and management services at Marine Patrol, by increasing the amount by \$8,451.60 from \$12,308 to \$20,759.60. Effective January 1, 2020 to December 31, 2021. **100% Revolving Funds.**

#45 Authorized the NH Office of Highway Safety to enter into a contract with iHeart Media and Entertainment Inc., for radio advertisements regarding highway traffic safety, in the amount of \$70,000. Effective upon G&C approval through September 30, 2020. **100% Federal Funds.**

#46 Authorized the Office of Highway Safety to enter into a **sole source** contractual agreement with the University of NH Wildcats Sports Properties LLC, Durham, NH, to coordinate a highway safety impaired driving related advertisement campaign during the 2019 season, in the amount of \$10,000. Effective upon G&C approval through September 30, 2020. **100% Federal Funds.**

#47 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Groton, for a total amount of \$472,090.50 to replace three culverts along Sculptured Rocks Road in the Town of Groton. Effective upon G&C approval through January 2, 2022. **100% Federal Funds.**

#48 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Allenstown to purchase an emergency management trailer and equipment for a total amount of \$13,300. Effective upon G&C approval through September 30, 2020. **100% Federal Funds.**

#48A Authorized the Division of Fire Standards and Training and Emergency Medical Services to enter into a grant agreement with the Town of Salem for a total amount of \$105,519.44 for the purpose of continuing a mobile integrated healthcare program called NH Project FIRST. Effective upon G&C approval through September 29, 2020. **100% Federal Funds.**

#48B Authorized the Division of Fire Standards and Training and Emergency Medical Services to enter into a grant agreement with the Town of Plymouth for a total amount of \$10,809.55 for the purpose of implementing a mobile integrated healthcare program called NH Project FIRST. Effective upon G&C approval through September 29, 2020. **100% Federal Funds.**

#48C Authorized the Division of Fire Safety to enter into a **sole source** contract with Ossipee Mountain Electronics Inc., for labor costs for installation of lighting equipment, Mory Box, wiring, and miscellaneous hardware necessary to newly purchased F350 vehicle in the amount of \$3,839.95. Effective upon G&C approval through October 31, 2019. **100% General Funds.**

DEPARTMENT OF JUSTICE

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

#49 Authorized to grant a salary increment to Scott K. Gilbert, Criminal Investigator, from salary level of \$68,910.40, LG CC, Step 4, to a salary level of \$72,668.96, LG BB, Step 5. Effective upon G&C approval or October 11, 2019, whichever is later.

#50 Authorized to enter into a **sole source** contract with Dr. Aldo Fusaro, Missoula, MT, as a substitute medical examiner, for a total not to exceed \$10,000 to aid the Office of the Chief Medical Examiner for the period of November 18-22, 2019. Effective upon G&C approval through December 31, 2019. **100% General Funds.**

#51 Authorized to enter into a **sole source** contract with Dr. Kristen Landi, Bronx, NY, as a substitute medical examiner, for a total not to exceed \$10,000 to aid the Office of the Chief Medical Examiner for the period of October 18-22, 2019. Effective upon G&C approval through November 30, 2019. **100% General Funds.**

#52 Authorized to enter into a **sole source** contract with Dr. Mitchell Weinberg, MD, Edmonton, Canada, as a substitute medical examiner, for a total not to exceed \$10,000 to aid the Office of the Chief Medical Examiner for the period of December 2-6, 2019. Effective upon G&C approval through January 31, 2020. **100% General Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

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

#53 Authorized a Working Capital Warrant in the amount of \$400,000,000 to cover the payment of expenditures for the month of November 2019.

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

#55 Authorized the Division of Public Works Design and Construction to enter into a contract with D.L. King & Associates Inc., Nashua, NH, for the Rebid-Concord Steam Plant Demolition, Concord, NH, for a price not to exceed \$1,646,200. (2)Further authorized a contingency in the amount of \$100,000 for unanticipated site expenses, bringing the total to \$1,746,200. (3)Further authorized the amount of \$98,000 for payment to the Department of Administrative Services, Division of Public Works Design and Construction, for engineering services provided, bringing the total to \$1,844,200. Effective upon G&C approval through July 31; 2020. **100% Capital-General Funds.**

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CONFIRMATION REMOVED FROM THE TABLE

The Governor and Council on motion of Councilor Gatsas, seconded by Councilor Volinsky, and with Councilor Pignatelli voting **no**, voted to remove this confirmation from the table.

Following discussion, the Governor on motion of Councilor Gatsas, seconded by Councilor Prescott, and with Councilors Volinsky and Pignatelli voting **no**, voted to confirm the following:

CONFIRMATION

Director, Division of Field Services, Department of Corrections - RSA 21-H

Robert A. Oxley, Manchester

Succeeding: Michael McAllister, Loudon (*resigned*)

Salary: LG GG, \$108,149.08

Effective: October 2, 2019

Term: Commissioners pleasure

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The Next regular Governor and Executive Council meeting is scheduled for Wednesday October 23, 2019, at the State House, Concord, New Hampshire.

Honorable Board then Adjourned at 11:20 a.m.