

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
October 23, 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:

- Councilor Cryans offered a reading and led the Pledge of Allegiance.
- Proclamation/Commendation(s):
 - Proclaiming Weatherization Day, joined by Jared Chicoine, Director of OSI and the CAA Directors.
 - Proclaiming White Cane & Guide Dog Awareness Month, joined by Chuck Saia, GCD Executive Director and members from the Guide Dog Community.

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The Governor and Executive Council on motion of Councilor Cryans, seconded by Councilor Prescott voted to approve the minutes of the October 2, 2019 meeting.

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The Governor and Executive Council, on motion of Councilor Volinsky, seconded by Councilor Prescott, approved the appointment of several persons nominated for Civil Commissions from the October 2, 2019 meeting.

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

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The following representative elect was sworn into office:

Rockingham County District No. 9 (Epping)
Michael Vose, r, Epping (75 Olde Bridge Lane) 03042

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RESIGNATIONS

The Governor and Council accepted the following resignation:

Higher Education Commission - RSA 21-N:8-a
Paul J. LeBlanc, Manchester

Effective: October 23, 2019

CONFIRMATIONS

The Governor and Council confirmed the following:

Board of Accountancy - RSA 309-B
(Certified Public Accountant)
Jennifer H. Elder, Plymouth
Succeeding: Richard S. Silverman, Hampton

Effective: October 23, 2019
Term: December 2, 2023

Board of Mental Health Practice - RSA 330-A:3
(Pastoral Psychotherapist)
Dayl H. Hufford, Salem
Reappointment

Effective: October 23, 2019
Term: October 31, 2021

Board of Mental Health Practice - RSA 330-A:3
(Licensed Clinical Mental Health Counselor)
Gary E. Goodnough, Plymouth
Reappointment

Effective: October 23, 2019
Term: October 31, 2022

<u>Board of Professional Engineers</u> - RSA 310-A:3 Christopher R Mulleavey, Concord Reappointment	Effective: October 23, 2019 Term: August 21, 2024
<u>Board of Veterinary Medicine</u> - RSA 332-B Suzan Watkins, Allenstown Succeeding: John M. MacGregor, Durham (<i>resignation</i>)	Effective: October 23, 2019 Term: March 5, 2021
<u>Division Director, Department of Education</u> - RSA 21-N:3 (Division of Education Analytics and Resources) Caitlin D. Davis, Concord Reappointment Salary: LG GG \$108,149.08	Effective: October 23, 2019 Term: November 8, 2023
<u>Family Mediator Certification Board</u> - RSA 328-C:4 (Public Member) Joanna M. Summerlin, Auburn Succeeding: Richard L. Cram, Gilford	Effective: October 23, 2019 Term: April 10, 2021
<u>Family Mediator Certification Board</u> - RSA 328-C:4 (Nom. by the NH Conflict Resolution Assoc.) Marianne L. Rousseau, Weare Reappointment	Effective: October 23, 2019 Term: September 6, 2022
<u>Family Mediator Certification Board</u> - RSA 328-C:4 (Nom. by the NH Conflict Resolution Assoc.) Todd H. Prevett, Mont Vernon Succeeding: Susan L. Towle, Concord	Effective: October 23, 2019 Term: September 6, 2022
<u>Enhanced 911 Commission</u> - RSA 106-H (Nom by N.H. Association of Chiefs of Police) James S. Valiquet, Newbury Reappointment	Effective: October 23, 2019 Term: July 8, 2022
<u>Manufactured Housing Installation Standards Board</u> - RSA 205-D:2 (Deputy Fire Chief) John T. Powers Jr, Dover Reappointment	Effective: October 23, 2019 Term: October 3, 2022
<u>Poet Laureate</u> - RSA 3-A Alexandria Peary, Londonderry Succeeding: Alice B Fogel, Acworth	Effective: October 23, 2019 Term: March 22, 2024
<u>Real Estate Appraisers Board</u> - RSA 310-B (Certified General Appraiser) Andrew G. LeMay, Concord Succeeding: George S. Lamprey, Center Harbor	Effective: October 23, 2019 Term: August 12, 2021
<u>Water Council</u> - RSA 21-O:7 (Industrial Interests) H. Richard Geisser, Atkinson Reappointment	Effective: October 23, 2019 Term: November 29, 2023

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

Effective: October 23, 2019
Term: November 21, 2022

NOMINATIONS

The following nominations were submitted:

Advisory Council on Worker's Compensation - RSA 281-A
(Rep. of Insurance Interests of Commercial Workers' Compensation Carriers)
Margaret M. Crouch, Merrimack
Reappointment

Effective: Upon Confirmation
Term: June 13, 2022

Board of Dental Examiners - RSA 317-A:2
(Dentist)
Roger A. Achong, Concord
Succeeding: Nilfs E. Collins, Hudson

Effective: Upon Confirmation
Term: July 26, 2024

Board of Acupuncture Licensing - RSA 328-G:3
(Acupuncturist)
L. Cindy Theroux-Jette, Nashua
Reappointment

Effective: Upon Confirmation
Term: October 14, 2022

Community College System of New Hampshire - RSA 188-F
(General Public)
Robert A. Baines, Manchester
Succeeding Constance M. Roy-Czyzowski, Manchester

Effective: Upon Confirmation
Term: June 30, 2023

Community College System of New Hampshire - RSA 188-F
(General Public)
Jeffrey B. Cozzens, Lyman
Vacancy

Effective: Upon Confirmation
Term: June 30, 2022

Division Director, Department of Education - RSA 21-N:3
(Division of Educator Support and Higher Education)
Stephen M. Appleby, Bedford
Succeeding: Michael D. Seidel, Nashua (resigned)
Salary: LG EE \$93,654.60

Effective: Upon Confirmation
Term: August 8, 2020

Occupational Therapy Governing Board - RSA 328-F:4
(Licensed Occupational Therapist)
Olivia R. Freeman, Hudson
Reappointment

Effective: Upon Confirmation
Term: January 8, 2023

Midwifery Council - RSA 326-D
(Midwife)
Kathryn Hartwell, Concord
Reappointment

Effective: Upon Confirmation
Term: September 28, 2023

New Hampshire Water Well Board - RSA 482-B:3
(Public Member)
Steven R. Lamb, Andover
Reappointment

Effective: Upon Confirmation
Term: September 15, 2022

Speech-Language Pathology Governing Board - RSA 328-F:4
(Licensed SLP)
Ian McGarty, Goffstown
Vacancy

Effective: Upon Confirmation
Term: March 4, 2021

Speech-Language Pathology Governing Board - RSA 326-D
(Licensed SLP, Educational Setting)
Jocelyn G. Lister, Newmarket
Succeeding: Deborah Snow-Major, Hooksett (resigned)

Effective: Upon Confirmation
Term: March 4, 2022

State Radiation Advisory Committee - RSA 125-F
(Medical)
Edward J. Farmlett, Laconia
Reappointment

Effective: Upon Confirmation
Term: October 14, 2023

State Radiation Advisory Committee - RSA 125-F
(Physical Science)
James J. Cherniack, Derry
Reappointment

Effective: Upon Confirmation
Term: October 14, 2023

State Veterans Council - RSA 110-B:89
(Family member of a veteran or family member of a currently serving member of the armed forces)
Madeline Dreusicke, Pelham
Vacancy

Effective: Upon Confirmation
Term: 3 years from Confirmation

Wetlands Council - RSA 21-O:5-a
(Construction Industry)
Jeffrey P. Cloutier, Laconia
Succeeding: James P. Grove, Laconia

Effective: Upon Confirmation
Term: July 11, 2022

Commissioner, Department of Transportation - RSA 21-L
Victoria Sheehan, Nashua
Reappointment

Effective: Upon Confirmation
Term: December 3, 2023

CONSENT CALENDAR AGENDA

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

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

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

#A. Authorized to enter Brianna R. Wall into an educational tuition agreement with Southern NH University, Manchester, NH, to participate in: Applied Statistics; Human Resource Management; Business Systems Analysis and Design; and Principles of Management during the period of October 28, 2019 through April 26, 2020, and to pay said costs in the amount of \$3,000. **25% Federal, 75% General Funds.**

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

#B. Authorized to enter Montana Madden into an educational tuition agreement with Southern NH University, Manchester, NH, to participate in: Leading in an Organization; and Accounting and Financial Analysis during the period of October 28, 2019 through March 29, 2020, and to pay said costs in the amount of \$3,000. **25% Federal, 75% General Funds.**

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

#C. Authorized to enter Jessica Dow into an educational tuition agreement with College for America at Southern NH University, Manchester, NH, to participate Bachelor of Arts in Management – Public Administration including: Conduct Business Globally; Research Management; Contribute to Society; Negotiate Difference; and Navigate Public Administration during the period of November 1, 2019 through April 30, 2020, and to pay said costs in the amount of \$1,500. **25% Federal, 75% General Funds.**

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

#D. Authorized to enter Lisa Charpentier into an educational tuition agreement with Western Governor's University, Salt Lake City, UT, to participate in Bachelor of Science, Nursing – Up to 14 competency based courses, including: Professional Leadership and Communication for Healthcare; Introduction to Communication; Biochemistry; and Health Assessment during the period of November 1, 2019 through March 31, 2020, and to pay said costs in the amount of \$3,000. **25% Federal, 75% General Funds.**

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

#E. Authorized to enter Stephanie Clark into an educational tuition agreement with Southern NH University, Manchester, NH, to participate in Principles of Public Health during the period of October 28, 2019 through January 12, 2020, and to pay said costs in the amount of \$1,881. **25% Federal, 75% General Funds.**

STATE TREASURY

#F. Authorized to accept and place on file the quarterly report of escheated abandoned property claims paid for the period ended September 30, 2019.

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

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#A. Authorized to accept donations of embroidered shirts for cemetery staff, software for computers, computer services, landscaping, pavers, and brick and paver engraving, in the amount of \$12,555.50 for the NH State Veterans Cemetery to be used for the operation, maintenance, and improvement of the cemetery.

DEPARTMENT OF SAFETY

#B. Authorized the Division of State Police to accept the donation of a Tandem Cargo Trailer with a value of approximately \$14,555 from the Defense Logistics Agency to be used by the Division of State Police Special Events Response Team. Effective upon G&C approval.

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

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#A. Authorized to accept and place in file the Biennial Report for the period ending 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 Jeanne O. Hunter, Middletown, CT, for promotion to the rank of Major, NH Air National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#B. Authorized the confirmation of Captain Brandon J. Labelle, Groton, MA, to the rank of Major, NH Army National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#C. Authorized the confirmation of Captain Jacob D. Akers, Denmark, ME, to the rank of Major, NH Army National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#D. Authorized the confirmation of Major James J. Surprenant-Piro, Pelham, NH, to the rank of Lieutenant Colonel, NH Army National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#E. Authorized the confirmation of Lieutenant Colonel Jeremy D. Bird, Lawton, OK, to the rank of Lieutenant Colonel, NH Army National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#F. Authorized the confirmation of Major Mark B. Patterson, Weare, NH, to the rank of Lieutenant Colonel, NH Army National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#G. Authorized the confirmation of Captain Logan T. Kenney, Dover, NH, to the rank of Major, NH Army National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#H. Authorized the confirmation of Major Martin F. Isabelle, Rollinsford, NH, to the rank of Lieutenant Colonel, NH Army National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#I. Authorized the confirmation of Captain Jason P. Longvale, Concord, NH, to the rank of Major, NH Army National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

#J. Authorized the nomination of Captain Michelle B. Mastrobattista, Dover, NH, 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.

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

DEPARTMENT OF TRANSPORTATION

#A. Authorized the Bureau of Transportation Systems Management & Operations to enter into a contract amendment with Tilson Technology Management Inc., Portland, ME (originally approved by G&C on 3-22-17, item #23), to continue designing and building the Advanced Transportation Management System on the Frederick E. Everett Turnpike, by extending the completion date from October 30, 2019 to October 30, 2022.

DEPARTMENT OF SAFETY

#B. Authorized the Division of Homeland Security and Emergency Management to enter into a no cost Non-Disclosure Agreement with Safe2Tell Colorado at the Attorney General's Office, Colorado Department of Law for the purpose of building a school safety tip program in NH. Effective upon G&C approval through August 28, 2020.

DEPARTMENT OF ADMINISTRATIVE SERVICES

#C. Authorized the State Surplus Distribution to amend the terms and conditions of the contract with James R. St. Jean Auctioneers, Epping, NH (originally approved by G&C on 12-6-17, item #46), to incorporate Payment Card Industry Data Security Standards compliance requirements, enhance advertising requirements, and update the language specifying the contractor’s liability to any transactional fee. Effective upon G&C approval through December 31, 2022.

REGULAR AGENDA

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

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

#6 Authorized to finalize the determination made by the Commissioner that on September 16, 2019 a Mental Health Worker II at NH Hospital 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.

#7 Authorized to finalize the determination made by the Commissioner that on September 19, 2019 a Mental Health Worker II at NH Hospital 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.

#8 Authorized to finalize the determination made by the Commissioner that on September 13, 2019 a Mental Health Worker Trainee at NH Hospital 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.

#9 Authorized to enter into a **retroactive sole source** amendment to an existing agreement with Lauren A. Hebert, Hermantown, MN (originally approved by the AG on 7-3-18), to participate as a member of the multidisciplinary team to assess and evaluate whether or not a person convicted of a sexually violent offense, who is eligible for release from total confinement, meets the definition of sexual violent predator as defined in the NH RSA 135-E, entitled “Involuntary Civil Commitment of Sexually Violent Predators”, by increasing the price by \$5,750 from \$9,900 to \$15,650 and with no change in the completion date of June 30, 2020. **100% General Funds.**

Division of Medicaid Services

#10 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky, authorized to make a **retroactive** payment to the National Association of Medicaid Directors, Washington, DC, for annual membership dues in the amount of \$8,011. Effective July 1, 2019 through June 30, 2020. **50% General, 50% Federal Funds.**

Division for Children, Youth & Families

#11 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott, authorized to make a one-time unencumbered payment to Georgetown University for a team to participate in The Transforming Juvenile Probation Certificate Program on November 4-8, 2019, in the amount of \$20,000. Effective upon G&C approval. **100% General Funds.**

Division of Public Health Services

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

#12 Authorized to **retroactively** amend an existing memorandum of understanding with the NH Office of Professional Licensure and Certification, Prescription Drug Monitoring Program (PDMP), Concord, NH (originally approved by G&C on 10-31-18, item #22), for the continuation enhancement of PDMP's software to improve opioid-related surveillance and for PDMP to hire two part-time pharmaceutical experts to complete a Data Audit and Compliance Project, by extending the authorization for funding from the Opioid Overdose Crisis Cooperative Agreement Supplement grant from August 31, 2019 to November 30, 2019, with no change to the original price limitation of \$282,750 and no change to the completion date of August 31, 2022.

#13 Authorized 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 in the completion date of June 30, 2021. **100% Other Funds.**

New Hampshire Hospital

#14 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky, authorized to enter into a **retroactive sole source** amendment to an existing agreement with Netsmart Technologies Inc., Overland Park, KS (originally approved by G&C on 11-4-15, item #9), for the provision of hardware, licensed software, system hosting and professional services as part of the NH Hospital Electronic Health Record, Pharmacy Management and Health Information Technology Solution, by increasing the price by \$328,195 from \$4,112,282 to \$4,740,477 and with no change to the completion date of November 30, 2021. **100% Agency Other Funds.**

Behavioral Health

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

#15 Authorized to make a **retroactive** payment of annual membership dues to the National Association of State Mental Health Program Directors, Alexandria, VA, in an amount not to exceed \$8,979. Effective July 1, 2019 through June 30, 2020. **70% General, 30% Federal Funds.**

#16 Authorized to enter into a **sole source** agreement with NH Coalition on Recovery Residences, Boscawen, NH, to provide services to certify and support recovery homes in NH, and to develop and administer a rental assistance program for residents who are entering recovery homes, in an amount not to exceed \$750,000. Effective upon G&C approval through June 30, 2021. **100% Other Funds (Governor's Commission Funds).**

#17 Authorized to exercise a renewal option and amend an existing agreement with RCT Technology Corporation Inc., Indianapolis, IN (originally approved by G&C on 7-10-13, item #57), to provide service and maintenance to the NH Child and Adolescent Needs and Strengths Assessment and the NH Adult Needs and Strengths Assessment data management system, by increasing the price by \$593,887 from \$441,536.50 to \$1,035,423.50, and by extending the completion date from October 31, 2019 to October 31, 2022. **33.33% Federal, 66.67% General Funds.**

#18 Authorized to enter into an agreement with Homestead Inn, Boscawen, NH, to provide Recovery Housing services and supports to individuals with Opioid Use Disorder, in an amount not to exceed \$117,000. Effective upon G&C approval through September 29, 2020. **100% Federal Funds.**

#19 Authorized with Councilor Volinsky recusing himself and Councilor Gatsas voting **no**, to exercise a renewal option to an existing agreement with Harbor Homes Inc., Nashua, NH (originally approved by G&C on 4-19-17, item #14A), to continue providing Mobile Crisis Services and Supports, by increasing the price by \$1,075,742 from \$3,315,097 to \$4,390,839, and by extending the completion date from October 31, 2019 to June 30, 2020. **100% General Funds.**

#20 Authorized to enter into a **sole source** amendment to an existing agreement with The Mental Health Center of Greater Manchester Inc., Manchester, NH (originally approved by G&C on 6-19-19, item #17), to provide mobile crisis services and supports and Projects for Assistance in Transition from Homelessness Program services to individuals who are in crisis related to their opioid use or post opioid overdose, by increasing the price by \$112,844 from \$1,131,240 to \$1,244,084 with no change in the completion date of September 29, 2020. **100% Federal Funds.**

#21 **WITHDRAWN** – The agency withdrew the request to enter into a **sole source** agreement with Granite Pathways, Concord, NH, to provide housing supports to individuals with Substance Use Disorders who are either re-entering the community after incarceration or who are participating in the NH drug court program, in an amount not to exceed \$950,000. Effective upon G&C approval through December 31, 2020. **100% Other Funds.**

Division for Children, Youth and Families

#22 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott, authorized to enter into an agreement with Theresa M. McCafferty, Stoddard, NH, to provide master licensed alcohol and drug counseling services in the Keene District Office, in an amount not to exceed \$87,750. Effective upon G&C approval through June 30, 2020. **80% Federal, 20% General Funds.**

Division of Economic & Housing Stability

#23 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott, authorized to enter into **sole source** agreements with the vendors as detailed in letter dated September 30, 2019, to provide Permanent Housing programs and Supportive Services to individuals and families facing homelessness through the Federal Continuum of Care Program in an amount not to exceed \$443,456. Effective upon G&C approval. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

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

#24 Authorized to pay membership dues **retroactively** in the amount of \$83,000 to the American Association of State Highway and Transportation Officials, Washington, DC, for continued membership in the national transportation organization. Effective July 1, 2019 through June 30, 2020. **83% Federal, 17% Highway Funds.**

#25 Authorized the Bureau of Mechanical Services to **retroactively** contract with various private contractors to assist with winter maintenance activities, emergency repair of infrastructure due to flooding or other unexpected natural disasters, along with highway and bridge maintenance efforts. Effective upon G&C approval through June 30, 2021.

#26 Authorized the Bureau of Right of Way to sell a 0.19 +/- acre parcel of State owned land located on the Southerly side of Market Street Extension in the City of Portsmouth to the City of Portsmouth for \$1,600 which includes a \$1,100 Administrative Fee. Originally purchased with 80% Federal, 20% Highway Funds.

#27 Authorized the Office of Asset Management, Performance, & Strategy to enter into an agreement with the firm of Cambridge Systematics Inc., Medford, MA, for an amount not to exceed \$1,500,000 for on-call asset management related consulting services. Effective upon G&C approval through October 31, 2022. **100% Federal Funds.**

#28 Authorized the Office of Federal Compliance to enter into a contract with RND Consultants Inc., Boston, MA, to provide business development training and resources to Disadvantaged Business Enterprise firms, based on a bid received in a low bid process, for a total fee of \$44,577. **100% Federal Funds.**

#29 Authorized the Bureau of Right of Way to pay a property owner \$9,600 as documented in the Contemplated Awards List, for amounts greater than \$5,000 for the period extending from August 24, 2019 through September 11, 2019.

#30 Authorized the Bureau of Rail & Transit to pay the Greater Derry-Salem Cooperative Alliance for Regional Transportation (CART), Londonderry, NH, to provide half of the funds required to match Federal Transit Administration grant funds for eligible revenue rolling stock and related capital equipment to support CART. Effective upon G&C approval and available until expended. **100% State Capital Funds.**

#31 Authorized the Bureau of Rail & Transit to pay the Manchester Transit Authority, Manchester, NH, an amount not to exceed \$268,030 to provide half of the funds required to match Federal Transit Administration grant funds for eligible revenue rolling stock to support Manchester Transit Authority. Effective upon G&C approval and available until expended. **100% State Capital Funds.**

#32 Authorized the Bureau of Rail & Transit to pay the Cooperative Alliance for Seacoast Transportation (COAST), Dover, NH, an amount not to exceed \$225,325 to provide half of the funds required to match Federal Transit Administration grant funds for eligible revenue rolling stock and related capital equipment to support COAST. Effective upon G&C approval and available until expended. **100% State Capital Funds.**

#33 Authorized the Office of Federal Compliance to enter into a contract with Hessel & Associates LLC, Brattleboro, VT, to provide employment outreach and placement services for minorities and female candidates under the NH On-the-Job Training program necessary to meet Federally mandated EEO/Affirmative Action requirements in accordance with Title VI of the Civil Rights Act of 1964, based on a single bid received in a low bid process, for a total fee of \$24,353. Effective upon G&C approval through September 30, 2020. **100% Federal Funds.**

#34 Authorized the Bureau of Planning & Community Assistance to enter into an agreement with the City of Lebanon, to provide funding and services under the Federal Surface Transportation Block Grant Program through a Local Project Administration process, for an amount totaling \$2,430,864. Effective upon G&C approval through June 30, 2023. **100% Federal Funds.**

#35 Authorized to accept and place on file the Bureau of Highway Maintenance plans to increase the hourly rental rates for private contracted rental equipment including winter maintenance plow and hauling trucks by 10% consistent with the approved Fiscal Year 2020 and 2021 budget, for five year terms, with the option to exercise an additional five years upon G&C approval. Funding is through the Highway & Turnpike Fund.

#36 Authorized the Bureau of Transportation Systems Management & Operations to enter into an agreement with DTN LLC, Omaha, NE, for the DTN Weather Forecast Services, based on a single bid received in the amount of \$11,875. Effective upon G&C approval through September 30, 2020. **59% Highway, 39% Turnpike (Intra-Agency Transfers), 2% Other (Private/Local) Funds.**

#37 Authorized the Bureau of Aeronautics to provide funding to the City of Keene, NH, to design the rehabilitation and extension, marking, lighting and signing of Taxiway A and associated taxiways-Phase I (design, permit bid) at the Dillant-Hopkins airport in Keene, NH, in the amount of \$358,378. Effective upon G&C approval through June 27, 2023. **95% Federal, 5% General Funds.**

#37A Authorized the Bureau of Turnpikes to enter into a memorandum of agreement with Manchester Community College (MCC), to provide emergency access from the F.E. Everett Turnpike and accept reimbursement from MMC for construction costs of the access road, in the amount of \$68,710.19. (2)Further authorized to accept and expend revenue in the amount of \$68,710.19 from MCC, for reimbursement of construction expenditures for an emergency access located approximately 950 feet north of the I-293 bridge over NH 3A at the Exit 7 interchange. Effective upon G&C approval through June 30, 2020. **97.9% Turnpikes, 2.1% Private Local Income.**

#37B Authorized the Bureau of Transportation Systems Management and Operations to enter into a Cooperative Agreement with the State of Maine to allow the department to bill the Maine Department of Transportation and the Maine Turnpike Authority for costs associated with design of Intelligent Transportation Systems improvements on the Piscataqua River Bridge (NH Br. Nos 257/127 and 258/128) carrying I-95 over the Piscataqua River between Portsmouth, NH, and Kittery, ME. Effective upon G&C approval and continuing through the completion of the project design, in accordance with the Department's 10-Year Transportation Improvement Plan. **33.3% NHDOT, 33.3% MDOT, 33.3% MTA Funds.**

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

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

#38 Authorized to award a grant to the County of Cheshire, Keene, NH, in the amount of \$300,000 for the purpose of providing funds to the Monadnock Economic Development Corporation to provide a loan to Compass Innovative Behavior Strategies LLC. Effective October 23, 2019 through June 30, 2021. **100% Federal Funds.**

#39 Authorized to award a grant to the Town of Lisbon, NH, in the amount of \$12,000 to support the Lisbon Public Library ADA feasibility study. Effective October 23, 2019 through December 31, 2021. **100% Federal Funds.**

#40 Authorized to award a grant to the Town of Newport, NH, in the amount of \$125,925 to support the Riverbend Emergency Water Pump project. Effective October 23, 2019 through June 30, 2021. **100% Federal Funds.**

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

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

#41 Authorized the Division of Technical Professions to **retroactively** renew membership with the National Association of State Boards of Accountancy, Nashville, TN, in the amount of \$5,300. Effective August 1, 2019 through July 31, 2020. **100% Other Funds.**

#41A Authorized to **retroactively** renew membership with the Council of Landscape Architectural Registration Boards, Reston, VA, in the amount of \$5,995. Effective October 1, 2019 through September 30, 2020. **100% Other Funds.**

DEPARTMENT OF AGRICULTURE MARKETS & FOOD

#42 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky, authorized the Division of Pesticide Control to enter into a **retroactive** Cooperative Project Agreement with the University of NH Sponsored Programs Administration, Durham, NH, for the advancement of pesticide education in NH, in the amount of \$21,919. Effective upon G&C approval through March 31, 2020. **100% Agency Income.**

NEW HAMPSHIRE COMMISSION FOR HUMAN RIGHTS

#43 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Gatsas, authorized to accept and expend federal revenues, received from the US Equal Employment Opportunity Commission, in the amount of \$6,400. Effective upon G&C approval through June 30, 2020. **100% Federal Funds.**

PUBLIC UTILITIES COMMISSION

#44 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Volinsky, authorized to continue membership and participation in the New England Conference of Public Utilities Commissioners Inc., for an amount of \$24,000. Effective October 1, 2019 through September 30, 2020. **100% Other Funds (Utilities Assessment).**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

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

#45 Authorized to enter into a **sole source** contract with Barrie Miller's Well & Pump Service Inc., Hillsborough, NH, to install test wells and construct a new water supply well once suitable location is determined at the Milford State Fish Hatchery, in the amount of \$108,600. Effective upon G&C approval through December 31, 2020. **46% Capitol, 54% Fish and Game Funds.**

#46 Authorized to enter into a contract with Tanner Hill Milling and Construction of Shelburne, NH, to remove three underground storage tanks at Berlin State Fish Hatchery, in the amount of \$12,900. Effective upon G&C approval through June 30, 2020. **100% Capital Funds.**

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

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

#47 Authorized the Division of Parks and Recreation, Cannon Mountain Aerial Tramway & Ski Area to enter into a memorandum of agreement with Littleton Chevrolet Inc., Littleton, NH, to be Cannon's Official Car Dealership which will provide to Cannon Mountain, three usage vehicles for co-branded marketing purposes and other promotional services. Effective October 23, 2019 through October 22, 2022. **100% Agency Income.**

#48 Authorized the Division of Parks and Recreation, Cannon Mountain and Franconia Notch State Park to enter into a **sole source retroactive** contract with AC Electric Corp., Auburn, ME, for the rewind and reconditioning of the Peabody Express Quad Detachable Ski Lift 600HP DC Motor, in the amount of \$47,655. Effective August 1, 2019 through November 1, 2019. **100% Other Funds (Cannon Mountain Capital Improvement Fund).**

DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS

#49 The Governor and Council on motion of Councilor Cryans, seconded by Councilor Volinsky, authorized the Office of Workforce Opportunity to enter into a contract for services with Thomas P. Miller and Associates, Indianapolis, IN, for the development of the Workforce Innovation and Opportunity Act Combined State Plan, for \$68,650. Effective upon G&C approval through June 30, 2020. **100% Federal WIOA Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

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

#50 Authorized to award an Aquatic Resource Mitigation Fund Grant to The Nature Conservancy, Concord, NH, in the amount of \$50,000 to acquire a 30-acre parcel located in the heart of the Crommet Creek Conservation Area in Durham. Effective upon G&C approval through June 30, 2020. **100% Arm Funds.**

#51 Authorized to enter into **sole source** contracts with the entities as detailed in letter dated September 25, 2019, in the amount of \$44,636 for surficial and bedrock geologic mapping services. Effective upon G&C approval through September 14, 2020. **100% Federal Funds.**

#52 Authorized to enter into an agreement with JWC Enterprises Inc., Milford, NH, for analytical laboratory testing services, in the amount of \$54,885. Effective upon G&C approval through June 30, 2022. **100% WRBP Funds.**

#53 Authorized to award a grant to the Monadnock Conservancy, Keene, NH, in the amount of \$87,000 to purchase 29 acres of land in the Town of Walpole to protect drinking water supply. Effective upon G&C approval through December 31, 2019. **100% Drinking Water/Groundwater Trust Fund.**

#54 Authorized to enter into a **sole source** agreement with the Rockingham Planning Commission, Exeter, NH, in the amount of \$80,000 to complete the Seacoast Transportation Corridor Vulnerability Assessment and Plan. Effective upon G&C approval through March 31, 2021. **100% Federal Funds.**

#55 Authorized a clean water state revolving fund loan agreement with the City of Berlin in an amount not to exceed \$848,620 to finance the Infiltration & Inflow Reduction – Phase 2 Contract 1 project. Effective upon G&C approval. **83% Federal, 17% Capital (Other) Funds.**

#56 Authorized a clean water state revolving fund loan agreement with the City of Rochester, in an amount not to exceed \$3,000,000 to finance the Biosolids Dewatering Facility and Carbon Storage Building project. Effective upon G&C approval. **83% Federal, 17% Capital (Other) Funds.**

#57 Authorized a clean water state revolving fund loan agreement with the Town of Bennington, in an amount not to exceed \$30,000 to finance the Wastewater System Asset Management Program project. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#58 Authorized to **retroactively** pay membership dues to the Coastal States Organization, Washington, DC, in the amount of \$8,544. Effective July 1, 2019 through June 30, 2020. **100% Federal Funds.**

#59 Authorized to **retroactively** pay the 2020 membership dues to The Environmental Council of the States, Washington, DC, in the amount of \$13,000. Effective October 1, 2019 through September 30, 2020. **100% Federal Funds.**

#60 Authorized a clean water state revolving fund loan agreement with the City of Claremont, in an amount not to exceed \$689,000 to finance the WWTF Aeration Blower Replacement project. Effective upon G&C approval. **83% Federal, 17% Capital (Other) Funds.**

#61 Authorized to transfer a wetlands permit issued to David W. Ayer Revocable Trust (originally approved by G&C on 3-13-19, item #79), to the new owners of the property, One Home Builders II LLC, to perform work on Cocheco River in Dover.

#62 Authorized to transfer a wetlands permit issued to Brian Short (originally approved by G&C on 3-7-18, item #46), to the new owners of the property, Mandy and Steve Huff, to perform work on Piscataqua River in Dover.

#63 Authorized Hampton Marina LLC's request to perform work on Hampton River in Hampton.

#64 Authorized City of Dover's request to perform work on Bellamy River in Dover.

#64A Authorized to **retroactively** pay the 2020 membership dues to the Northeast Waste Management Officials' Association, Interstate Mercury Education & Reduction Clearinghouse, Boston, MA, in the amount of \$5,500. Effective October 1, 2019 through September 30, 2020. **100% Hazardous Waste Clean-up Funds.**

#64B Authorized to **retroactively** pay the fiscal year 2020 membership dues to the NorthEast Recycling Council Inc., Brattleboro, VT, in the amount of \$3,000 for the period of July 1, 2019 through June 30, 2020. **100% General Funds.**

#64C Authorized to enter into an agreement with the Four Seasons Property Owner's Association Inc., to complete the *Baboosic Lake Watershed Plan Implementation Phase 4: Four Seasons Beach Area Best Management Practices*, in the amount of \$60,000. Effective upon G&C approval through December 31, 2021. **100% Federal Funds.**

DEPARTMENT OF EDUCATION

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

#65 Authorized to accept a contribution to the Department of Education's Teacher of the Year Fund in the amount of \$5,000 from Geskus Studios and Yearbook Publishing. Effective upon G&C approval.

#66 Authorized the Bureau of Student Wellness, Office of Social & Emotional Wellness to amend a **sole source** contract with National Alliance on Mental Illness NH, Concord, NH (originally approved by G&C on 10-2-17, item #37), to provide additional support services in the expansion of NH's System of Care, by increasing the price by \$85,482.88 from \$309,851.15 to \$395,334.03. Effective upon G&C approval through September 29, 2020. **100% Federal Funds.**

#67 Authorized the Bureau of Vocational Rehabilitation to enter into a contract with Northeast Deaf and Hard of Hearing Services Inc., Concord, NH, to provide Independent Living, Part B services, in an amount not to exceed \$125,380. Effective upon G&C approval through September 30, 2021. **100% Federal Funds.**

#68 Authorized to enter into a contract with Panorama Education Inc., Boston, MA, to provide data for reporting requirements in the NH Department of Education, Bureau of Student Support, State Performance Plan and Annual Performance Report, in an amount not to exceed \$200,000. Effective upon G&C approval through December 31, 2021, with an option to renew for an additional two years. **100% Federal Funds.**

#69 Authorized the Bureau of School Finance, to enter into a **sole source** contract with RWS Technology LLC, Gilford, NH, to execute the expansion, development and implementation of a web-based financial reporting system, and augmentation of the Grants Management System, in an amount not to exceed \$168,000. Effective upon G&C approval through June 30, 2020. **100% Federal Funds.**

#70 Authorized to amend a contract, on a **sole source** basis, with Scholastic Inc., New York, NY (originally approved by G&C on 8-2-17, item #34), to provide additional services for the NH Special Education Family and School Partnership Initiative, by increasing the price by \$45,000 from \$1,171,086 to \$1,216,086. Effective upon G&C approval through June 30, 2020. **100% Federal Funds.**

DEPARTMENT OF SAFETY

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

#71 Authorized the Division of Fire Standards and Training and Emergency Medical Services to **retroactively** pay an invoice in the amount of \$1,750.24 to Johnson Controls, Nashua, NH, for the replacement of all batteries in a fire alarm panel and NAC boosters. Effective upon G&C approval. **100% Revolving Funds.**

#72 Authorized the request of the Division of State Police for one Trooper to travel over 300 miles one way in a State Police issued unmarked state vehicle to attend the FBI National Academy – 278th Session in Quantico, VA, from October 6, 2019 through December 21, 2019, in the amount of \$1,570.32. Effective upon G&C approval. **48.64% General, 28.31% Turnpike, 23.05% Highway Funds.**

#73 Authorized the Division of State Police to enter into a contract with USI Insurance Services LLC, to provide aircraft liability and inland marine insurance coverage for State Police aircraft in an amount not to exceed \$13,491. Effective November 1, 2019 to November 1, 2020. **48.64% General, 28.31% Turnpike, 23.05% Highway Funds.**

#74 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Seabrook, to purchase and install security cameras at the Town's Waste Water Treatment Facility for a total amount of \$35,402. Effective upon G&C approval through September 30, 2020. **100% Federal Funds.**

#75 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Hanover to update their Local Emergency Operations Plan, for a total amount of \$5,000. Effective upon G&C approval through September 30, 2020. **100% Federal Funds.**

#76 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with SAU #79/Gilmanton School District to purchase and install a generator at Gilmanton Elementary School, the Town of Gilmanton's primary shelter, for a total amount of \$54,507. Effective upon G&C approval through September 30, 2020. **100% Federal Funds.**

#77 Authorized the Division of State Police to **retroactively** pay Matthew Amatucci the amount of \$3,398.91 for the period of May 25, 2018 to June 30, 2019 as his increment date was not updated in the system after his promotion. Effective upon G&C approval. **94% Agency Income, 6% General Funds.**

#78 Authorized the Division of State Police to accept and expend \$10,000 of federal funds from the Department of Safety, Office of Highway Safety that will be used by the Division of State Police to conduct patrols known as "Pedestrian Bicycle". Effective upon G&C approval through September 30, 2020. **100% Agency Income.**

#79 Authorized the Division of State Police to **retroactively** pay annual membership dues in the amount of \$6,000 to the National Association of State Boating Law Administrators Inc., Lexington, KY. Effective October 1, 2019 through September 30, 2020. **100% Federal Funds.**

#80 Authorized the Division of Fire Standards and Training and Emergency Medical Services to **retroactively** pay invoices in the amount of \$11,912.26 to Lakes Region Fire Apparatus Inc., W. Ossipee, NH, for vehicle repair work on State vehicle EQ#3164. Effective upon G&C approval. **100% Revolving Funds.**

#81 Authorized the Division of State Police to accept and expend \$100,000 from the Massachusetts Office of the Attorney General to further enhance public safety efforts to investigate and combat the sale and distribution of illegal narcotics. Effective upon G&C approval through August 31, 2020. **100% Agency Income.**

#82 Authorized the Division of Fire Safety to enter into a memorandum of understanding with DOS Division of Fire Standards and Training and Emergency Medical Services in the amount of \$50,000 to support the hazardous materials training program. Effective upon G&C approval through September 30, 2020. **100% Federal Funds.**

#83 Authorized the Division of Fire Standards and Training and Emergency Medical Services to enter into a grant agreement with the Town of Epping for a total amount of \$72,181 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.**

#84 Authorized the Division of Emergency Services and Communications to amend its **sole source** contract with Motorola Solutions Inc. (originally approved by G&C on 1-30-08, item #62), for the purpose of upgrading and replacing the Department's existing legacy radio environment, by increasing the price by \$103,056.50 from \$4,998,000 to \$5,101,056.50. Effective upon G&C approval through June 30, 2020. **100% Capital Funds.**

#85 Authorized the Office of the Fire Marshal to enter into a **sole source** contract with AristaTek Inc., Laramie, WY, for procure Palmtop Emergency Action for Chemicals Software, in a total amount of \$57,290. Effective upon G&C approval through September 18, 2022, with an option to renew for two additional years. **100% Federal Funds.**

#86 NOT USED

DEPARTMENT OF JUSTICE

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

#87 Authorized to **retroactively** enter into contract agreements totaling \$67,260 with the subgrantees as detailed in letter dated October 4, 2019, for the purpose of providing residential substance abuse treatment programs from the Federal Residential Substance Abuse Treatment Grant Program. Effective October 1, 2019 through September 30, 2021. **100% Federal Funds.**

#88 Authorized to **retroactively** amend an existing subgrant to Sullivan County Department of Corrections, Claremont, NH (originally approved by G&C on 5-2-18, item #103), for the purpose of providing residential substance abuse treatment programs from the Federal Residential Substance Abuse Treatment Grant Program, by extending the end date from September 30, 2019 to September 30, 2020. No Additional Funding.

#89 Authorized to enter into a **sole source** contract with Michele Stauffenberg, M.D., Happy Valley, OR, 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 28, 2019 to November 1, 2019. Effective upon G&C approval through December 16, 2019. **100% General Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

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

#90 Authorized to accept and place on file the report containing a list of vendors that agencies have contracted with for the period of July 1, 2019 through September 30, 2019.

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

#92 Authorized to enter into a contract with USI Insurance Services LLC, for the purchase of fleet insurance coverage for state-owned vehicles, in an amount not to exceed \$2,287,118. (2)Further authorized a contingency in the amount of \$228,712 to cover any additional premium, bringing the total amount not to exceed to \$2,515,830. Effective November 1, 2019 through November 1, 2022. **100% Agency Funds.**

#93 Authorized the Division of Public Works Design and Construction to enter into a contract with Turnstone Corporation, Milford, NH, for the Main Building North ADA Access & Emergency Egress, Concord, NH, for a total price not to exceed \$1,456,300. (2)Further authorized a contingency in the amount of \$61,700 for unanticipated site expenses, bringing the total to \$1,518,000. (3)Further authorized the amount of \$25,000 for payment to the Department of Administrative Services, Division of Public Works Design and Construction, for engineering services provided, bringing the total to \$1,543,000. Effective upon G&C approval through October 30, 2020. **100% Capital-General Funds.**

#94 Authorized the Division of Personnel and the Bureau of Education and Training to enter into a lease agreement with FourKPH LLC, Manchester, NH, for the purpose of providing approximately 9,236 square feet of space at 54 Regional Drive in Concord, NH, for an amount not to exceed \$973,382. Effective April 1, 2020 through March 31, 2025. **38% Revolving, 62% General Funds.**

#95 NOT USED

#96 Authorized the Division of Public Works Design and Construction to enter into a contract with Turnstone Corporation, Milford, NH, for Toilet Room and Sewer Repairs, Archives and Record Management Building, Concord, NH, for a total price not to exceed \$221,000. (2)Further authorized the amount of \$11,000 for payment to the Department of Administrative Services, Division of Public Works Design and Construction, for engineering services provided, bringing the total to \$232,000. Effective upon G&C approval through January 17, 2020. **100% Capital-General Funds.**

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LATE ITEMS

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

NEW HAMPSHIRE STATE TREASURY

#A Authorized, on behalf of the Department of Administrative Services, to enter into an equipment Lease/Purchase Agreement with Banc of America Public Capital Cooperation, in the amount not to exceed \$2,926,839, and to enter into an Escrow and Account Control Agreement dated as of October 30, 2019 by and among the State, Banc of America Public Capital Corporation and Bank of America, National Association, as escrow agent, with such authorization. Effective upon Governor and Council Approval, through June 30, 2039. (2)Further authorized to encumber funds for repayment to Banc of America Public Capital Corporation, in the estimated amount not to exceed \$3,688,225.66, for the payment of construction financing of a contract with Ameresco Inc., to install energy and fossil fuel energy conservation measures at 21 state owned buildings located at various locations in the State. Effective April 1, 2021 through June 30, 2039.

DEPARTMENT OF ADMINISTRATIVE SERVICES

#B Authorized to enter into a contact with Ameresco Inc., Framingham, MA, to install energy conservation measures at twenty-nine state owned buildings located in the Seacoast Region. The cost to implement the various energy conservation measures is \$2,926,839. The project includes monitoring and verification for 5 years after the date of final completion. (2)Further authorized to install and pay for additional energy and fossil fuel energy conservation measures with the use of any rebates or grants that may be obtained during the life of the project, for a cost not to exceed \$246,712. These energy and fossil fuel energy conservation measures are contingent on receipt of any rebates and or grants. Effective upon Governor and Council approval through March 31, 2026. Funding provided by Banc of America Public Capital Corp will be deposited into an escrow account and available to the Department of Administrative Services, Employment Security, Fish & Game Department, Department of Natural & Cultural Resources, and the Department of Transportation in SFY2020 and SFY2021 to pay Ameresco Inc., for work performed under the contract.

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The Next regular Governor and Executive Council meeting is scheduled for Wednesday November 6, 2019, at the State House, Concord, New Hampshire.

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