

GOVERNOR AND EXECUTIVE COUNCIL AGENDA
State House, Concord, New Hampshire
November 22, 2017, 10:00 a.m.

CONSENT CALENDAR AGENDA

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

DEPARTMENT OF SAFETY

#A. Authorize 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 in the amount of \$14,314.88 to attend the National Forensic Academy in Oak Ridge, TN, from January 6, 2018 through March 18, 2018. Effective upon G&C approval. **94% General, 6% Other (Plea by Mail).**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Bureau of Human Resource Management

#B. Authorize to enter Daniella L. Bove into an educational tuition agreement with Franklin Pierce University, Manchester, NH, to participate in Intro to Social Work for the period of January 22, 2018 through March 17, 2018, and to pay said costs in the amount of \$994.50. **100% General Funds.**

INSURANCE DEPARTMENT

#C. Authorize to enter Jennifer Goodwin into an educational tuition agreement with College for America at Southern NH University, to participate in 12 Completed Competencies during the period of January 1, 2018 through June 30, 2018, and to pay costs not to exceed \$1,500. **Agency Income.**

INSURANCE DEPARTMENT

#D. Authorize to enter Maureen Belanger into an educational tuition agreement with College for America at Southern NH University, to participate in 24 Completed Competencies, during the period of January 1, 2018 through June 30, 2018, and to pay said costs not to exceed \$1,500. **Agency Income.**

NEW HAMPSHIRE LOTTERY COMMISSION

#E. Authorize to enter Sandy Goulet into an educational tuition agreement with Southern NH University, Manchester, NH, to participate in 2 courses: 1) Auditing and Forensic Accounting; and 2) Global Society, during the period of January 8, 2018 through March 4, 2018, and to pay costs not to exceed \$1,728 in FY 2018. **Lottery Funds.**

STATE TREASURY

#F. Authorize the Comptroller to issue a warrant from funds not otherwise appropriated in the amount of \$73,501 and the State Treasurer to issue checks in the amount of \$73,500.09 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Division for Children, Youth and Families

#G. Authorize to pay an annual membership fee to the Association of Administrators of the Interstate Compact on Adoption and Medical Assistance, Washington, DC, in the amount of \$5,000. Effective January 1, 2018 through December 31, 2018. **50% Federal, 50% General Funds.**

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

#H. Authorize the Division of Forests and Lands to expend \$9,702 for membership dues in the National Association of State Foresters. Effective upon G&C approval through September 30, 2018. **100% General Funds.**

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

DEPARTMENT OF SAFETY

#A. Authorize the Division of State Police to accept the donation of six (6) suppressors for the SWAT Unit's rifles with a value of \$6,570 from Sig Sauer. Effective upon G&C approval.

DEPARTMENT OF SAFETY

#B. Authorize to accept donations of used office furniture worth an estimated used retail value of \$13,381 from Select Demo Services LLC, Salem, NH and from Sterling Office Moving of Chelmsford, MA for the purpose of providing furniture at various office locations throughout the Department.

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

BANKING DEPARTMENT

#A. Authorize to accept and place on file the Annual Report for calendar year ending December 31, 2016.

UNIVERSITY SYSTEM OF NEW HAMPSHIRE

#B. Authorize to accept and place on file the Annual Report for the fiscal year ended June 30, 2017.

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

#C. Authorize to accept and place on file the Biennial Report of the period of July 1, 2015 through June 30, 2017 (FY 16 & 17).

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

THE ADJUTANT GENERALS DEPARTMENT

#A. Authorize the nomination of Major Daniel C. Sawicki for appointment to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

THE ADJUTANT GENERALS DEPARTMENT

#B. Authorize the confirmation of Major Scott M. Treadwell for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

THE ADJUTANT GENERALS DEPARTMENT

#C. Authorize the confirmation of Captain Angela M. Thornton for promotion to the rank of Major, NH Air National Guard.

THE ADJUTANT GENERALS DEPARTMENT

D. Authorize the confirmation of Captain Gary M. Costanzo for promotion to the rank of Major, NH Air National Guard.

DEPARTMENT OF JUSTICE

#E. Authorize to appoint Scott Chase as an Attorney at a salary of \$60,731.25. Effective upon G&C approval or November 24, 2017, whichever is the latter.

DEPARTMENT OF JUSTICE

#F. Authorize to reappoint Lisa M. English as an Assistant Attorney General at a salary level of \$88,920. Effective December 11, 2017 through December 11, 2022.

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

DEPARTMENT OF ENVIRONMENTAL SERVICES

#A. Authorize to amend a **sole source** agreement with the Belknap County Conservation District, Gilford, NH (originally approved by G&C on 5-8-14, item #71), for the *Gunstock Brook: Implementation of Meredith, Paugus, and Saunders Bays Watershed Management (Phase I) Geomorphology-based Restoration at Route 11B Mass Failure/Wasting Site* project, by extending the completion date to September 30, 2018 from December 31, 2017. **100% Federal Funds.**

REGULAR AGENDA

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Bureau of Human Resource Management

#6 Authorize to finalize the determination made by the Commissioner that on October 23, 2017 a Registered Nurse II at New Hampshire 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 Authorize to make a **retroactive** one-time payment from SFY 2018 funds to Dodji Aboussa, Mental Health Worker II, at New Hampshire Hospital in the amount of \$5,920.10 to compensate for wages that were not paid for SFY 2016 and 2017. **34% General, 20% Federal, 46% Agency Income (provider fees) Funds.**

#8 Authorize to make a **retroactive** one-time payment from SFY 2018 funds to Samantha Barnes, Mental Health Worker II, NH Hospital, in the amount of \$1,482.20 to compensate for wages that were not paid for SFY 2017. **34% General, 20% Federal, 46% Agency Income (provider fees) Funds.**

#9 Authorize to make a **retroactive** one-time payment from SFY 2018 funds to Raouf Benlhoucine, Registered Nurse II, at NH Hospital, in the amount of \$2,256.28 to compensate for wages that were not paid for SFY 2017. **34% General, 20% Federal, 46% Agency Income (provider fees) Funds.**

#10 Authorize to make a **retroactive** one-time payment from SFY 2018 funds to Naomi Kruger, Registered Nurse II, at NH Hospital in the amount of \$928.57 to compensate for wages that were not paid for SFY 2017. **34% General, 20% Federal, 46% Agency Income (provider fees) Funds.**

#11 Authorize to make a **retroactive** one-time payment from SFY 2018 funds to Andrew Robertson, Registered Nurse II, at NH Hospital in the amount of \$1,249.36 to compensate for wages that were not paid for SFY 2017. **34% General, 20% Federal, 46% Agency Income (provider fees) Funds.**

Office of Human Services

#12 Authorize the Division for Children, Youth and Families, Sununu Youth Services Center, to accept and expend the monies from the Department of Administrative Services, Bureau of Plant/Property Management Recycling Fund in the amount of \$2,750. Effective upon G&C approval through June 30, 2018. **100% Other Funds.**

Division for Children, Youth and Families

#13 Authorize to enter into an agreement with Becket Academy Inc., d/b/a Becket Family Services, for the provision of a minimum of 12 beds, to 16 beds statewide which shall be available for male and female youth in a short-term staff secure shelter care facility known as Becket Family Services, Hampton, NH, in an amount not to exceed \$3,988,164. Effective upon G&C approval through August 31, 2019. **50% Federal, 50% General Funds.**

Division of Family Assistance

#14 Authorize to enter into a **retroactive** agreement and amend an existing contract with the University of NH, Durham, NH (originally approved by G&C on 11-4-15, item #11), for the provision of nutrition education and obesity prevention services for Food Stamp recipients and other low income individuals who are eligible to receive Supplemental Nutrition Assistance Program or benefits from other means-tested Federal assistance programs, by increasing the price by \$2,016,558 from \$2,048,434 to an amount not to exceed \$4,064,992, and by extending the completion date from September 30, 2017 to September 30, 2019, to be effective **retroactive** to October 1, 2017. **100% Federal Funds.**

Bureau of Homeless and Housing Services

#15 Authorize to enter into **sole source** agreements with the vendors as detailed in letter dated October 20, 2017, to provide permanent housing programs to chronically homeless individuals and families through the Federal Continuum of Care program, in an amount not to exceed \$235,695. Effective upon G&C approval. **100% Federal Funds.**

New Hampshire Hospital

#16 Authorize to renew a 15% base hourly wage enhancement to nursing staff currently paid under the Institutional Nurse pay scale for recruitment and retention purposes, by increasing the funding by \$474,494 for the balance of 5 months in SFY 2015; \$1,188,183 in SFY 2019 and \$594,092 in SFY 2020. Funds are available for SFY 2018/2019 as this enhancement was budgeted for the entire biennium. Funds are anticipated to be available in SFY 2020. Effective upon G&C approval or January 14, 2018, whichever is later, through January 13, 2020 or period of 24 months from date of such approval, whichever is later. **34% General, 46% Other, 20% Federal Funds.**

#17 Authorize, with Glencliff Homes, to exercise renewal options and amend existing agreements with the vendors as detailed in letter dated October 30, 2017, (originally approved by G&C on 6-1-16, item #14), for the provision of temporary nurse staffing services, by increasing the shared price by \$1,540,000 from \$5,970,000 to an amount not to exceed \$7,510,000, and by extending the completion date for MAS Medical Staffing Corporation, Innovent Global Inc., and Circharo Acquisition LLC from June 30, 2018 to June 30, 2019 with no change to the completion date for Howroyd-Wright Employment Agency Inc., d/b/a All's Well and InSync Consulting Services LLC of June 30, 2019. **Glencliff Home: 80% Other, 20% General Funds; NH Hospital: 34% General, 46% Other (provider fees), 20% Federal Funds.**

Division of Public Health Services

#18 Authorize the Bureau of Population Health and Community Services, Maternal & Child Health Section, Injury Prevention Program to enter into a memorandum of agreement with the Department of Justice, Concord, NH, to engage in collection of data related to opioid overdose deaths as instructed in the Enhanced State Surveillance of Opioid-involved Morbidity and Mortality Grant, in the amount of \$174,091. Effective **retroactive** to March 8, 2017 through August 31, 2019. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

#19 Authorize to accept and place on file the Bureau of Right of Way's Contemplated Award List for amounts less than \$5,000 for the sum total of \$37,928.12 for the period extending from July 1, 2017 through September 30, 2017.

#20 Authorize the Bureau of Right of Way to pay property owners \$116,059 as documented in the Contemplated & Damage Awards List for amounts greater than \$5,000 for the period extending from October 16031, 2017. Effective upon G&C approval.

#21 Authorize to accept and place on file the Bureau of Highway Design's annual basis summary of Special, Supplemental, and Account agreements (and their amendments) with utilities, municipalities and railroad entities that result from impacts to their facilities because of Department administered construction projects for fiscal year ending June 30, 2017.

#22 Authorize the Bureau of Materials & Research to continue **sole source** participation in the American Association of State Highway and Transportation Officials resource accreditation program, Washington, DC, in the amount of \$20,000. Effective upon G&C approval through September 30, 2018. **56% Federal, 34% Highway, 10% Other Funds.**

#22A Authorize the Bureau of Turnpikes to exercise a contract renewal option with Travelers Marketing LLC, Wellesley, MA (originally approved by G&C on 11-14-12, item #164), for the Motor Safety Patrol in an amount of \$254,490 increasing the amount from \$518,280 to \$772,770, for a fee to be paid to the Bureau of Turnpikes beginning November 30, 2017 to November 30, 2019.

#22B Authorize the Bureau of Planning and Community Assistance to amend an existing agreement with the Town of Conway (originally approved by G&C on 8-26-15, Late Item A), to provide funding and services under the Federal Surface Transportation Block Grant Program and the State Aid Highway Program through a Local Project Administration process to reconstruct NH 16 (Conway Village Main Street), by increasing the state share from \$2,100,000 to \$2,924,675, an increase of \$824,675, and by extending the expiration date from June 30, 2018 to June 30, 2022. **100% Federal Funds.** (2)Further authorize to increase the State's share of State Aid Highway project costs from 66.67% to 90%, increasing the State's share from \$456,500 to \$616,275, an increase of \$159,775. Effective upon G&C approval. **100% Highway Funds.** (3)Further authorize an additional \$292,467.50 as a contingency for unanticipated site conditions that could be encountered during the project.

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

#23 Authorize the Division of Technical Professions to **retroactively** renew its membership with the Council of Landscape Architectural Registration Boards, Reston, VA, in the amount of \$5,650. Effective October 1, 2017 through September 30, 2018. **100% General Funds.**

INSURANCE DEPARTMENT

#24 Authorize to enter into a contract with Public Consulting Group Inc., Boston, MA, for consulting services in the amount of \$71,881. Effective upon G&C approval through June 30, 2018. **100% Federal Funds.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

#25 Authorize to extend position #9T2673 Program Specialist II, LG 21, in a temporary status for one year. The estimated fiscal impact to SFY 2018-2019 is \$48,236.48. **Federal Funds.**

PUBLIC UTILITIES COMMISSION

#26 Authorize to budget and expend \$50,000 of prior year balance forward funds in the Safety Division's Gas Pipeline Carriers accounting unit to fund the development of an IT solution that will enhance the efficiency and reliability of the Safety Division's inspection database program. Effective upon G&C approval through June 30, 2018. **100% Other Funds.**

#27 Authorize to continue membership and participation in the New England Conference of Public Utilities Commissioners Inc., in the amount of \$24,000. Effective **retroactive** to October 1, 2017 through September 30, 2018. **100% Other Funds (Utilities Assessment).**

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

#28 Authorize the Division of Forests and Lands to enter into a **retroactive** lease agreement with the Federal Bureau of Investigation, a United States Federal Service of Quantico, VA, for equipment and antenna space in designated areas on Mount Washington in Sargent's Purchase, NH. Effective October 1, 2016 through September 30, 2021, with an initial term of one year and four additional option periods. (2)Further authorize to accept an initial annual rent payment of \$6,240 with annual rental payments escalated by 3% for each subsequent year of the lease to be deposited into the "Mt Washington Commission" account.

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

#29 Authorize to accept and expend a grant of \$48,622 from the Wildlife Heritage Foundation of NH for the purpose of funding one project. Effective upon G&C approval through June 30, 2019. **100% Agency Income.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

#30 Authorize to enter into a **sole source** agreement with The Nature Conservancy, Concord, NH, to assist NHDES in the implementation of the NH Tidal Crossing Protocol, in the amount of \$86,259. Effective upon G&C approval through March 31, 2019. **100% Federal Funds.**

#31 Authorize to award state aid grant funds for a wastewater facility project, for the North Conway Water Precinct, NH, in the amount of \$1,294,860. Effective upon G&C approval. **100% General Funds.**

#32 Authorize to amend a **sole source** agreement with the Southwest Region Planning Commission, Keene, NH (originally approved by G&C on 4-19-17, item #47), to complete the *Spofford Lake Watershed-Based Management Plan* by A) changing the expiration date to September 30, 2019 from December 31, 2018, B) changing the tasks in the Scope of Services, and C) increasing the grant limitation by \$36,277 to \$63,077 from \$26,850. Effective upon G&C approval. **100% Federal Funds.**

#33 Authorize to enter into a **sole source** cooperative project agreement with the University of NH, Sponsored Programs Administration, Durham, NH, for the NH Geographically Referenced Analysis and Information Transfer System to upload tidal stream crossing assessment information to the NH Coastal Viewer, in the amount of \$10,500. Effective upon G&C approval through March 31, 2019. **100% Federal Funds.**

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

#35 Authorize to amend a **sole source** agreement with the Rockingham Planning Commission, Exeter, NH (originally approved by G&C on 4-5-17, item #30), by increasing the grant limitation by \$12,120 to \$28,000 from \$15,880 and adding one more task to complete the *Collaborative Engagement and Capacity Building in the Powwow River Watershed*. Effective upon G&C approval through December 31, 2018. **100% Federal Funds.**

DEPARTMENT OF EDUCATION

#36 Authorize to hold the NH Leadership in Education Awards Ceremony at Mill Falls at the Lake, Meredith, NH, on December 7, 2017, for a total meeting cost not to exceed \$3,312.50. Effective upon G&C approval through December 7, 2017. **100% Other Funds (Hannaford Brothers grant).**

#37 Authorize the Division of Career Technology and Adult Learning to enter into a **sole source** contract with NH Jobs for America's Graduates d/b/a NH-JAG, Manchester, NH, to provide the follow-up services to currently active youth in the Manchester Out-of-School Youth Program and Merrimack Valley High School program, in an amount not to exceed \$20,000. (2)Further authorize to make advanced monthly payments for services provided. Effective upon G&C approval through June 30, 2018. **100% Other (WIOA Youth Activities).**

#38 Authorize to enter into a contract with the North Country Education Services Agency, Gorham, NH, to provide supplemental educational support and technical assistance for students of the Migrant Education program, in an amount not to exceed \$80,000. Effective upon G&C approval through June 30, 2018, with the option to renew for up to two additional one-year terms. **100% Federal Funds.**

#39 Authorize to enter into a contract with North Country Special Education Consulting LLC, Patricia Eddy, Lancaster, NH, as a Regional Master Educational Surrogate Parent, who will be responsible for: (1) providing management and support for trained and certified volunteer educational surrogate parents and (2) accepting temporary educational surrogate parent appointments for students in specific situations that require her special education expertise or require immediate appointment. Effective upon G&C approval through June 30, 2019. **100% Federal Funds.**

DEPARTMENT OF SAFETY

#40 Authorize the Division of State Police to restore 235.11 hours of sick leave to a Trooper First Class who suffered a line of duty injury and was unable to perform his normal or routine duties from March 11, 2017 through May 14, 2017.

#41 Authorize the Division of State Police to restore 28.90 hours of sick leave to a Trooper I who suffered a line of duty injury and was unable to perform his normal or routine duties from September 28, 2016 through October 7, 2016.

#42 Authorize the Division of Homeland Security and Emergency Management to accept and expend Hazard Mitigation Grant Program funds from the Federal Emergency Management Agency for the May 2011 Floods in the amount of \$17,193 for the implementation of cost-effective mitigation projects. Effective upon G&C approval through September 28, 2018. **100% Federal Funds.**

#43 Authorize the Division of Homeland Security and Emergency Management to amend the grant agreement with the Town of Plymouth (originally approved by G&C on 12-16-15, item #85), for the purpose of completing the Bell Road Project, by increasing the limitation by \$15,477 from \$126,086 to \$141,563. Effective upon G&C approval through September 28, 2018. **100% Federal Funds**

DEPARTMENT OF JUSTICE

#44 Authorize to grant \$96,200 to the NH Department of Corrections from the Fiscal Year 2018 State Drug Forfeiture fund for the purchase of narcotics analyzers. Effective upon G&C approval through June 30, 2018. **100% State Drug Forfeiture Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

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

#46 Authorize the Division of Public Works Design and Constructions to enter into an agreement with Manypenny Murphy Architecture PLLC, Portsmouth, NH, for Architectural Services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department, in the amount not to exceed \$500,000. Effective upon G&C approval through June 30, 2020.

#47 Authorize the Division of Public Works Design and Construction to enter into an agreement with HEB Engineers Inc., North Conway, NH, for Civil/Structural Services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department, in the amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2020.

#48 Authorize the Division of Public Works Design and Construction to enter into an agreement with SMRT Inc., Portland, ME, for Mechanical Engineering services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department, in the amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2020.

#49 Authorize the Division of Public Works Design and Construction to enter into an agreement with Tennant Goucher Architects PA, Bedford, NH, for Architectural services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department, in the amount not to exceed \$500,000. Effective upon G&C approval through June 30, 2020.

#50 Authorize the Division of Public Works Design and Construction to enter into an agreement with Scott + Partners Inc., Essex, VT, for Architectural services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department, in the amount not to exceed \$500,000. Effective upon G&C approval through June 30, 2020.

#51 Authorize the Division of Public Works Design and Construction to enter into an agreement with SMRT Inc., Portland, ME, for Architectural services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department, in the amount not to exceed \$500,000. Effective upon G&C approval through June 30, 2020.

TABLED ITEMS

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CONSENT CALENDAR AGENDA

#3 **MOP 150, I, B (3): Reports and Findings** – *(Tabled at G&C Meeting 11/8/17)*

NEW HAMPSHIRE HEALTH AND EDUCATION FACILITIES AUTHORITY

#A. **TABLED** – The Governor and Council on motion of Councilor Kenney, seconded by Councilor Wheeler, voted to **table** the request to accept and place on file the Biennial Report and Financial Statements for the Fiscal Years 2016 and 2017.

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DEPARTMENT OF ADMINISTRATIVE SERVICES *(Tabled at G&C Meeting on 8/23/17 & 10/25/17)*
Governor and Council meeting October 25, 2017:

The Governor and Council on motion of Councilor Pappas, seconded by Councilor Volinsky, and with Councilors Kenney and Wheeler voting **no**, voted to remove item #105 from the table.

The Governor and Council on motion of Councilor Pappas, seconded by Councilor Volinsky voted to accept item #105.

After discussion, the Governor and Council on motion of Councilor Kenney, seconded by Councilor Wheeler, and with Councilors Volinsky and Pappas voting **no**, voted to place item #105 back on the table.

#105 **TABLED** – The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Kenney, and with Councilor Pappas voting **no**, voted to **table** the request to accept and place on file the report containing a list of vendors that agencies have contracted with for the period of April 1, 2017 through June 30, 2017.

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DEPARTMENT OF TRANSPORTATION *(Tabled at G&C Meeting on 8/23/17)*

#25 The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Pappas voted to approve requested action #1, the Bureau of Finance & Contracts report that there were no Small Claims that were paid in the previous fourth quarter of FY 2017 for individual amounts less than \$600. (2)**TABLED** – The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Kenney voted to **table** requested action #2, the request to revise the process that was approved by G&C on 7-19-95, item #171, to pay claims and reporting of paid claims from quarterly to annually. (3)The Governor and Council on motion of Councilor Pappas, seconded by Councilor Volinsky, and with Councilor Wheeler voting **no**, approved requested action #3, to **retroactively** pay small claims for the next fiscal year, July 1, 2017 through June 30, 2018. **100% Highway Funds.**