

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
October 16, 2013, 10:00 a.m.

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The Governor and Executive Council convened at 10:00 a.m. with Councilor Van Ostern, Councilor Sununu, Councilor Pappas, and Councilor Pignatelli present in person, and Councilor Burton was present via teleconference.

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The Governor asked that those councilors participating by telephone identify themselves and identify anyone else who is physically present with them at the location from which they are participating.

Councilor Burton was participating by telephone from his home office. He identified himself and indicated that he was alone.

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Councilor Pignatelli led the Pledge of Allegiance.

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The Governor and Executive Council on motion of Councilor Pappas, seconded by Councilor Pignatelli, accepted the minutes of October 2, 2013.

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The Governor and Executive Council, on motion of Councilor Pignatelli, seconded by Councilor Burton, approved the appointment of several persons nominated for Civil Commissions from the October 2, 2013 meeting.

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

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The Governor and Council, on motion of Councilor Van Ostern, seconded by Councilor Pignatelli, voted to set the date for a *special election for State Representative, Strafford County District 6 (Durham and Madbury)*.

The filing period will begin on October 21, 2013 and end on October 25, 2013. The primary election will be December 17, 2013. The special election will be February 4, 2014.

The Governor and Council on motion of Councilor Pappas, seconded by Councilor Van Ostern, and with Councilor Sununu voting **no**, and further on a roll call vote as follows: Councilor Burton – yes, Councilor Van Ostern – yes, Councilor Sununu – **no**, Councilor Pappas – yes, and Councilor Pigantelli – yes, voted to accept the Governor’s Proclamation to summon the General Court to convene a Special Session on Thursday November 7, 2013 at 10:00 a.m. and to end on Thursday November 21, 2013.

CONFIRMATIONS

The Governor and Council confirmed the following:

Assessing Standards Board - RSA 21-J:14-a

(Nom. by the NH Assoc. of Assessing Officials- Assessing Official from a city)

Robert J. Gagne, Manchester

Effective: October 16, 2013

Reappointment

Term: September 19, 2015

Assessing Standards Board - RSA 21-J:14-a

(Nom. by the NH Assoc. of Assessing Officials- Assessing Official for a town with a population of less than 3,000)

Todd Haywood, Concord

Effective: October 16, 2013

Reappointment

Term: September 19, 2015

Assessing Standards Board - RSA 21-J:14-a

(Nom. by the NH Assoc. of Assessing Officials- Assessing official of a town with a population of more than 3,000)

Joseph W. Lessard Jr., Salem

Effective: October 16, 2013

Reappointment

Term: September 19, 2015

Community College System of NH Board of Trustees - RSA 188-F – **Councilor Van Ostern recused himself.**

(Business and Industry)

Susan M. Siegel, Newmarket

Effective: October 16, 2013

Succeeding: Geraldine Ilukowicz, Grantham (resigned)

Term: June 30, 2017

Connecticut River Valley Flood Control Commission - RSA 484

Robert G. Kline, Plainfield

Effective: October 16, 2013

Reappointment

Term: May 1, 2016

Deferred Compensation Commission - RSA 101-B:2

(Public Employee at Large)

Craig R. Moul, Weare

Effective: October 16, 2013

Succeeding: Craig A. Downing, Manchester

Term: July 15, 2016

Deputy Commissioner of the Department of Education - RSA 21-N:3 – **Roll call vote:** Councilor Burton – yes,

Councilor Van Ostern – yes, Councilor Sununu – **NO**, Councilor Pappas – Yes, and Councilor Pignatelli – yes.

Paul K. Leather, Concord

Effective: October 21, 2013

Reappointment

Term: October 21, 2017

Lakes Management Advisory Committee - RSA 483-A

(NH Assoc. of Realtors)

Mary D. Truell, Meredith

Effective: October 16, 2013

Succeeding: George P. Quackenbos, New London

Term: June 27, 2014

Mechanical Licensing Board - RSA 153:27-a

(Licensed gas fitter representing the propane industry)

Lyndon B. Rickards, Rochester

Effective: October 16, 2013

Vacancy (new board created by SB 189)

Term: October 16, 2014

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

(Clinical Mental Health Counselor)

Howard A. Goodman, Concord

Effective: October 31, 2013

Reappointment

Term: October 31, 2016

Board of Optometry - RSA 327
(Optometrist)
Andrea L. Murphy, West Lebanon Effective: October 16, 2013
Succeeding: David M. Hartenstein, Hampton Falls (term limited) Term: July 1, 2018

Telecommunications Planning and Development Advisory Committee - RSA 12-A
(Small Business Telecom User)
Elizabeth H. Merry, Laconia Effective: October 18, 2013
Reappointment Term: October 18, 2016

Telecommunications Planning and Development Advisory Committee - RSA 12-A
(Industry)
Ingo F. Roemer, Dover Effective: October 16, 2013
Succeeding: Lisa Thorne, Manchester Term: November 9, 2015

University System of New Hampshire Board of Trustees - RSA 187-A
Cathy Furtek Conway, Jefferson Effective: October 16, 2013
Succeeding: Carol Perkins, Plymouth Term: June 30, 2017

University System of New Hampshire Board of Trustees - RSA 187-A
John R. Rist, Manchester Effective: October 16, 2013
Succeeding: Richard E. Galway, Bedford Term: June 30, 2017

State Veterans Council - RSA 115:4
Kenneth E. Leidner, Concord Effective: October 16, 2013
Reappointment Term: June 30, 2016

Wetlands Council - RSA 21-O:5
(Farm or Forest Landowner)
George W. Kimball, Center Sandwich Effective: October 31, 2013
Reappointment Term: October 31, 2016

NOMINATIONS

The Governor placed into nomination the following:

Air Resources Council - RSA 21-O
(Recreation)
Kris Nils Blomback, Henniker Effective: Upon confirmation
Succeeding: Terry L. Callum, Unity Term: October 24, 2015

Air Resources Council - RSA 21-O
(Steam Power Generating Industry)
William H. Smagula, Bedford Effective: Upon confirmation
Reappointment Term: October 24, 2017

Assessing Standards Board - RSA 21-J:14
(Municipal official of town with population less than 3,000)
Eric G. Stohl, Colebrook Effective: Upon confirmation
Reappointment Term: September 17, 2015

Aviation Users Advisory Board - RSA 21-L
(Corporate Aviation)
Wallace L. Trolan Jr., Nashua Effective: Upon confirmation
Reappointment Term: July 25, 2016

<u>Boxing and Wrestling Commission</u> - RSA 285 Rudolph E. Urban, Berlin Reappointment	Effective: Upon confirmation Term: July 15, 2016
<u>Board of Engineers</u> - RSA 310-A:3 Masoud "Alex" Azodi, Newbury Succeeding: William H. Smagula, Bedford	Effective: Upon confirmation Term: August 21, 2018
<u>Genetic Counselors Governing Board</u> - RSA 328-F:4, X (Genetic Counselor) Lisa Demers, Bedford Vacancy	Effective: Upon confirmation Term: 3 years from confirmation
<u>Genetic Counselors Governing Board</u> - RSA 328-F:4, X (Physician) Gary E. Kaufman, Amherst Vacancy	Effective: Upon confirmation Term: 3 years from confirmation
<u>Genetic Counselors Governing Board</u> - RSA 328-F:4, X (Genetic Counselor) Jillian R. Ozmore, Litchfield Vacancy	Effective: Upon confirmation Term: 2 years from confirmation
<u>Genetic Counselors Governing Board</u> - RSA 328-F:4, X (Public Member) Dorothy Solomon, Albany Vacancy	Effective: Upon confirmation Term: 3 years from confirmation
<u>Genetic Counselors Governing Board</u> - RSA 328-F:4, X (Genetic Counselor) Jennifer L. Tansey, Merrimack Vacancy	Effective: Upon confirmation Term: 1 year from confirmation
<u>Lakes Management Advisory Committee</u> - RSA 483-A (Member of a Conservation Commission) Nominated by: NH Assoc. of Conservation Commissions Martha Twombly, Hebron Reappointment	Effective: Upon confirmation Term: August 22, 2016
<u>New England Board of Higher Education</u> - RSA 200-A (Private College) Michele D. Perkins, Henniker Succeeding: Fr. Jonathan P. DeFelice, Manchester (retired)	Effective: Upon confirmation Term: February 16, 2014
<u>Director, Division of Economic Development / Dept of Resources & Economic Development</u> - RSA 12-A:3 Karen G. Pollard, Rochester Vacancy Salary: Grade GG; step 4- \$87,422.97	Effective: Upon confirmation Term: April 1, 2014
<u>Rivers Management Advisory Committee</u> - RSA 483 (Rep. Public Water Works) Donald L. Ware, Merrimack Reappointment	Effective: Upon confirmation Term: September 28, 2016

Telecommunications Planning and Development Advisory Committee - RSA 12-A

(County Government)

Rodney A. Bouchard, Alstead

Succeeding: Arthur Durette, Pembroke (retired)

Effective: Upon confirmation

Term: October 18, 2014

Advisory Council on Worker's Compensation - RSA 281-A

(Rep. of Insurance Interests of Commercial Workers' Compensation Carriers)

Margaret M. Crouch, Bedford

Reappointment

Effective: Upon confirmation

Term: June 13, 2016

#1 **CONSENT CALENDAR - DONATIONS:**

BOARD OF PHARMACY

- A. Authorized Margaret Clifford, Chief Compliance Investigator, to attend the 29th Annual Conference of the National Association of State Controlled Substance Authorities to be held October 21-25, 2013 in Kansas City, MO, and to accept complimentary scholarship from NASCSA including admission to the scheduled conference and travel, accommodations not to exceed \$1,500.

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#2 Authorized to enter into a **sole source** contract with the Community Action Partnership of Strafford County, Dover, NH, for the repair or replacement of malfunctioning heating systems in low-income households receiving weatherization services, in the amount of \$48,600. (2)Further authorized to advance to the vendor \$16,038. Effective upon G&C approval through September 30, 2014. **100% Federal Funds (US DHHS/LIHEAP).**

#3 Authorized to enter into a **sole source** contract with Southwestern Community Services Inc., Keene, NH, for the repair or replacement of malfunctioning heating systems in low-income households receiving weatherization services, in the amount of \$67,550. (2)Further authorized to advance to the vendor \$22,292. Effective upon G&C approval through September 30, 2014. **100% Federal Funds (US DHHS/LIHEAP).**

#4 Authorized to enter into a **sole source** contract with the Tri-County Community Action Program Inc., Berlin, NH, for the repair or replacement of malfunctioning heating systems in low-income households receiving weatherization services, in the amount of \$109,600. (2)Further authorized to advance to the vendor \$36,168. Effective upon G&C approval through September 30, 2014. **100% Federal Funds (US DHHS/LIHEAP).**

#5 Authorized to enter into a **sole source** contract with the Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, for the repair or replacement of malfunctioning heating systems in low-income households receiving weatherization services, in the amount of \$85,750. (2)Further authorized to advance to the vendor \$28,298. Effective upon G&C approval through September 30, 2014. **100% Federal Funds (US DHHS/LIHEAP).**

#6 Authorized to enter into a **sole source** contract with Southern NH Services Inc., Manchester, NH, for the repair or replacement of malfunctioning heating systems in low-income households receiving weatherization services, in the amount of \$188,500. (2)Further authorized to advance to the vendor \$62,205. Effective upon G&C approval through September 30, 2014. **100% Federal Funds (US DHHS/LIHEAP).**

HIGHWAY SAFETY AGENCY

#7 The Governor and Council on motion of Councilor Burton, seconded by Councilor Van Ostern, authorized to enter into a contractual agreement with Hampshire Hospitality Holdings Inc., d/b/a The Inns and Spa at Mill Falls, Meredith, NH, to serve as the host site for the 2013 Annual Drunk and Drugged Driving Awareness Month Lunch scheduled for November 25, 2013, in the amount of \$4,162.50. Effective upon G&C approval through December 31, 2013. **100% Federal Funds.**

ADJUTANT GENERAL'S DEPARTMENT

The Governor and Council acted as follows:

#8 Authorized the confirmation of James J. Piro, New Boston, NH, to the rank of Major, NH Army National Guard.

#9 Authorized the confirmation of Jason C. Richards, Bow, NH, to the rank of Major, NH Army National Guard.

#10 Authorized the confirmation of Colonel Timothy T. Lunderman, Manlius, NY, for appointment to the rank of Colonel, NH Air National Guard.

#11 Authorized the nomination of Major Eric B. Hogancamp, Bradford, 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.

#12 Authorized the nomination of Major Brady N. Ohr, Elkins Park, PA, for appointment to the rank of Major, NH Air National Gurd. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

#13 Authorized the nomination of Major Erik A. Fessenden, Bow, 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.

#14 Authorized the nomination of Major Tony J. Gagnon, Manchester, 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.

#15 Authorized the nomination of Major Joseph A. Corpening, Altus, AFB, OK, 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, morally, and professionally qualified.

#16 Authorized the nomination of Major Sean P. Bennett, Concord, 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.

#17 Authorized the nomination of Major Russell D. Campbell, Valdosta, GA, 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, morally, and professionally qualified.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

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

#19 Authorized transfers from the Salary Adjustment Fund to agency permanent personnel services accounts for the period of October 1, 2013 through December 31, 2013, and to report transfers made as soon as practical after December 31, 2013 in addition to a request for further authority. (2)Further authorized transfers from the Benefit Adjustment Fund to agency benefit accounts for the period of October 1, 2013 through December 31, 2013, and to report transfers made as soon as practical after December 31, 2013 in addition to a request for further authority.

#20 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, 2013 through September 30, 2013.

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

#22 Authorized the Bureau of Graphic Services to budget and expend carry forward revenues from Fiscal Year 2013 in the amount of \$25,400 to lease a Collator/Bookletmaker. Effective upon G&C approval through June 30, 2015. **100% Agency Funds.**

#23 Authorized the Bureau of Planning and Management to enter into a "move service" agreement on behalf of the Department of Health and Human Services, the NH Joint Board, and the NH Real Estate Commission with McCollister's Transportation Group Inc., Poughkeepsie, NY, for the purpose of providing relocation services for the three agencies which are scheduled to move 6 existing locations into one new destination, the State of NH's "Anna Philbrook Building", Concord, NH, in an amount not to exceed \$20,954.50. Effective upon G&C approval through December 31, 2013.

#24 Authorized the Risk Management Unit to amend a contract with The Rowley Agency Inc., Concord, NH, (originally approved by G&C on 9-4-13, item #27), for fleet insurance coverage, by increasing the amount by \$51,690 from \$2,500,600 to \$2,552,290, and by increasing the number of vehicles covered by fleet insurance to include 40 recently leased vehicles. Effective upon G&C approval through October 31, 2016, with the option to renew for two additional terms of one year each. **100% Agency Funds.**

#25 Authorized the Bureau 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 an amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2016.

#26 Authorized the Bureau of Public Works Design and Construction to enter into an agreement with Cowan Goudreau Architects PLLC, Concord, NH, for architectural services required for planning, design and construction of various Public Works Projects as necessary and required by the Department, in an amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2016.

#27 Authorized the Bureau of Public Works Design and Construction to enter into an agreement with H L Turner Group Inc., Concord, NH, for architectural services required for planning, design and construction of various Public Works Projects as necessary and required by the Department, in an amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2016.

#28 Authorized the Bureau of Public Works Design and Construction to enter into an agreement with Harriman Associates, Manchester, NH, for architectural services required for planning, design and construction of various Public Works Projects as necessary and required by the Department, in an amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2016.

STATE TREASURY

The Governor and Council acted as follows:

#29 Authorized to proceed with the sale and issuance of up to \$100 million of general obligation bonds through a competitive process, negotiated sale or private placement. Effective upon G&C approval through February 28, 2014. (2) Further authorized to proceed with the sale and issuance of up to \$30 million of general obligation refunding bonds to refund outstanding bonds through a competitive process, negotiated sale or private placement.

#30 Authorized to issue a warrant from funds not otherwise appropriated in the amount of \$42,328 and the State Treasurer to issue checks in the amount of \$42,327.99 to the rightful owners of abandoned or unclaimed funds.

#31 Authorized to accept and place on file the Annual Report for the fiscal year ended June 30, 2013.

JOINT BOARD OF LICENSURE AND CERTIFICATION

#32 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Burton, authorized to enter into a **sole source** contract with Systematics, Westborough, MA, to break down and relocate 3 mobile file systems to the Anna Philbrook Center and install new floor and tile for the mobile systems in the amount of \$10,475. Effective upon G&C approval through December 31, 2013. **100% General Funds.**

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#33 Authorized to award public value partnership grants totaling \$21,450 to NH Theatre Project, Portsmouth, in the amount of \$8,450, and to AVA Gallery, Lebanon, in the amount of \$13,000. Effective upon G&C approval through June 30, 2014. **100% General Funds.**

#34 Authorized the Division of Historical Resources to award a Certified Local Government Grant to the Town of Durham, in the amount of \$12,000. Effective upon G&C approval through September 30, 2014. **100% Federal Funds.**

#35 Authorized the Division of Historical Resources to award a Certified Local Government Grant to the Town of Exeter, in the amount of \$14,400. Effective upon G&C approval through September 30, 2014. **100% Federal Funds.**

DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

#36 Authorized to **retroactively** amend a sub grant (originally approved by G&C on 1-16-13, item #12), to the NH Department of Safety, in the amount of \$64,822 for sex offender unit staffing from the FFY 2012 Byrne JAG SORNA Grant Program, by extending the end date from September 30, 2013 to September 30, 2014. (2) Further authorized to enter into a new sub grant with the NH Department of Safety, in the amount of \$61,626 for sex offender unit staffing from the Supplemental FFY 2012 Byrne JAG SORNA Grant Program. Effective upon G&C approval through September 30, 2014. **100% Federal Funds.**

#37 Authorized to designate Dianne Martin as an Attorney at a salary of \$65,500. Effective October 21, 2013.

#38 Authorized to appoint Rosemary Wiant as an Assistant Attorney General, at a salary level of \$64,851. Effective October 18, 2013 through August 31, 2014.

#39 Authorized to designate Heather Flanner as an Attorney at a salary of \$58,500. Effective October 18, 2013.

#40 **TABLED** – The Governor and Council on motion of Councilor Burton, seconded by Councilor Pignatelli voted to **table** the request to enter into a **sole source** contract with David Conley, Concord, NH, for the purpose of providing the administrative prosecution services for the NH Real Estate Appraiser Board, in the amount of \$5,000. Effective upon G&C approval through June 30, 2014. **100% Transfer from other agencies.**

#41 Authorized to sub grant \$368,871 to the NH Department of Health and Human Services, Board of Pharmacy, utilizing funds from the US Department of Justice's Bureau of Justice Assistance FFY 2013 Harold Rogers Prescription Drug Monitoring Program for the purpose of implementing a prescription drug monitoring program. Effective upon G&C approval through March 31, 2015. **100% Federal Funds.**

#42 Authorized to enter into a **sole source** contract with Dr. Carolyn Kappen, Bronx, NY, as a substitute medical examiner, to conduct autopsies as needed in the absence of the State Medical Examiner and the Deputy Chief Medical Examiner, for a total not to exceed \$20,000. Effective upon G&C approval through March 31, 2014. **100% General Funds.**

#42A Authorized to reappoint Matthew G. Mavrogeorge as an Assistant Attorney General at a salary level of \$62,749. Effective upon G&C approval through October 20, 2018.

#42B Authorized to reappoint Stephen D. Fuller as a Senior Assistant Attorney General, at a salary level of \$90,493. Effective upon G&C approval through October 31, 2018.

INSURANCE DEPARTMENT

#43 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Pignatelli, authorized to accept and place on file the Annual Report for the period of July 1, 2012 through June 30, 2013.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Finance

#44 Authorized to increase their fleet by 11 vehicles. The increase is the result of the agency utilizing a newly approved leasing contract for motor vehicles in lieu of employees utilizing their own vehicles.

Bureau of Facilities and Assets Management

#45 Authorized to amend a **sole source** lease with Ashuelot River Realty Inc., Spofford, NH, (originally approved by G&C on 4-20-05, item #65), for continued occupation by the Keene District Office, by increasing the price in the amount of \$164,062.50 to \$2,781,479.28 from \$2,617,416.78, and by extending the term from October 31, 2013 to April 30, 2014. **60% General, 40% Federal Funds.**

#46 Authorized to amend a **sole source retroactive** lease with Peak Three Associates LLC, Littleton, NH (originally approved by G&C on 5-22-96, late item R), for the Littleton District Office Space, by increasing the price in the amount of \$132,418.14 to \$3,735,253.50 from \$3,602,835.36, and by extending the term to March 31, 2014 effective **retroactive** to October 1, 2013. **60% General, 40% Federal Funds.**

#47 Authorized to enter into a new lease with Key Road Associates, Keene, NH, for office space in Keene in the amount of \$3,348,000. Effective November 1, 2013 through March 31, 2024. **60% General, 40% Federal Funds.**

Office of Minority Health & Refugee Affairs

#48 Authorized to enter into a **retroactive** contract with the Organization for Refugee and Immigrant Success, Manchester, NH, to provide direct services to NH refugees, in the amount not to exceed \$15,000. Effective October 1, 2013 through September 30, 2014. **100% Federal Funds.**

#49 Authorized to enter into a **retroactive** contract with Lutheran Community Services Inc., Concord, NH, to provide direct services to NH refugees, in the amount not to exceed \$155,000. Effective October 1, 2013 through September 30, 2014. **100% Federal Funds.**

#50 Authorized to enter into a **retroactive** contract with the International Institute of Boston Inc., Boston, MA, to provide direct services to NH refugees, in the amount not to exceed \$155,000. Effective October 1, 2013 through September 30, 2014. **100% Federal Funds.**

Bureau of Homeless and Housing Services

#51 Authorized to enter into **retroactive** agreements with Family Promise of Greater Nashua Inc., to provide services to homeless individuals, in an amount not to exceed \$40,594. Effective January 1, 2013 through June 30, 2015 for \$31,348; through December 31, 2013 for \$9,246. **77% General, 23% Federal Funds.**

Division of Public Health Services

#52 Authorized the Bureau of Laboratory Services, to pay various approved proficiency vendors, for proficiency testing programs that are currently required and for other proficiency testing that may become necessary in an amount estimated at \$69,073. Effective upon G&C approval through June 30, 2015. **35.83% Federal, 58.88% General, 5.29% Other Funds.**

#53 Authorized the Bureau of Infectious Disease Control to enter into a grant agreement with the Town of Colebrook, NH, under which the Division of Public Health Services will provide one portable ventilator and necessary accessories valued at \$6,990 to enhance respiratory medical capacity in response to a large-scale health emergency, using funding supported by the federal Department of Homeland Security Grant to NH. Effective upon G&C approval, and until the grant agreement is terminated by one of the parties. **100% Other Funds.**

#54 Authorized to enter into a **sole source** agreement with the City of Nashua, Division of Public Health and Community Services, Nashua, NH, to provide tuberculosis prevention and control services in the Greater Nashua area, in an amount not to exceed \$35,000. Effective **retroactive** to July 1, 2013 through June 30, 2014. **100% General Funds.**

Division of Community Based Services

#55 Authorized to enter into a **sole source retroactive** agreement with Deloitte Consulting LLP, Harrisburg, PA, to provide project management services related to the State Innovation Model Project, in an amount not to exceed \$364,000. Effective September 1, 2013 through December 31, 2013. **100% Federal Funds.**

Bureau of Developmental Services

#56 Authorized to enter into an agreement with Mary Hitchcock Memorial Hospital d/b/a Dartmouth Hitchcock Medical Center, Lebanon, NH, to support a Child Development Program, in an amount not to exceed \$275,303.85. Effective upon G&C approval through June 30, 2015. **60% Federal, 70% General Funds.**

Bureau of Behavioral Health

#57 Authorized to amend an agreement with Attorney Steven P. Bunker, (originally approved by G&C on 5-25-11, item #90), to provide legal services by increasing the price limitation \$55,800 from \$87,942 to an amount not to exceed \$143,742. Effective upon G&C approval. **100% General Funds.**

#58 Authorized to hold a 3-day training for peer support agency staff and how to operate a peer-run crisis respite program for persons experiencing a psychiatric crisis from October 23-25, 2013, for a total cost not to exceed \$10,081.40. (2)Further authorized to enter into a **sole source** agreement with Shery Mead Consulting, Bristol, VT, to provide training and facilitation services in an amount not to exceed \$6,798 at the training above. (3)Further authorized to reimburse The Alternative Life Center, Conway, NH, for the cost of food, mileage, and lodging for participants attending the training, in an amount not to exceed \$1,787, and HEARTS Peer Support Center of Nashua Region VI, Nashua, NH, for wages and mileage in an amount not to exceed \$965 for a total of \$2,752. Effective upon G&C approval through June 30, 2014. **73% General, 27% Federal Funds.**

#59 Authorized with Councilor Sununu voting **no**, and further on a roll call vote as follows: Councilor Burton – yes, Councilor Van Ostern – yes, Councilor Sununu – **no**, Councilor Pappas - yes, and Councilor Pignatelli – yes, to enter into a **sole source** agreement with the Institute on Disability, University of NH, to provide training, management and implementation support to staff in NH's community mental health and state hospital systems in an amount not to exceed \$1,083,708. Effective upon G&C approval through June 30, 2016. **100% Federal Funds.**

New Hampshire Hospital

#60 Authorized to enter into a rental agreement with Carrier Commercial Service Inc., to provide a rental chiller to provide chilled water for the air conditioning for NH Hospital in an amount not to exceed \$47,900. Effective **retroactive** to September 9, 2013 through November 30, 2013. **66% General, 29% Federal, 5% Other Funds.**

NEW HAMPSHIRE LIQUOR COMMISSION

#60A The Governor and Council on motion of Councilor Burton, seconded by Councilor Pappas, authorized to **retroactively** amend a contract with Law Warehouses Inc., Nashua, NH, for warehousing and distribution services. Effective October 7, 2013 through December 31, 2013. **100% Liquor Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#61 Authorized the Office of Workforce Opportunity to enter into a contract with C&S Wholesale Grocers Inc., Keene, NH, to implement employer-based training under the NH Job Training Program, in the amount of \$100,000. Effective upon G&C approval through January 2, 2015. **100% Job Training Funds.**

#62 Authorized the Division of Forests and Lands to expend \$8,800 for membership dues in the National Association of State Foresters. Effective upon G&C approval through September 30, 2014. **100% General Funds.**

#63 Authorized the Division of Travel and Tourism Development to award grants to the organizations as detailed in letter dated September 20, 2013, in the total amount of \$207,755.98 for their 2013/2014 in-state and out-of-state marketing projects under the Joint Promotional Program. Effective upon G&C approval. **100% General Funds.**

#64 Authorized the Division of Parks and Recreation, Cannon Mountain to enter into a contract with DL Thurrott Inc., Lincoln, RI, for the preseason inspection and maintenance of air compressors at Cannon Mountain Ski Area, in the amount of \$4,950. (2)Further authorized a contingency in the amount of \$248 to cover any unforeseen damages found, not covered under the original scope of services. Effective upon G&C approval through November 1, 2013. **100% Ski Area Funds.**

#65 Authorized to convey to the US Fish and Wildlife Service (USFWS) in Errol, NH a Conservation Easement protecting the state-owned 284-acre Big Island State Forest in Wentworth Location, NH. (2)Further authorized to accept title from USFWS to a 233-acre portion of Lake Umbagog National Wildlife Refuge in Errol, NH, to become a new state reservation. (3)Further authorized to accept \$6,200 from USFWS in order to equalize the market values of the exchange parcels. (4)Further authorized to name the 233-acre portion of the Lake Umbagog National Wildlife Refuge in Errol, NH the "Androscoggin River Reservation". **0% State Funds.**

#66 Authorized the Division of Parks and Recreation to amend a **sole source** contract with ReserveAmerica Inc., Delaware, a subsidiary of The Active Network Inc., San Diego, CA, (originally approved by G&C on 10-3-07, item #30), for the continuation of the campground reservation system from November 1, 2013 through October 31, 2014. No Additional Funding.

#66A Authorized the Division of Forests and Lands to accept and expend \$33,600 of federal funds from the US Forest Service Northeast Area Evaluation Monitoring Grant for maintaining and enhancing the Forest Health Protection Program. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

#66B Authorized the Division of Parks and Recreation, Cannon Mountain, to enter into a contract with McGee Company Inc., Lancaster, NH, for the water service efficiency upgrade at Cannon Mountain Ski Area, in the amount of \$45,225. Effective upon G&C approval through November 1, 2013. **100% Capital Funds.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

#67 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Sununu, authorized to enter into a contract with North Country Recycling LLC, Tamworth, NH, to complete the Union Meadows Wildlife Management Areas Garage Demolition Project, in the amount of \$11,250. Effective upon G&C approval through December 31, 2013. **100% Federal Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#68 Authorized to **retroactively** pay FY 2014 annual membership dues in the amount of \$3,856 and award a **sole source** grant in the amount of \$5,144 to the Association of US Delegates to the Gulf of Maine Council on the Marine Environment, Falmouth, ME, to support the Gulf of Maine Council habitat restoration coordinator. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

#69 Authorized to **retroactively** pay the 2014 membership dues to The Environmental Council of the States, Washington, DC, in the amount of \$11,000 for the period of October 1, 2013 through September 30, 2014. **100% Federal Funds.**

#70 Authorized to enter into a **sole source** memorandum of agreement with DRED to perform specialty mowing services at State-owned flood control dams at a cost not to exceed \$6,200. Effective upon G&C approval through December 1, 2013. **100% Dam Maintenance Program Funds.**

#71 Authorized, with the NH Fish and Game Department, to enter into a memorandum of agreement for the repair of Jones Pond Dam, in Middleton, in the amount of \$335,889. (2)Further authorized NHFG to provide payment of \$335,889 to DES for the purpose of repairing the Jones Pond Dam. Effective upon G&C approval through June 30, 2015.

#72 Authorized to enter into a **sole source retroactive** memorandum of agreement with the Business Finance Authority, Concord, NH, to assist the DES Brownfields Revolving Loan Fund Program with Underwriting and legal services for loans to private borrowers for the cleanup of brownfield sites, in the amount of \$50,000. Effective July 1, 2013 through June 30, 2015. **100% Federal Funds.**

#73 Authorized to **retroactively** amend a **sole source** agreement with the City of Rochester, NH, (originally approved by G&C on 6-8-11, item #62), for the design, permitting and engineering of the Gonic Dam and Gonic Sawmill Dam removal project, by changing the scope of Services and extending the completion date from June 30, 2013 to December 31, 2014. No Additional Funding. **19% Federal, 81% Capital (General) Funds.**

#74 Authorized a Clean Water State Revolving Fund loan agreement with the City of Dover, in the amount of \$8,500,000 to finance the Wastewater Treatment Facility Upgrade and Modified Ludzack-Ettinger Conversion Project. Effective upon G&C approval. **19.6% Clean Water State Revolving Loan Fund, 3.9% Capital (General), 76.5% CWSRF Repayment Funds.**

#75 Authorized to enter into a **sole source** contract with Carol T. Hildreth, Holliston, MA, in the amount of \$21,450, and with Dr. Peter J. Thompson, Durham, NH, in the amount of \$21,450, in the amount of \$42,900 for surficial and bedrock geologic mapping services. Effective upon G&C approval through September 14, 2014. **100% Federal Funds.**

#76 Authorized to award a Water Supply Land Protection Grant to the Town of Auburn, NH, to purchase a conservation easement on land within a source water protection area to protect water supply land, in the amount of \$77,417.50. Effective upon G&C approval through December 31, 2014. **100% Interagency Funds.**

#77 Authorized to award grant aid funds to the City of Nashua, NH, for the closure of Phase II, Part II of the City of Nashua's Four Hills Unlined Landfill, totaling \$398,042. Effective upon G&C approval. **100% General Funds.**

#78 Authorized Exeter Mills LLC's request to perform work on Squamscott River in Exeter.

#79 Authorized the Town of Enfield's request to perform work on Mascoma Lake in Enfield.

#80 Authorized Michael Zommer's request to perform work on Lake Winnepesaukee in Moultonborough.

NEW HAMPSHIRE BOARD OF MEDICINE

#81 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Van Ostern, authorized the Board of Nursing Home Administrators, Board of Podiatry, Board of Optometry, Board of Dental Examiners and Office of Allied Health Professionals, to enter into a **sole source** Holdover amendment for up to two months extending the current five year lease with McCarthy Properties, West Wareham, MA, for rental of office space comprised of 3,500 square feet located at 2 Industrial Park Drive, Building A, Concord, NH, for an increase amount not to exceed \$6,270.84 from \$309,167.04 to \$315,437.88, by extending the end date from October 31, 2013 through no later than December 31, 2013. **100% General Funds.**

BOARD OF MENTAL HEALTH PRACTICE

#82 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Pignatelli, authorized to accept and place on file the Biennial Report for Fiscal Year 2012 and Fiscal Year 2013.

NEW HAMPSHIRE VETERANS HOME

#83 The Governor and Council on motion of Councilor Burton, seconded by Councilor Pignatelli, authorized to accept and place on file the Annual Report for the Fiscal Year 2013.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#84 Authorized to enter into a **sole source** contract with Academic Development Institute, Lincoln, IL, to provide services of the Indistar Network, in an amount not to exceed \$20,000. Effective upon G&C approval through June 30, 2014, with the option to renewal for up to one additional fiscal year. **100% Federal Funds.**

#85 Authorized to pay the annual membership fee to the Southern Regional Education Board for Technology Centers That Work, in the amount of \$4,000. Effective upon G&C approval through a period of twelve months. **100% Federal Funds.**

#86 Authorized the Division of Instruction to contract with Jean Briggs Badger, Rye, NH, to provide technical assistance to NH Schools and districts regarding State priorities: curriculum, instruction and assessment; school improvement; and innovation, in an amount not to exceed \$40,000. Effective upon G&C approval through June 30, 2014, with the option to renew for up to one additional fiscal year. **100% Federal Funds.**

#87 Authorized the Division of Instruction to contract with Jane Provencher, Berlin, NH, to participate in Title 1-A program application reviews and to provide technical assistance to school districts and schools, in an amount not to exceed \$40,000. Effective upon G&C approval through June 30, 2014, with the option to renewal for up to one additional fiscal year. **100% Federal Funds.**

POLICE STANDARDS & TRAINING COUNCIL

#88 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Sununu, authorized to enter into a memorandum of agreement with the Department of Safety, Division of State Police, for the assignment of one Trooper to serve as cadre for each of Full-Time Academy sessions to be held during the Fiscal Years 2014 and 2015, in the amount of \$34,965. Effective upon G&C approval through June 30, 2015. **100% Penalty Assessment.**

NEW HAMPSHIRE LOTTERY COMMISSION

The Governor and Council acted as follows:

#89 Authorized to accept and place on file the Annual Report for the fiscal year ended June 30, 2013.

#90 Authorized to purchase \$2,300,000 of instant gaming tickets and related services. (2)Further authorized to transfer \$2,300,000 from the Lottery Special Revenue Account for the purchase of instant gaming tickets and related services. Effective upon G&C approval through June 30, 2014. **100% Lottery Funds. Fiscal Committee approved.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#91 Authorized the Division of Motor Vehicles to amend a **sole source** contract with NIIT Technologies Inc., Atlanta, GA (originally approved by G&C on 4-27-11, item #83), for the purpose of providing development services in support of integrating and automating e-Ticketing into the state Police, local police departments and DMV, in the amount of \$79,434, increasing the total amount from \$851,020 to \$930,454. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

#92 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with School Administrative Unit #11/Dover School District, for emergency preparedness capabilities and enhancements for a total amount of \$50,000. Effective upon G&C approval through September 30, 2014. **100% Federal Funds.**

#93 Authorized the Division of State Police to reinstate 488.18 hours of sick leave to Trooper First Class Thomas Forsley who was unable to perform his normal or routine duties from October 15, 2011 to March 7, 2012, due to a line-of-duty injury he sustained as the result of a cruiser crash on October 15, 2011.

#94 Authorized to enter into grant agreements with the Department of Health and Human Services for sub-grantees to administer the Metropolitan Medical Response System portion of the Federal Fiscal Year 2011 and 2012 Homeland Security Grant Program, in the total amount of \$317,608.35. The Department of Safety will retain a grant allowable 5% management and administrative cost recovery. Effective upon G&C approval through August 31, 2014. **100% Federal Funds.**

#94A Authorized to grant one annual step to William Joseph, Deputy Director of the Division of Motor Vehicles, to unclassified step #2 (\$72,564). Effective upon G&C approval.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#95 Authorized the Project Development Division to establish various non-budgeted classes in various accounting units and to transfer \$116,350 between Highway Fund accounts and classes. Effective upon G&C approval through June 30, 2014. **Contingent upon Fiscal Committee approval on October 18, 2013.**

#96 Authorized the Bureau of Rail & Transit to establish and transfer \$2,002,250 between Bureau of Rail & Transit accounts and classes. Effective upon G&C approval through June 30, 2014. **Contingent upon Fiscal Committee approval on October 18, 2013.**

#97 Authorized the Bureau of Rail & Transit to amend a contract with Advance Transit Inc., Wilder, VT (originally approved by G&C on 1-11-12, item #106), to accommodate a revised vehicle deliver date for complementary ADA replacement busses, by extending the completion date from December 31, 2013 to April 30, 2014. No Additional Funding.

#98 Authorized the Bureau of Planning and Community Assistance to enter into an agreement with the City of Concord to provide funding and services under the Federal Highway Safety Improvement Program through a local project administration process, totaling \$1,440,000. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#99 Authorized the Bureau of Right of Way to pay various owners \$68,000 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from September 11, 2013 through September 24, 2013.

#100 Authorized the Bureau of Mechanical Services' request to accept the Equipment Acquisition Plan for Fiscal Year 2014 and 2015 for an amount of just under \$2.5 million in FY 14 and just under \$2.8 million in FY 15 based on the available equipment appropriation.

#101 Authorized to enter into an agreement with the firm of CHA Consulting Inc, Keene, NH, for on-call engineering services for various bridge scour projects located throughout the State, for an amount not to exceed \$500,000. Effective upon G&C approval through December 30, 2016.

#102 Authorized the Bureau of Aeronautics to award a grant to the City of Manchester AIP-96 to purchase Snow Removal Equipment for the Manchester-Boston Regional Airport, in the amount of \$251,391.50. Effective upon G&C approval through October 31, 2017. **94.74% Federal, 5.26% General Funds.**

#103 Authorized the Bureau of Aeronautics to award a grant to the City of Manchester AIP-97, for improvements to the terminal area (loop) road and the family restrooms in the terminal building at the Manchester-Boston Regional Airport in the amount of \$345,491. Effective upon G&C approval through October 1, 2017. **94.74% Federal, 5.26% General Funds.**

#104 Authorized the Bureau of Aeronautics to provide funding to the City of Concord for SBG-04-09-2013, for a Federal Aviation Administration reimbursable agreement to install frangible mounts on the existing Runway 35 localizer antenna and install obstruction lights on the existing localizer shelter at the Concord Municipal Airport, in the amount of \$73,053. Effective upon G&C approval through November 30, 2017. **94.74% Federal, 5.26% General Funds.**

#105 Authorized the Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for 6.9 miles of pavement rehabilitation on a section of NH Route 16 in the Towns of Milton and Wakefield, on the basis of a low bid of \$3,646,927. (2)Further authorized a contingency in the amount of \$255,284.89 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 3, 2014. **100% Federal Funds.**

#106 Authorized the Bureau of Finance to establish various non-budgeted classes in various accounting units and to transfer \$306,509 between Highway Fund accounts and classes. (2)Further authorized to establish 3 temporary part-time positions of (2) Audit Technicians, LG 11 and (1) Accountant I, LG 16, to assist in the scanning of invoices, matching and auditing spreadsheets, fielding calls and other associated duties. Effective upon G&C approval through June 30, 2014. **Contingent upon Fiscal Committee approval on October 18, 2013.**

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ITEM REMOVED FROM THE TABLE

The Governor and Council on motion of Councilor Van Ostern, seconded by Councilor Pappas, voted to remove item #27C- which was tabled at the September 18, 2013 Meeting.

DEPARTMENT OF ADMINISTRATIVE SERVICES

#27C **WITHDRAWN** – The Agency withdrew the request to sell the State-owned land, buildings, and other improvements located at 85 Pleasant Street, Concord, to JOLO Properties LLC for \$95,000 which includes a \$1,100 administrative fee. Effective upon G&C approval. (2)Further authorized to reserve and retain in favor of the NH Division of Historical Resources as a condition of the foregoing sale, a 7 year term historic preservation easement restricting the alteration of the exterior of the building included within the Property. (3)Further authorized to pay 5% of the gross proceeds from the foregoing sale (amounting to \$4,750) to Gallo Realty Group NH, LLC, Manchester, NH, as its commission for real estate brokerage and marketing services provided with respect to the Property. Effective upon G&C approval. **100% Net Proceeds from Sale (General Funds).**

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ITEM REMOVED FROM THE TABLE

The Governor and Council on motion of Councilor Van Ostern, seconded by Councilor Pappas, voted to remove item #27D- which was tabled at the September 18, 2013 Meeting.

DEPARTMENT OF ADMINISTRATIVE SERVICES

#27D **WITHDRAWN** – The Agency withdrew the request to sell the State-owned land, buildings, and other improvements located at 79 Pleasant Street, Concord, to JOLO Properties LLC for \$95,000 which includes a \$1,100 administrative fee. Effective upon G&C approval. (2)Further authorized to reserve and retain in favor of the NH Division of Historical Resources as a condition of the foregoing sale, a 7 year term historic preservation easement restricting the alteration of the exterior of the building included within the Property. (3)Further authorized to pay 5% of the gross proceeds from the foregoing sale (amounting to \$4,750) to Gallo Realty Group NH, LLC, Manchester, NH, as its commission for real estate brokerage and marketing services provided with respect to the Property. Effective upon G&C approval. **100% Net Proceeds from Sale (General Funds).**

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All votes taken during the meeting were roll call votes to comply with RSA 91-A:2, III(e) as follows: approval of the minutes of October 2, 2013, the appointment of several persons nominated for Civil Commissions from the October 2, 2013 meeting, Confirmations, Nominations, item #'s 1A-39, 41-58, and #'s 60-106, as well as the vote to **table** #40. The roll call vote was as follows: Councilor Burton – yes, Councilor Van Ostern – yes, Councilor Sununu – yes, Councilor Pappas – yes, and Councilor Pignatelli – yes.

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The Next regular Governor and Executive Council meeting is scheduled for Wednesday, November 6, 2013, at The State House, Concord, NH.

Honorable Board then Adjourned at 12:45 p.m.