

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

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

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The Governor led the Pledge of Allegiance.

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The Governor and Executive Council on motion of Councilor Pignatelli, seconded by Councilor Sununu, accepted the minutes of January 3, 2013.

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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 Pappas, seconded by Councilor Pignatelli, voted to set the date for a *special election for State Representative, Hillsborough County, District 9 (Manchester Ward 2)*.

The filing period will begin on January 21, 2013 and end on January 25, 2013. The primary election will be March 19, 2013. The special election will be May 7, 2013.

RESIGNATIONS

The Governor and Council accepted the following resignation:

Lakes Management Advisory Committee

(Member of Planning Board)

Frederic C. Murphy, Hillsborough

Effective: January 16, 2013

NOMINATIONS

The Governor placed into nomination the following:

Compensation Appeals Board - RSA: 281-A:42

(Attorney)

Norman J. Patenaude, Portsmouth

Reappointment

Effective: February 15, 2013

Term: February 15, 2016

Compensation Appeals Board - RSA: 281-A:42

(Attorney)

William J. Schubert, Manchester

Reappointment

Effective: February 15, 2013

Term: February 15, 2016

Chair of the Liquor Commission - RSA: 176:1

(Chairman)

Joseph W. Mollica, (i), Sunapee

Reappointment

Salary: Grade HH, Step 4 - \$93,812

Effective: Upon confirmation

Term: Coterminus with the Governor's term

Deputy Chief Medical Examiner - RSA: 611-B:3

Nominated by the Attorney General

Jennie V. Duval, M.D., Concord

Reappointment

Salary: Grade NN - \$124,705

Effective: Upon confirmation

Term: January 28, 2018

Racing and Charitable Gaming Commission - RSA: 284:6-a

(Thoroughbred and Harness Horse Racing Interests)

Michael J. Gatsas, Manchester

Reappointment

Effective: Upon confirmation

Term: January 21, 2016

Respiratory Care Practitioners Governing Board - RSA: 328-F

Douglas A. Hall, Weare

Reappointment

Effective: March 4, 2013

Term: March 4, 2016

#1 **CONSENT CALENDAR - DONATIONS:**

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

- A. Authorized the Animal Population Control Program to accept and expend funds as a donation from The Noah Foundation in the amount of \$10,000. **100% Other Funds – APCP.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

- B. Authorized to accept monetary donations to the Rivers and Lakes Management and Protection Fund, for a total of \$100.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Division for Children, Youth and Families

- C. Authorized the John H. Sununu Youth Services Center to accept a \$400 voucher from Goodwill of Northern New England, Concord, NH, and up to an additional \$720 in vouchers (\$120 voucher per month in \$10 increments for six months), with a total value of \$1,120. Effective upon G&C approval through the remainder of State Fiscal Year 2013.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Division for Children, Youth and Families

- D. Authorized the John H. Sununu Youth Services Center to accept a non-monetary donation of a 36” television from Wal-Mart, Manchester, NH, valued at \$350.

NEW HAMPSHIRE LIQUOR COMMISSION

- E. Authorized to accept a donation of 12 Teknion work stations donated by Sonus Networks Inc having an estimated value of \$12,000. Effective upon G&C approval.

BUSINESS FINANCE AUTHORITY

#2 **TABLED** – The Governor and Council on motion of Councilor Pignatelli, seconded by Councilor Burton voted to **table** the request to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13 with respect to a loan from Kennebunk Savings Bank to One Source Apparel, LLC located in Portsmouth, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

#3 The Governor and Executive Council on motion of Councilor Pappas, seconded by Councilor Sununu and further on a roll call vote as follows: Councilor Burton – yes, Councilor Van Ostern – yes, Councilor Sununu – yes, Councilor Pappas – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13 with respect to a loan from First Colebrook Bank to M-R Land Excavation, Inc. located in Derry, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON JANUARY 16, 2013
COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE**

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At approximately 11:00 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Working Capital Line of Credit Guarantee Program of the Business Finance Authority in connection with a loan to be made by First Colebrook Bank to M-R Land Excavation, Inc., and declared that the public hearing on the subject had commenced. She said that she and the members of the Council had received written material from the Authority with respect to the proposed loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Michael B. Donahue, Senior Credit Officer of the Authority, who briefly explained the project. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Pappas introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDED A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM FIRST COLEBROOK BANK TO M-R LAND EXCAVATION, INC." and moved its adoption, which was seconded by Councilor Sununu. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilors Burton, Councilor Van Ostern, Councilor Sununu, Councilor Pappas, and Councilor Pignatelli; those abstaining were Councilor(s) None; and those voting against were Councilor(s) None. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-A:18
AWARDING A STATE GUARANTEE UNDER RSA 162-A:13-a
WITH RESPECT TO A LOAN FROM FIRST COLEBROOK BANK TO M-R LAND EXCAVATION, INC.**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to seventy-five percent (75%) of the principal amount of a loan up to \$500,000 from First Colebrook Bank & Trust to M-R Land Excavation, Inc. pursuant to RSA 162-A:13-a (the Working Capital Loan Guarantee Program or the "WAG Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed seventy-five percent (75%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is authorized to approve the recommendation of the Authority and to award the recommended guarantee upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

WHEREAS, further action by the Authority with respect to the proposed transaction is subject to the passage of this resolution and cannot be taken until after its passage;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

(i) The award of the guarantee as proposed will contribute significantly to the success of the financing.

(ii) Reasonable and appropriate measures have been taken to minimize the risk of loss to the Authority and to ensure that any private benefit from the award of the guarantee will be only incidental to the public purpose served thereby.

(b) General Findings.

(i) The award of the guarantee as proposed will serve a public use and provide a public benefit.

(ii) The award of the guarantee as proposed is within the policy of, and the authority conferred by RSA Chapter 162-A.

(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(iv) The award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

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

Passed and Agreed to January 16, 2013.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

#4 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Sununu authorized the request to award a grant to the County of Hillsborough, Goffstown, NH, in the amount of \$250,000 to assist in rehabilitation of the former Odd Fellows/Dearborn Building, Manchester, NH, which will be leased to the Manchester Community Resource Center. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#5 Authorized the nomination of Martin F. Isabelle, Rollinsford, NH, for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

#6 Authorized the nomination of Lieutenant Colonel Glen R. Wass, Stratham, NH, for promotion to the rank of Colonel, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#7 Authorized a Working Capital Warrant in the amount of \$350,000,000 to cover payment of expenditures for the month of February.

#8 Authorized the Bureau of Public Works Design and Construction to enter into a contract with JCN Construction Co Inc., Manchester, NH, for the NHARNG Building 'D' roof and Renovations, Concord, NH, for a total price not to exceed \$1,044,000. Effective upon G&C approval through October 26, 2013. **24% General-Capital, 76% Federal Funds.** (2)Further authorized the amount of \$26,500 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$1,070,500. **100% Federal Funds.**

#8A Authorized to amend a contract with Inmate Calling Solutions LLC d/b/a IC Solutions, San Antonio, TX (originally approved by G&C on 5-16-07, item #17), to install and operate a Collect-Call Telephone system for inmate usage at Correctional facilities throughout the State, by extending the completion date from February 22, 2013 to May 22, 2013. Effective upon G&C approval. No Additional Funding.

#8B Authorized to accept and place on file the list of Executive Branch classified employees that have received retroactive payments relating to prior fiscal year payroll events for the period of October 1, 2012 through December 31, 2012.

#8C Authorized Financial Data Management to make a one-time **retroactive** payment from State Fiscal Year 2013 funds to Tania Lacroix, full time Program Specialist III, in the amount of \$1,057.57 to compensate for longevity wages that should have been paid during State Fiscal Year 2011. **100% Capital Funds.**

#8D Authorized to accept and place on file the list of vendors that agencies have contracted with for the period of October 1, 2012 through December 31, 2012.

#8E Authorized the Division of Personnel's request for waiver of classification decisions. Effective upon G&C approval.

#8F Authorized to amend a contract with Sprinkler Systems Inspection Corporation d/b/a JMK Sprinkler Systems Inspection, Lewiston, ME (originally approved by G&C on 5-23-12, item #21), for fire suppression system testing, repair and inspection services, by increasing in the amount of \$6,020 from \$103,050 to \$109,070. Effective upon G&C approval through February 28, 2015. **22.3% General, 77.7% Transfer (rent from AOC) Funds.**

#8G Authorized the Bureau of Public Works Design and Construction to enter into a contract with TPD Construction, Sanford, ME, for the Anna Philbrook Center Renovations, Hugh J. Gallen State Office Park, Concord, NH, for a total price not to exceed \$3,131,900. (2)Further authorized a contingency in the amount of \$123,051 for unforeseen hazardous materials abatement and supplemental climate control work, if required, bringing the total to \$3,254,951. (3)Further authorized the amount of \$40,380 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction for engineering services provided, bringing the total to \$3,295,331. (4)Further authorized to transfer \$17,875 to the State Art Fund, within the Department of Cultural Resources for the purchase of art for the Anna Philbrook Center Renovations, bringing the total to \$3,313,206. Effective upon G&C approval through October 4, 2013. **100% Capital Funds.**

#8H Authorized the list of Governor and Council meeting dates for the period of January through June 2013.

STATE TREASURY

#9 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Sununu authorized the request to issue a warrant from funds not otherwise appropriated in the amount of \$179,510 and Authorized the State Treasurer to issue checks in the amount of \$179,509.41 to the rightful owners of abandoned or unclaimed funds.

ATTORNEY GENERAL – DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

#10 Authorized to enter into sub grants with the entities as detailed in letter dated December 31, 2012, in the amount of \$96,157.38 from the FFY 2011 John R. Justice Grant Program, which provides funding to assist prosecutors and public defenders. These sub grants will provide for the payment of student loan debt incurred by prosecutors and public defenders to eligible loan institutions. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#11 Authorized to enter into a sub grant with the Hillsborough County Department of Corrections in the amount of \$20,000 from the US Department of Justice's Bureau of Justice Assistance FFY2012 Residential Substance Abuse Treatment grant program for residential substance abuse treatment programming. Effective upon G&C approval through September 30, 2014. **100% Federal Funds.**

#12 Authorized to enter into a sub grant with 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. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#13 Authorized to reappoint Jeffrey S. Cahill as a Senior Assistant Attorney General at a salary level of \$80,444, for a term ending January 1, 2014. Effective upon G&C approval.

#14 Authorized to **retroactively** pay annual dues to the National Association of Medicaid Fraud Control Units in the amount of \$5,000 for the period of July 1, 2012 through June 30, 2013. **75% Federal, 25% General Funds.**

INSURANCE DEPARTMENT

#15 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Burton authorized the request to enter into a contract with the Center for Health Law and Economics at the University of Massachusetts Medical School, Charlestown, MA, for the provision of consulting services in connection with the premium rate review initiative to evaluate options for improving the rate review, in the amount of \$105,000. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

#16 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton authorized the request to continue 4 positions in a temporary status for one year from each respective ending date, for an estimated cost of \$67,462.73. **100% Federal Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of Information Services

#17 Authorized to amend a **sole source** contract with Cognosante LLC Scottsdale, AZ (originally approved by G&C on 12-1-04, late item E), for continuation of quality assurance services and expansion of the scope of services in compliance with the Centers for Medicare and Medicaid Services regulations related to the State's Medicaid Management Information System project, by increasing the price by \$2,663,798 from \$9,606,677 to an amount not to exceed \$12,270,475, and by extending the completion date from December 31, 2013 to December 31, 2014. Effective upon G&C approval. **90% Federal, 10% General Funds.**

Office of Minority Health and Refugee Affairs

#18 Authorized to enter into a contract with Lutheran Community Services Inc., Concord, NH, to provide school-related social services to NH refugees, in the amount of \$148,000. Effective **retroactive** to August 15, 2012 through August 14, 2014. **100% Federal Funds.**

#18A Authorized to enter into a contract with International Institute of Boston Inc., Boston, MA, to provide school-related social services to NH refugees, in the amount of \$202,000. Effective **retroactive** to August 15, 2012 through August 14, 2014. **100% Federal Funds.**

Division of Public Health Services

#19 Authorized the Bureau of Public Health Statistics and Informatics, Environmental Public Health Tracking Program to renew and amend a contract with JSI Research and Training Institute Inc d/b/a Community Health Institute, Bow, NH (originally approved by G&C on 4-18-12, item #67), to perform new outreach activities including web marketing, in-person trainings, social media messaging, and written issue briefs that will increase the number of users of an environmental health web portal, by increasing the price by \$56,280 from \$99,916 to \$156,196, and by extending the completion date to June 30, 2013, effective **retroactive** to January 1, 2013. **100% Federal Funds.**

#20 Authorized the Bureau of Infectious Disease Control to enter into a grant agreement with Huggins Hospital, Wolfeboro, NH, under which the Division of Public Health Services will provide 2 portable ventilators and necessary accessories valued at \$13,980 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.**

#21 Authorized the Bureau of Laboratory Services to enter into a **sole source** agreement with bioMérieux Inc, Durham, NC, to provide repair and service for Vidas, Vitek and Diversilab laboratory instruments located at the Public Health Laboratories, in the amount of \$88,157.04. Effective upon G&C approval through thirty-six months. **100% Federal Funds.**

Division of Client Services

#22 Authorized the Disability Determination Unit to enter into an agreement with Glennys Bernard, RN, to provide services as a Disability Determination Reviewer in an amount not to exceed \$14,300. Effective upon G&C approval through June 30, 2013. **75% Federal, 25% General Funds.**

#23 Authorized the Disability Determination Unit to enter into an agreement with Carolynne M. Shinn, RN, to provide services as a Disability Determination Reviewer in an amount not to exceed \$20,800. Effective upon G&C approval through June 30, 2013. **75% Federal, 25% General Funds.**

Bureau of Homeless and Housing Services

#24 Authorized to enter into an agreement with Harbor Homes Inc., Nashua, NH, to provide services to homeless individuals within the greater Manchester, Concord, and surrounding areas in an amount not to exceed \$166,904. Effective upon G&C approval through July 31, 2014. **100% Federal Funds.**

#25 Authorized to enter into an agreement with Southwestern Community Services, Keene, NH, to provide services to homeless individuals throughout the State of NH in an amount not to exceed \$231,764. Effective upon G&C approval through July 31, 2014. **100% Federal Funds.**

#26 Authorized to enter into an agreement with Lakes Region Mental Health Center Inc., d/b/a Genesis Behavioral Health, Laconia, NH, to provide services to homeless individuals in an amount not to exceed \$36,605. Effective February 1, 2013 or upon G&C approval, whichever is later, through January 31, 2014. **100% Federal Funds.**

Bureau of Drug and Alcohol Services

#27 Authorized to accept and expend NH Partnerships for Success Initiative federal funds from the Substance Abuse and Mental Health Services Administration in the amount of \$784,428. Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

Division of Community Based Care Services

#28 Authorized to **retroactively** amend an existing agreement with NH National Alliance on Mental Illness (originally approved by G&C on 4-18-12, item #70), to continue developing a statewide comprehensive Strategic Plan to improve the mental health of children and youth with serious emotional disturbances and their families, by extending the completion date from September 30, 2012 to June 30, 2013. No Additional Funding. **100% Federal Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#29 Authorized the Division of Economic Development to enter into a contract with Firebrand International LLC, to develop and manage the state's aerospace and defense sector consortium, in compliance with the State Trade Export Promotion grant awarded by the US Small Business Administration, in the amount of \$28,000. Effective upon G&C approval through August 30, 2013. **100% Federal Funds.**

#30 Authorized the Division of Economic Development to make a payment to Eastern Trade Council in the amount of \$10,000 for membership dues required as part of the State Trade and Export Promotion Grant II awarded to the Department. Effective upon G&C approval. **100% Federal Funds.**

#31 Authorized with Councilor Sununu recusing himself, the Division of Parks and Recreation, Cannon Mountain Ski Area to enter into a **retroactive** Memorandum of Agreement with Adaptive Sports Partners of the North Country, Franconia, NH, to provide year-round adaptive sport and recreation opportunities at Franconia Notch State Park and Cannon Mountain Ski Area. Effective December 1, 2012 through November 30, 2017.

#32 Authorized the Division of Parks and Recreation, Bureau of Historic Sites to enter into a **sole source** contract with Bast & Rood Architects, Hinesburg, VT, for architectural services for the Weeks Estate Restoration Project, in the amount of \$25,000. Effective upon G&C approval through November 30, 2013. **100% Conservation Number Plate Trust Fund.**

#33 Authorized the Division of Forests and Lands to budget and expend \$26,502 of funds from the Forest Management and Protection Fund for maintaining and enhancing the programs. Effective upon G&C approval through June 30, 2013. **100% Agency Funds.**

#34 Authorized the Division of Forests and Lands to enter into a contract with GL A Plus Exteriors, Milton, NH, for garage roof replacement at the North Country Resources Center, Lancaster, NH, in the amount of \$18,455. Effective upon G&C approval through May 24, 2013. **100% Capital Funds.**

#35 Authorized the Division of Forests and Lands to accept and expend \$28,998 of federal funds from the Consolidated Payment Grants for maintaining and enhancing the State Fire Assistance Program. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#36 Authorized the Division of Forests and Lands to sell the camp building at William Thomas State Forest, in the Town of Hill, by competitive bid. If DRED does not receive a successful bid, DRED will have to fund the expense of demolition and removal of the building.

#37 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, 2013. **100% General Funds.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#38 Authorized to grant to the Society for the Protection of NH Forests \$60,000 to provide partial funding for the purchase of conservation easement on 272.73 acres in Hebron, NH. Effective upon G&C approval through June 30, 2013. **100% Other – Wildlife Habitat Funds.**

#39 Authorized to enter into a contract with M.H. Beecy Appraisal Services, Manchester, NH, to conduct two appraisals to Uniform Standards for Federal Land Acquisition for properties in Stratham and Stark, NH, in the amount of \$6,400. Effective upon G&C approval through February 15, 2013. **75% Federal, 25% Other - Wildlife Habitat and Estuarine Reserve Funds.**

#39A Authorized to accept and expend \$31,532 in federal funds from the National Oceanic and Atmospheric Administration. Effective upon G&C approval through December 31, 2013. **100% Federal Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#40 Authorized to budget and expend prior year carry forward funds in the amount of \$2,000,000 for purposes of oil discharge cleanup. Effective upon G&C approval through June 30, 2013. **100% Oil Discharge & Disposal Cleanup Funds. Fiscal Committee approved.**

#41 Authorized to enter into an agreement with P&H Senesac Inc., Milton, VT, for digester cleaning and sludge dewatering, in the amount of \$53,500. Effective upon G&C approval through June 30, 2013. **100% WRBP Funds.**

#42 Authorized to enter into an agreement with Field Geology Services LLC, Farmington, ME, to conduct a fluvial erosion hazard assessment on the Soucook and Turkey Rivers for a not to exceed value of \$46,113. Effective upon G&C approval through September 18, 2014. **100% Other (Interagency Pass-Thru Federal) Funds.**

#43 Authorized to **retroactively** amend a **sole source** agreement with Inter-Fluve Inc., (originally approved by G&C on 6-22-11, item #96), to complete the Geomorphology-Based Restoration Design and Permitting for the Suncook River and Floodplain project, to include additional Tasks, by increasing the amount by \$72,851 from \$336,000 to \$408,851, and by extending the completion date to September 30, 2013 from December 31, 2012. **100% Other (Interagency Pass-Thru Federal) Funds.**

#44 Authorized to enter into an agreement with the Nashua Regional Planning Commission, Merrimack, NH, to complete the Nashua Regional Stormwater Assistance Program Project, in the amount of \$25,000. Effective upon G&C approval through September 30, 2015. **100% Federal Funds.**

#45 Authorized to **retroactively** amend an agreement with the Lakes Region Planning Commission, (originally approved by G&C on 3-16-11, item #92), for the Update of the Pemigewasset River Corridor Management Plan, by changing the completion date to April 30, 2013 from December 31, 2012. (2)Further authorized to **retroactively** amend an agreement with the Southern NH Planning Commission, (originally approved by G&C on 3-16-11, item #92), for the Piscataquog Watershed Impervious Surface Mapping, by changing the completion date to April 30, 2013 from December 31, 2012. No Additional Funding. **100% Federal Funds.**

#46 Authorized to **retroactively** amend a contract with Underwood Engineers Inc., Portsmouth, NH, (originally approved by G&C on 1-19-11, item #54), to provide construction services related to water main extension in Raymond, NH, by extending the completion date to September 30, 2013 from December 31, 2012, and by modifying the scope of services to include the preparation of a Remedial Action Completion Report. No Additional Funding. **90% Federal, 10% Capital (General) Funds.**

#47 Authorized to enter into a contract with Wright-Pierce Inc., Topsham, ME, for as-needed engineering services for the Winnepesaukee River Basin Program, in the amount of \$900,000. Effective upon G&C approval through June 30, 2015. **100% WRBP Funds.**

#48 Authorized to enter into an agreement with G&K Services Inc., Manchester, NH, for uniform, towel and mat rental and cleaning services, in the amount of \$26,712.48. Effective upon G&C approval through December 31, 2015. **100% WRBP Funds.**

#49 Authorized to enter into a Memorandum of Agreement with the University of NH, Sponsored Programs Administration, Durham, NH, to carry out activities to implement portions of the Piscataqua Region Estuaries Partnership Management Plan, in the amount of \$160,000. Effective upon G&C approval through December 31, 2013. **100% Other Funds.**

#50 Authorized to enter into a grant agreement with Frisbie Memorial Hospital, Rochester, NH, in an amount not to exceed \$19,000 to support the purchase of two MediDock Ambulance Anti-idling Kiosks. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#51 Authorized to enter into a Grant Agreement with the Lake Winnepesaukee Watershed Association, Meredith, NH, in the amount of \$57,000 to complete the Development of a Watershed Plan for Lake Waukewan and Lake Winona Project. Effective upon G&C approval through December 31, 2015. **100% Federal Funds.**

#52 Authorized to enter into a **retroactive** grant agreement with the City of Portsmouth totaling \$4,281 to fund a Household Hazardous Waste collection project. Effective October 27, 2012 through June 30, 2013. **100% Hazardous Waste Funds.**

#53 Authorized a Supplemental Loan Agreement with the City of Dover, (originally approved by G&C on 7-15-09, item #53), which finalizes the original loan agreement in the amount of \$558,314, to fund the design and construction of the Wastewater Treatment Plant Aeration Blowers Upgrade project. Effective upon G&C approval. **41.5% Clean Water State Revolving Fund, 8.5% Capital (General), 50% Federal ARRA Funds.**

#54 Authorized a Supplemental Loan Agreement with the City of Manchester, (originally approved by G&C on 5-12-10, item #60), which finalizes the original loan agreement in the amount of \$5,353,116.32, to fund the design and construction of the Cohas Brook Interceptor Sewer Project, Phase III, contract I. Effective upon G&C approval. **100% CWSRF Repayment Account Funds.**

#55 Authorized a Clean Water State Revolving Fund loan agreement with the City of Lebanon, in the amount of \$3,450,000 to finance the Combined Sewer Separation and Utility Replacement, Phase 9 Project. Effective upon G&C approval. **83% Clean Water State Revolving Funds, 17% Capital (General) Funds.**

#56 Authorized Canobie Lake Realty Corp's request to perform work on Canobie Lake, Salem, NH.

#57 Authorized Blake & Son Design Build LLC's request to perform work on Lake Winnepesaukee, Moultonborough, NH. (2)Further authorized applicant name change from Blake & Son Design Build LLC to Michael & Pamela Joyce. (3)Further authorized to amend the permit to relocate three of the approved docks and to allow construction of a seasonal canopy.

#58 Authorized L. Lakehouse LLC's request to perform work on Lake Winnepesaukee in Meredith.

#59 Authorized Dover Point Properties Development LLC's request to perform work on the Piscataqua River, Dover.

#60 Authorized Marcia MacCormack's request to perform work on South Mill Pond, Portsmouth.

#61 Authorized Ridgewood Association's request to perform work on Great Pond, Kingston.

NEW HAMPSHIRE VETERANS HOME

#62 The Governor and Council on motion of Councilor Burton, seconded by Councilor Sununu authorized the request to amend a **retroactive sole source** contract with RTH Mechanical Services, Brentwood, NH (originally approved by G&C on 1-27-10, item #72), to provide miscellaneous HVAC and Plumbing services to the Home, by increasing the amount by \$25,000 from \$56,520 to \$81,520, and by extending the end date from December 30, 2012 to June 30, 2013. **100% General Funds.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#63 Authorized to amend a **retroactive sole source** contract with Kyran Research Associates Inc., Newport, RI (originally approved by G&C on 1-26-06, item #65), for maintenance and support of the NH Vocational Rehabilitation Case Management System, and annual enhancements support for the NHVRCM, by extending the expiration date from December 31, 2012 to December 31, 2013. The FY 2013 funding (**100% Federal**) is decreased by \$25,000 from \$62,500 to \$37,500 and the FY 2014 funding is increased by \$25,000. No Additional Funding.

#63A Authorized to utilize the services of Albert N. Suied, ANP Transcription, to provide transcription services, in an amount not to exceed \$7,000. Effective upon G&C approval through June 30, 2013. **100% General Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#64 Authorized the Division of Homeland Security and Emergency management to accept and expend Disaster Assistance funds in the amount of \$5,000,000 from the Federal Emergency Management Agency. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#65 Authorized the Bureau of Hearings to accept and expend funds from a sub-grant from the FFY 2009 ARRA Edward Byrne Justice Assistance Grant Program through the NH Department of Justice in the amount of \$22,500 for the implementation of an updated case management system to improve the functioning of the State's criminal justice system. (2)Further authorized to enter into a **sole source** contract with Karpel Computer Systems Inc., St. Louis, MO, to purchase software licensing for the ProsecutorbyKarpel case management computer program, in the amount of \$22,500. Effective upon G&C approval through February 28, 2013. **100% Agency Income.**

#66 Authorized the Division of State Police to **retroactively** pay annual dues of \$6,500 to SEARCH Group Inc., the National Consortium for Justice Information and Statistics, Sacramento, CA, for the period of October 1, 2012 through September 30, 2013. Effective upon G&C approval. **100% Revolving Funds.**

#67 Authorized the Division of Homeland Security and Emergency Management to **retroactively** amend a grant agreement with the Town of New London, NH, (originally approved by G&C on 5-25-11, item #118), to do re-ditching and upgrade nine culverts on Lamson Lane, by extending the completion date from December 31, 2012 to March 8, 2014. **100% Federal Funds.**

#68 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Plainfield, NH, for a total amount of \$6,000 for updating their local hazard mitigation plan. Effective upon G&C approval through September 6, 2015. **100% Federal Funds.**

#69 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Durham, to purchase twelve portable radios for the Durham Police Department for a total amount of \$27,065. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#70 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Central NH Regional Planning Commission for a total amount of \$10,000 to provide technical assistance to the Town of Allenstown for the update of their hazard mitigation plan. Effective upon G&C approval through September 6, 2015. **100% Federal Funds.**

#71 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the City of Berlin to develop the community's Local Emergency Operations Plan and to reprogram the Fire Department's radios to comply with the FCC narrowbanding mandate for a total amount of \$5,600. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#72 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Center Harbor for the purchase and installation of a security/access control system, a base station radio, telephone system, and furnishings for the community's shelter at the same location for a total amount of \$66,758. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#73 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Southern NH Planning Commission for a total amount of \$7,500 to provide technical assistance to the Town of Derry for the update of their hazard mitigation plan. Effective upon G&C approval through September 6, 2015. **100% Federal Funds.**

#74 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the City of Dover to purchase and outfit a mobile Emergency Operations Center incident command vehicle, iPads, and a mobile radio for a total amount of \$26,167. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#75 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Durham to purchase and install two radio repeater systems at the middle and high schools for a total amount of \$34,452. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#76 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Durham to purchase 52 portable radios for the Fire Department for a total amount of \$102,024. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#77 Authorized the Bureau of Right of Way to sell a 0.26 +/- acre parcel of State owned land located on the southwesterly side of NH Route 103 in the Town of Bradford to Bradford Management LLC, for \$43,000 plus a \$1,100 Administrative Fee. Effective upon G&C approval. **50% Federal, 50% Highway Funds.**

#78 Authorized the Bureau of Right of Way to pay various owners \$74,100 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from November 22, 2012 through December 21, 2012. Effective upon G&C approval.

#79 Authorized the Bureau of Turnpikes to continue membership and participation with the E-ZPass Interagency Group, New York, NY, in the amount of \$17,500 for annual membership dues for calendar year 2013. Effective upon G&C approval through December 31, 2013. **100% Turnpike Funds.**

#80 Authorized the Bureau of Turnpikes to enter into a contract with Curtin Enterprises Inc., d/b/a Northeast Door Company, Bedford, NH, for Door and Window Services for facilities maintained by the Bureau or Turnpikes, in the amount of \$46,100. Effective upon G&C approval through June 30, 2014. **100% Turnpike Funds.**

#81 Authorized the Bureau of Materials & Research to enter into a **sole source** agreement with Northern New England Concrete Promotion Association South Portland Maine to participate in NNECPA's training and certification program for a fee not to exceed \$18,000. Effective upon G&C approval through June 30, 2014. **100% Highway Funds.**

#82 Authorized the Bureau of Construction to enter into a contract with Surface Preparation Technologies LLC, Mechanicsburg, PA, for milling rumble strips in the shoulders and centerline at various locations within the State, on the basis of a single bid of \$249,450. Effective upon G&C approval through May 31, 2013. **40% Federal, 60% Turnpike Funds.**

#83 Authorized the Bureau of Construction to enter into a contract with Nicom Coatings Corporation, Barre, VT, for crack sealing 8 roadway segments/locations along I-89 in the City of Concord and the Towns of Bow, Hopkinton, and Warner. (2)Further authorized a contingency in the amount of \$28,709 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 4, 2013. **100% Federal Funds.**

#84 Authorized the Bureau of Bridge Design to enter into an agreement with Kleinfelder Northeast Inc., Cambridge, MA, and Manchester, NH, for the preliminary and final design for the rehabilitation of the Red List bridge carrying US Route 3 and NH Route 25 over Owl Brook in the Town of Ashland, for a lump-sum fee of \$152,848.49. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#85 Authorized the Bureau of Highway Maintenance, Well Section to enter into a contract with Kriester Artesian Well Co Inc., Henniker, NH, for a 6-inch drilled well and pump on the property of Donna Quigley, Pelham, NH, in the amount of \$22,110. Effective upon G&C approval through January 18, 2013. **100% Highway Funds.**

#86 Authorized the Bureau of Highway Maintenance, Well Section to enter into a contract with Wragg Brothers of Vermont Inc., Ascutney, VT, for a 6-inch drilled well and pump on the property of Mark Simon, Canaan, NH, in the amount of \$26,907. Effective upon G&C approval through January 18, 2013. **100% Highway Funds.**

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LATE ITEM

DEPARTMENT OF JUSTICE

- A. Authorized to designate Christen Lavers as a part-time Attorney at a salary of up to \$45,626.67. Effective January 18, 2013.

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Attorney General Michael Delaney asked the Councilors to attend a non-public consultation with the Department of Justice and the Department of Administrative Services on the State's pending legal matters.

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

Honorable Board then Adjourned at 11:40 a.m.