

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
New Hampshire Food Bank, Manchester, New Hampshire
October 1, 2014, 10:00 a.m.

*

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

Councilor Pappas led the Pledge of Allegiance.

*

Today's pre-meeting ceremonial items included:

- Music by Gretchen Joki of Derry, violinist from the Manchester Community Music School.

*

The Governor and Executive Council on motion of Councilor Sununu, seconded by Councilor Kenney, accepted the minutes of September 17, 2014.

*

The Governor and Executive Council, on motion of Councilor Van Ostern, seconded by Councilor Pappas, approved the appointment of several persons nominated for Civil Commissions from the September 17, 2014 meeting.

*

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

*

RESIGNATIONS

The Governor and Council accepted the following resignations:

Real Estate Commission

James R. Therrien, Hampton

Effective: October 1, 2014

Assistant Director of Homeland Security and Emergency Management at the Department of Safety

Steven H. Temperino, Plymouth

Effective: October 1, 2014

CONFIRMATIONS

The Governor and Council confirmed the following:

New Hampshire Circuit Court Judge - RSA 490-F

Suzanne M. Gorman, Goffstown
vacancy

Effective: October 1, 2014
Term: Until 70 years of age

Board of Licensure of Interpreters for the Deaf and Hard of Hearing - RSA 326-I

(Recommended by the NH Association for the Deaf)

Cathy L. Minch, Newmarket
Reappointment

Effective: October 10, 2014
Term: October 10, 2017

Enhanced 911 Commission - RSA 106-H

(Nominated by Fairpoint)

Karen Mead, Bedford
Reappointment

Effective: October 1, 2014
Term: July 8, 2017

Board of Professional Geologists - RSA 310-A

Paul L. Rydel, Concord
Reappointment

Effective: October 4, 2014
Term: October 4, 2019

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

(Owner/Operator more than 100 lots)

Kenneth R. Burgess, Hooksett

Reappointment

Effective: October 3, 2014

Term: October 3, 2017

Mechanical Licensing Board - RSA 153:27-a

(Public Member)

Omer Beaudoin, Manchester

Reappointment

Effective: October 2, 2014

Term: October 2, 2017

Pease Development Authority - RSA 12-G

(Chairman)

Arthur H. Nickless Jr., Rochester

Reappointment

Effective: October 1, 2014

Term: May 23, 2017

Pharmacy Board - RSA 318

(Hospital Pharmacist)

Gary Merchant, Claremont

Reappointment

Effective: October 21, 2014

Term: October 21, 2019

New Hampshire Real Estate Commission - RSA 331-A

(Broker)

Daniel S. Jones, North Conway

Reappointment

Effective: October 1, 2014

Term: September 15, 2019

New Hampshire Retirement System Board of Trustees - RSA 100-A:14

(Nominated by NH-NEA)

Tonya J. Angwin, Manchester

Succeeding: Karen McDonough, Peterborough (resigned)

Effective: October 1, 2014

Term: July 1, 2016

Speech-Language Pathology Governing Board - RSA 328-F

Maureen W. Heckman, Gilford

Reappointment

Effective: October 1, 2014

Term: March 4, 2017

Superior Court Judge - RSA 491:1

Amy L. Ignatius, Concord

Vacancy

Effective: October 1, 2014

Term: Until 70 years of age

Superior Court Judge - RSA 491:1

Andrew R. Schulman, Manchester

Vacancy

Effective: October 1, 2014

Term: Until 70 years of age

NOMINATIONS

The Governor placed into nomination the following:

Enhanced 911 Commission - RSA 106-H

(Nom. by NH Municipal Assoc)

David R. Caron, Belmont

Reappointment

Effective: Upon Confirmation

Term: August 12, 2017

Enhanced 911 Commission - RSA 106-H

(Public Member)

Cecily McNair, Epsom

Reappointment

Effective: Upon Confirmation

Term: July 22, 2017

<u>State Board of Fire Control</u> - RSA 153:2 (Forest Fire Warden) Norman W. Skantze, Swanzey Reappointment	Effective: Upon Confirmation Term: September 27, 2019
<u>Health Exchange Advisory Board</u> - RSA 420-N (Rep. Navigators) Lisa M. Morris, Gilford Reappointment	Effective: Upon Confirmation Term: October 3, 2017
<u>State Historical Resources Council</u> - RSA 227-C (Historic Preservation) Linda Willett, Nashua Succeeding: Mary R. Boswell, Laconia	Effective: Upon Confirmation Term: January 1, 2019
<u>Lakes Management Advisory Committee</u> - RSA 483-A (Member of Planning Board) Robert W. Compton, Deering Reappointment	Effective: Upon Confirmation Term: August 1, 2017
<u>Nashua Police Commission</u> - RSA 105-C:2 Robert E. Valade, Nashua Reappointment	Effective: Upon Confirmation Term: September 1, 2017
<u>Assistant Director / Div. of Homeland Security & Emergency Management / Dept of Safety</u> - RSA 21-P:36,III Jennifer L. Harper, Concord Succeeding: Steven H. Temperino, Plymouth (resigned) Salary: Grade FF; maximum step- \$87,091.71	Effective: Upon Confirmation Term: Commissioners Pleasure
<u>Waste Management Council</u> - RSA 21:0 (Rep. of Private Industries that Generate Hazardous Waste) Daniel P. Sweet, Kensington Reappointment	Effective: Upon Confirmation Term: August 22, 2018

CONSENT CALENDAR AGENDA

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

STATE TREASURY

#A. Authorized to issue a warrant from funds not otherwise appropriated in the amount of \$67,310 and the Commissioner of the Treasury to issue checks in the amount of \$67,309.64 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF EDUCATION

#B. Authorized the Division of Higher Education, Higher Education Commission to pay the October 1, 2014 to September 30, 2015 membership renewal fee to the State Higher Education Executive Officers Association, in the amount of \$3,843. Effective upon G&C approval. **52% General, 48% Other Funds.**

PUBLIC UTILITIES COMMISSION

#C. Authorized to continue membership and participation in the New England Conference of Public Utilities Commissioners Inc., for the period of October 1, 2014 through September 30, 2015, for an amount of \$24,000. **100% Other Funds (Utilities Assessment).**

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

RACING AND CHARITABLE GAMING COMMISSION

#A. Authorized to accept and place on file the report of activities for fiscal year ended June 30, 2014.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

#B. Authorized to accept and place on file the annual report of the Job Training Fund.

NEW HAMPSHIRE VETERANS HOME

#C. Authorized to accept and place on file the annual report for the Fiscal year 2014.

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

DEPARTMENT OF THE ADJUTANT GENERAL

#A. Authorized the nomination of Christopher P. Thompson, Nottingham, NH, for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

DEPARTMENT OF THE ADJUTANT GENERAL

#B. Authorized the nomination of Captain Jillian M. Murray-Duchesne, Salisbury, NH, for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

DEPARTMENT OF THE ADJUTANT GENERAL

#C. Authorized the nomination of Lieutenant Colonel James P. Ryan, 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, morally, and professionally qualified.

DEPARTMENT OF THE ADJUTANT GENERAL

#D. Authorized the nomination of Captain Keith R. Anderson, Manchester, NH, for promotion to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally and professionally qualified.

DEPARTMENT OF THE ADJUTANT GENERAL

#E. Authorized the confirmation of Major Davis K. Ulricson, Ashland, NH, to the rank of Lieutenant Colonel, NH Army National Guard.

DEPARTMENT OF THE ADJUTANT GENERAL

#F. Authorized the confirmation of Captain Jackson, R. McFarland, Epping, NH, for promotion to the rank of Major, NH Air National Guard.

DEPARTMENT OF THE ADJUTANT GENERAL

#G. Authorized the confirmation of Major Melinda A. Morin, Milan, NH, to the rank of Lieutenant Colonel, NH Army National Guard.

DEPARTMENT OF THE ADJUTANT GENERAL

#H. Authorized the confirmation of Major Brett E. Pierson, Kingston, NH, for appointment to the rank of Major, NH Air National Guard.

DEPARTMENT OF THE ADJUTANT GENERAL

#I. Authorized the confirmation of Major Wiley W. Semrau, Cambridge, UK, for appointment to the rank of Major, NH Air National Guard.

DEPARTMENT OF JUSTICE

#J. Authorized the nomination of Patricia E. Fillio, LCMHC, to serve on the NH Victims Assistance Commission. Effective upon G&C approval for a period of three years.

DEPARTMENT OF JUSTICE

#K. Authorized the nomination of Vincent A. Baiocchetti III to serve on the NH Victims' Assistance Commission. Effective upon G&C approval for a period of three years.

DEPARTMENT OF JUSTICE

#L. Authorized to appoint Matthew T. Broadhead as an Attorney at a salary of \$58,000. Effective October 1, 2014.

DEPARTMENT OF JUSTICE

#M. Authorized to reappoint Peter Hinckley as an Assistant Attorney General at a salary level of \$81,000. Effective October 14, 2014 through October 14, 2019.

DEPARTMENT OF JUSTICE

#N. Authorized to reappoint Benjamin J. Agati as an Assistant Attorney General, at a salary of \$74,000. Effective October 14, 2014 through October 14, 2019.

DEPARTMENT OF JUSTICE

#O. Authorized to appoint Stacey R. Kaelin as an Assistant Attorney General, at a salary of \$63,000. Effective October 5, 2014.

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

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

#A. Authorized the Division of Parks and Recreation to amend a Facility Use Agreement to the Enriched Learning Center LLC, Berlin, NH, (originally approved by G&C on 7-10-13, item #64), for the exclusive use of certain facilities and outdoor recreation structures at Coleman State Park. (2)Further authorized to amend Section 3 of the agreement by deleting subsections 3.2 and 3.3 and replacing such subsections as detailed in letter dated August 6, 2014.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Bureau of Elderly & Adult Services

#B. Authorized to amend an existing agreement with VNA at HCS Inc., Keene, NH, (originally approved by G&C on 6-18-14, item #110), to provide In Home Care, In Home Health Aide Level of Care and Adult Day Program Services, by modifying the geographic area served with no change to the total price of \$1,008,761. (2)Further authorized to amend an existing agreement with VNA at HCS Inc., Keene, NH (originally approved by G&C on 6-18-14, item #109), to provide Home Delivered and Congregate Meals and Transportation Services, by modifying the geographic area served with no change in the total price of \$650,886.80. Effective upon G&C approval through June 30, 2015. **51% Federal, 49% General Funds.**

REGULAR AGENDA

BUSINESS FINANCE AUTHORITY

#5 The Governor and Executive Council on motion of Councilor Pappas, seconded by Councilor Pignatelli and further on a roll call vote as follows: Councilor Kenney – yes, Councilor Van Ostern – **no**, Councilor Sununu – recused, 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 Kennebunk Savings Bank to 3S Contemporary Artspace, Inc. located in Portsmouth, NH. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON OCTOBER 1, 2014
STATE HOUSE, CONCORD, NEW HAMPSHIRE**

* * * * *

At approximately 10:45 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Guaranteed Asset Program of the Business Finance Authority in connection with a loan to be made by Kennebunk Savings Bank to 3S Contemporary Artspace, 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 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 AWARDDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM KENNEBUNK SAVINGS BANK TO 3S CONTEMPORARY ARTSPACE, INC." and moved its adoption, which was seconded by Councilor Pignatelli. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Kenney, Councilor Pappas, and Councilor Pignatelli; those abstaining were Councilor(s) : None; and voting against was Councilor Van Ostern. Councilor Sununu recused himself. The Governor declared that the resolution was passed.

* * * * *

**A RESOLUTION UNDER RSA 162-A:18
AWARDDING A STATE GUARANTEE UNDER RSA 162-A:13
WITH RESPECT TO A LOAN FROM
KENNEBUNK SAVINGS BANK TO 3S CONTEMPORARY ARTSPACE, 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 \$240,000 from Kennebunk Savings Bank to 3S Contemporary Artspace, Inc., pursuant to RSA 162-A:13 (the Guaranteed Asset Program or the "GAP 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 insure 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.

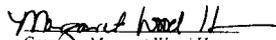
(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(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.

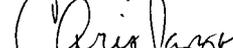
3. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to October 1, 2014.

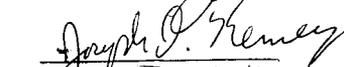

Governor Margaret Wood Hassan

Councillor Colin Van Ostern

Councillor Christopher T. Sununu


Councillor Christopher C. Pappas


Councillor Debora B. Pignatelli


Councillor Joseph D. Kenney

#6 The Governor and Executive Council on motion of Councilor Pappas, seconded by Councilor Pignatelli and further on a roll call vote as follows: Councilor Kenney – yes, Councilor Van Ostern – no, Councilor Sununu – recused, Councilor Pappas – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing with respect to the financing of a loan to Coastal Economic Development Corporation for the benefit of 3S Contemporary Artspace, Inc. located in Portsmouth, NH. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON OCTOBER 1, 2014
, CONCORD, NEW HAMPSHIRE**

* * * * *

At approximately 11:00 a.m., the Governor announced that the next matter to be considered would be the purchase by the Business Finance Authority of a loan to be made by Coastal Economic Development Corporation 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 loan. The Governor then said that the meeting would hear anyone wishing to speak on the subject. Michael Donahue, Senior Credit Officer of the Authority, briefly explained the project. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Pappas introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDDING A LOAN UNDER RSA 162-A:7 FROM THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE TO COASTAL ECONOMIC DEVELOPMENT CORPORATION" and moved its adoption, which was seconded by Councilor Pignatelli. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Kenney, Councilor Pappas, and Councilor Pignatelli; those abstaining were Councilor(s) : None; and voting against was Councilor Van Ostern. Councilor Sununu recused himself. The Governor declared that the resolution was passed.

* * * * *

**A RESOLUTION UNDER RSA 162-A:18 AWARDDING A LOAN
UNDER RSA 162-A:7 FROM THE BUSINESS FINANCE AUTHORITY OF
THE STATE OF NEW HAMPSHIRE TO COASTAL ECONOMIC DEVELOPMENT CORPORATION**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to a loan by the Authority to Coastal Economic Development Corporation (the "Borrower") in the original principal amount of up to \$130,000 to be reloaned to 3S Contemporary Artspace, Inc., of Portsmouth, New Hampshire to complete the construction of the 3S Contemporary Artspace in Portsmouth, New Hampshire(the "Loan")

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

WHEREAS, the Governor and Council will receive all the documentation and information with respect to the proposed Loan by the Authority; and

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

NOW, THEREFORE, it is hereby resolved that:

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

a. Special Findings.

(i) The Loan in consistent with local or regional development plans or policies.

b. General Findings.

(i) The Loan that the Authority has proposed will serve a public use and provide a public benefit.

(ii) The Loan that the Authority has proposed is within the policy of, and the authority conferred, by RSA Chapter 162-A.

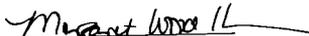
(iii) The Loan that the Authority has proposed will preserve or increase the social welfare or economic prosperity of the State and one or more of its political subdivisions, and will promote the general welfare of the State's citizens.

(iv) The Loan that the Authority has proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. Governor and Council approve the Loan by the Authority as recommended by the Authority and authorize the Authority to cause the execution and delivery of the loan documents substantially in the form submitted to Governor and Council and to take such further action as the act with respect to the transaction as may be required.

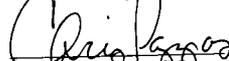
3. Effective Date. This Resolution shall take effect upon its passage.

Passed and agreed to October 1, 2014.

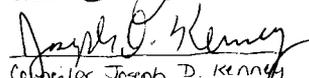

Governor Margaret Wood Hassan

Councilor Colin Van Ostern

Councilor Christopher T. Sununu


Councilor Christopher Pappas


Councilor Debra B. Pignatelli


Councilor Joseph D. Kennedy

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Division of Child Support Services

#7 Authorized to enter into an agreement with the NH Judicial Branch Administrative Office of the Courts, Office of Mediation and Arbitration, Concord, NH, for the provision of mediation services, in an amount not to exceed \$70,000. Effective October 1, 2014 through September 30, 2015. **100% Federal Funds.**

Division of Public Health Services

#8 Authorized to **retroactively** amend an existing **sole source** agreement with DiaSorin Inc., Stillwater, MN (originally approved by G&C on 8-10-11, item #81), for the provision of repair and service for the ETI-MAX 300 Microplate Analyzer, by increasing the price by \$11,340 from \$32,400 to \$43,740, and by extending the completion date from August 10, 2014 to August 10, 2015. **100% General Funds.**

#9 Authorized to enter into an agreement with the University of NH, Office of Sponsored Research, Durham, NH, to develop and implement projects leading to the adoption of tobacco free policies on the 23 campuses of the University System of NH and Community College System of NH, in an amount not to exceed \$180,000. Effective upon G&C approval through August 31, 2016. **100% Federal Funds.**

#10 Authorized to exercise a **sole source** contract renew and amend option with Canberra Industries Inc., Meriden, CT (originally approved by G&C on 8/24/11, item #41), to provide repair and service of the Canberra Radiochemistry Analyzer System, by increasing the price by \$66,912 from \$56,824.66 to \$123,736.66, and by extending the completion date from August 24, 2014 to August 24, 2017. **100% Other Funds.**

#11 Authorized to exercise a **sole source** amendment to an agreement with NH Coalition Against Domestic and Sexual Violence, Concord, NH (originally approved by G&C on 6-19-13, item #88), to provide additional sexual violence prevention services, by increasing the price by \$125,235 from \$337,876 to \$463,111. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

Bureau of Developmental Services

#12 Authorized to accept and expend Traumatic Brain Injury Implementation federal funds from the US Department of Health and Human Services, Health Resources and Services Administration in the amount of \$239,619. Effective upon G&C approval through June 30, 2015. **100% Federal Funds. Contingent upon Fiscal Committee approval on September 26, 2014.**

#13 Authorized to accept and expend State Planning Grants for Improving Services for Children and Youth with Autism Spectrum Disorder and other Developmental Disabilities federal funds from the US Department of Health and Human Services, Health Resources and Services Administration in the amount of \$75,000. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

Division of Community Based Care Services

#14 Authorized to enter into a **sole source** amendment to an existing agreement with Easter Seals NH Inc., Manchester, NH (originally approved by G&C on 12-20-13, item #62), for the provision of a Military Veterans Access to No Wrong Door program that includes a provision of providing and coordinating cross training to other ServiceLink Resource Centers, Civilian Providers, and Military-Veteran Providers statewide in order to ensure continuation of community based services to veterans, service members and their families, by increasing the price by \$500,000 from \$697,547 to \$1,197,547. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

Bureau of Elderly & Adult Services

#14A Authorized the Office of the Long Term Care Ombudsman to hold two, one day "Hand in Hand" educational workshops for skilled nursing facilities and Department staff on October 20, 2014 at the Holiday Center, Concord, NH and on October 21, 2014 at The Mountain Club on Loon, Lincoln, NH, for a total conference cost not to exceed \$12,701. Effective upon G&C approval through November 30, 2014. **100% Federal Funds.**

Division for Children, Youth & Families

#14B Authorized to enter into a **sole source** agreement with Andrew Smith, Nashua, NH, to provide services as the Disproportionate Minority Contact Coordinator, in an amount not to exceed \$50,000. Effective October 1, 2014 through September 30, 2015. **100% Federal Funds.**

#14C Authorized to enter into an agreement with Family Mediation and Juvenile Services Inc., to provide juvenile court diversion and intervention services to youth up to the age of 18 in the Atkinson, Danville, Hampstead, Kingston, Newton and Plaistow areas by offering services that target low self-esteem, negative peer group association, lack of appropriate role modeling, poor communication skills, family substance use and family violence in an amount not to exceed \$45,833. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

New Hampshire Hospital

#14D Authorized to enter into an agreement with Atlantic Coast Fence Company Inc., Amesbury, MA, to install fencing for a new recreational area at the NH Hospital's Acute Psychiatric Services Building, Concord, NH, in an amount not to exceed \$33,077. (2)Further authorized to adjust the work schedule within the completion date of the contract without G&C approval. Effective upon G&C approval through December 12, 2014. **69% General, 31% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#15 Authorized the Division of Project Development to establish various non-budgeted classes in various accounting units and to transfer \$349,466 between various accounts and classes. Effective upon G&C approval through June 30, 2015. **Contingent upon Fiscal Committee approval on September 26, 2014.**

#16 Authorized the Bureau of Turnpikes to establish various non-budgeted classes in various units and to transfer \$177,500 within Turnpike Fund accounting units and classes. Effective upon G&C approval through June 30, 2015. **Contingent upon Fiscal Committee approval on September 26, 2014.**

#17 Authorized the Division of Aeronautics, Rail and Transit to establish a non-budgeted class and to transfer \$172,980 between accounts. Effective upon G&C approval through June 30, 2015. **Contingent upon Fiscal Committee approval on September 26, 2014.**

#18 Authorized the Bureau of Rail and Transit to Budget and Expend prior year carry-forward funds in the amount of \$500,000 from the Special Railroad Fund for the maintenance and repair of State-owned railroad lines. (2)Further authorized to expend an amount not to exceed \$500,000 from the Special Railroad Fund for maintenance and repair of State-owned railroad lines and bridges. Effective upon G&C approval through June 30, 2015. **100% Other Funds (Special Railroad Funds). Contingent upon Fiscal Committee approval on September 26, 2014.**

#19 Authorized the Bureau of Rail and Transit to accept and expend \$675,000 of additional Federal Railroad Administration grant funds to support rail improvements on the NH Northcoast Railroad line in Strafford and Carroll Counties. Effective upon G&C approval through June 30, 2015. **Contingent upon Fiscal Committee approval on September 26, 2014.**

#20 Authorized the Bureau of Right of Way to pay property owners \$89,085 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from August 26, 2014 through September 9, 2014. Effective upon G&C approval.

#21 Authorized the Bureau of Materials & Research to amend a **sole source** Joint Funding agreement with the US Geological Survey, Pembroke, NH, (originally approved by G&C on 7-10-13, item #111), to allocate additional resources to the project, by increasing the original contribution by \$15,000 to a total of \$71,760. No Additional Funding.

#22 Authorized the Bureau of Construction to amend a contract with Pike Industries Inc., Belmont, NH, (originally approved by G&C on 4-9-14, item #85), for resurfacing of approximately 32 miles in District III and in Belknap, Carroll and Merrimack Counties, by increasing the amount by \$400,000 from \$1,997,970 to \$2,397,970. Effective upon G&C approval through December 1, 2014. **100% Betterment Funds.**

#23 Authorized the Bureau of Construction to enter into a contract with R.M. Piper Inc., Plymouth, NH, for removing the toll plazas at the Exit 12, Bedford Road interchange on the F.E. Everett Turnpike in Merrimack, NH, on the basis of a low bid of \$388,891. (2)Further authorized a contingency in the amount of \$19,444.55 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through December 12, 2014. **100% Turnpike Funds.**

#24 Authorized the Bureau of Aeronautics to provide funding to the City of Concord, NH, to purchase snow removal equipment for the Concord Municipal Airport, Concord, NH, in the amount of \$310,175. Effective upon G&C approval through October 31, 2018. **94.74% Federal, 5.26% General Funds.**

#25 Authorized the Bureau of Aeronautics to award a grant to the City of Manchester to upgrade the heating, ventilation, and air conditioning system in the terminal building (Phase II) at the Manchester-Boston Regional Airport, in the amount of \$396,649.69. Effective upon G&C approval through October 31, 2018. **94.74% Federal, 5.26% General Funds.**

#26 Authorized the Bureau of Aeronautics to award a grant to the City of Claremont, to conduct a Section 106 Historical Assessment at the Claremont Municipal Airport, Claremont, NH, in the amount of \$29,450. Effective upon G&C approval through October 31, 2018. **94.74% Federal, 5.26% General Funds.**

#27 Authorized the Bureau of Rail and Transit to enter into a **retroactive** contract with the NH Northcoast Railroad Company, Ossipee, NH, for improvements on the NH Northcoast Railroad in Strafford and Carroll Counties, for an amount not to exceed \$1,550,000. Effective August 30, 2013 through January 31, 2016. **91.3% Federal, 9.7% General Funds.**

DEPARTMENT OF CORRECTIONS

#28 **WITHDRAWN** – The Agency withdrew the request to budget and expend prior year balance forward funds in the amount of \$308,923 in the State Criminal Alien Assistance Program for expenses related to the care and custody of criminal offenders in the NH Correctional system. (2)Further authorized to establish one part-time temporary Administrator IV position, labor grade 33. Effective upon G&C approval through June 30, 2015. **100% Federal Funds. Contingent upon Fiscal Committee approval on September 26, 2014.**

NEW HAMPSHIRE COMMISSION FOR HUMAN RIGHTS

#29 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas, authorized to pay **retroactively**, a onetime prior year step increase difference, in the amount of \$1,148.40 from SFY 2015 funds, for SFY 2014. Effective upon G&C approval. **82.6% General, 17.4% Federal Funds.**

PUBLIC UTILITIES COMMISSION

#30 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Pappas, authorized to **retroactively** continue membership and participation in the Clean Energy States Alliance, for the period of July 1, 2014 through June 30, 2015, for an amount of \$15,000. **100% Renewable Energy Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#31 Authorized the Division of Economic Development to accept and expend funds from a grant from the US Small Business Administration – State Trade and Export Promotion Grant Program, in the amount of \$159,725. Effective upon G&C approval through June 30, 2015. **100% Federal Funds. Contingent upon Fiscal Committee approval on September 26, 2014.**

#31A Authorized the Bureau of Historic Sites to enter into a **sole source** contract with Lionel Cloutier Construction d/b/a LM Cloutier Construction, Groveton, NH, for emergency carpentry repairs and painting for “The Lodge” at Weeks State Park, in the amount of \$80,000. Effective upon G&C approval through September 30, 2015. **100% Agency Income (Conservation Plate Funds).**

#31B Authorized with Councilor Sununu recusing himself, the Division of Parks and Recreation, Cannon Mountain to enter into a contract with Royal Electric Company Inc., Woodsville, NH, for the Tramway Summit Electrical Upgrade at Cannon Mountain Ski Area, in the amount of \$148,716. (2)Further authorized a contingency in the amount of \$7,435 to cover any unforeseen issues that may arise. Effective upon G&C approval through June 30, 2015. **100% Capital Funds.**

#31C Authorized with Councilor Sununu recusing himself, the Division of Parks and Recreation, Cannon Mountain to enter into a contract with G.W. Tatro Construction Inc., Jeffersonville, VT, for the Snowmaking Pumphouse Steel and Pipe Upgrade at Cannon Mountain Ski Area, in the amount of \$99,955. (2)Further authorized a contingency in the amount of \$5,000 to cover any unforeseen issues that may arise. Effective upon G&C approval through October 31, 2014. **100% Capital Funds.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#32 Authorized the transfer of \$250,000 of unexpended funds from Excess Registration Fees to the Fish and Game OHRV Fiscal Year 2015 Operating Budget as detailed in letter dated August 20, 2014. **Contingent upon Fiscal Committee approval on September 26, 2014.**

#33 Authorized to accept and expend \$910,000 in federal funds from the National Oceanic and Atmospheric Administration for the purpose of distributing federal fisheries disaster relief funds to northeast multispecies commercial harvesters impacted by the federal fisheries disaster declared by the Secretary of Commerce in 2012. **100% Federal Funds. Contingent upon Fiscal Committee approval on September 26, 2014.**

#34 Authorized with Councilor Sununu voting **no**, to enter into a **sole source** contract with Roger Stephenson d/b/a Stephenson Strategic Communications, Stratham, NH, for fundraising efforts for the Nongame and Endangered Wildlife Program, in an amount not to exceed \$35,454. Effective upon G&C approval through September 30, 2016. **100% Other Funds (Nongame).**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#35 Authorized a loan agreement with the Loon Estates Cooperative Inc., Northwood, NH, in the amount not to exceed \$50,000 to finance water system improvements. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

#36 Authorized to amend a **sole source** contract with each of the vendors as detailed in letter dated September 3, 2014, (originally approved by G&C on 7-10-13, item #76), for environmental spill response, cleanup and tank removals at petroleum sites, by increasing the amount by \$250,000 from \$690,000 to \$940,000. Effective upon G&C approval through June 30, 2017. **100% MTBE Settlement Funds.**

#37 Authorized Harven & Rita Betournay’s request to perform work on Wentworth Lake in Wolfeboro.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#38 Authorized to **retroactively** pay membership dues to the University of Kansas Center for Research Inc., Lawrence, KS, in an amount not to exceed \$16,666.70. Effective September 1, 2014 through June 30, 2015. **100% Federal Funds.**

#39 Authorized the Division of Educational Improvement to **retroactively** contract with Sandra Kent, Deering, NH, to work with other content specialists from ME, VT, and RI on all aspects of NECAP test development in Science, Grades 4, 8 & 11, in an amount not to exceed \$17,500. Effective September 1, 2014 through June 30, 2015, with the option to renew for one additional fiscal year. **100% Federal Funds.**

#40 Authorized the Bureau of Vocational Rehabilitation to enter into a contract with Granite State Independent Living, Concord, NH, to provide independent living services in an amount not to exceed \$179,524. Effective upon G&C approval through September 30, 2015. **17.1% State, 82.9% Federal Funds.**

#41 Authorized the Bureau of Vocational Rehabilitation to enter into a contract with Northeast Deaf and Hard of Hearing Services Inc., Concord, NH, to provide independent living services in an amount not to exceed \$49,235. Effective upon G&C approval through September 30, 2015. **100% Federal Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#42 Authorized a salary increase from letter grade GG, maximum step, to letter grade HH, maximum step, for Elizabeth Bielecki, Director of Administration, in the amount of \$8,390.72 from the current salary of \$94,034.08 to a new annual salary of \$102,424.80.

#43 Authorized the Division of State Police to accept and expend \$94,635 of federal funds from the NH Highway Safety Agency that will be used by the Division of State Police to conduct patrols known as "Operation Safe Commute". Effective October 1, 2014 through June 30, 2015. **100% Agency Income.**

#44 Authorized the Division of State Police to accept and expend \$37,067 of federal funds from the Federal Motor Carrier Safety Administration entitled Border Enforcement Grant Program to ensure that motor carriers and drivers operating commercial motor vehicles entering the US from a foreign country are in compliance with USCMV safety standards and regulations. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#45 Authorized the Division of State Police to **retroactively** amend federal pass-through funds from the NH Department of Justice (originally approved by G&C on 3-6-13, item #29), for the purpose of supporting the operation of the Sex Offender Unit, by changing the end date from July 31, 2014 to June 30, 2015. No Additional Funding. **100% Agency Income.**

#46 Authorized the Division of State Police to **retroactively** amend federal pass-through funds from the NH Department of Justice (originally approved by G&C on 12-20-13, item #89), for the purpose of supporting the operation of the Sex Offender Unit, by changing the end date from June 30, 2014 to June 30, 2015. No Additional Funding. **100% Agency Income.**

#47 Authorized the Division of State Police to travel over 300 miles one way in a State Police issued unmarked state vehicle to attend the Pennsylvania State Police Troop Funeral in Scranton, PA from September 17-19, 2014. (2)Further authorized to **retroactively** accept a donation, with a value of less than \$1,000, from the NH Troopers Association to directly pay for the travel expenses for both Troopers' attendance at the funeral in PA.

#48 NOT USED

#49 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with United Ways of NH to provide a public inquiry 2-1-1 hotline on behalf of the State of NH during incidents, disasters or emergencies for a total amount of \$50,000. Effective upon G&C approval through September 30, 2015. **100% Federal Funds.**

#50 Authorized the Division of Emergency Services and Communications to exercise an option to renew a one-year contract extension with Northern New England Telephone Operations LLC d/b/a FairPoint Communications NNE, Manchester, NH (originally approved by G&C on 10-2-13, item #74) to provide telephone network services for the Enhanced 911 system, in an amount not to exceed \$594,008.52. Effective October 11, 2014 through October 11, 2015. **100% Agency Income.**

#51 Authorized the Division of State Police to amend a grant from the NH Department of Justice and to amend a class 046 consultant position (originally approved by G&C on 4-9-14, item #66), by **retroactively** changing the end date to June 30, 2015. No Additional Funding. **100% Agency Income. Contingent upon Fiscal Committee approval on September 26, 2014.**

DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

#52 Authorized to amend item #24, approved by G&C on October 2, 2013, by extending the end date **retroactively** from September 30, 2014 to June 30, 2015, for the purpose of establishing a Statewide Automated Victims Information and Notification Program. Effective upon G&C approval through June 30, 2015. (2)Further authorized to amend the subgrant to the NH Department of Safety, in the amount of \$955,095 (originally approved by G&C on 10-2-13, item #24), by extending the end date **retroactively** from September 30, 2014 to June 30, 2015. No Additional Funding. **100% Federal Funds. Contingent upon Fiscal Committee approval on September 26, 2014.**

#53 Authorized to accept and expend a grant in the amount of \$9,014.30 from the NH Safety Agency for the purpose of hosting a two-day Motor Vehicle Seminar entitled "J.B. McDuffee Prosecutorial Seminar". (2)Further authorized to conduct a two-day seminar for the investigation and prosecution of motor vehicle crashes and incidents of driving while under the influence of alcohol or other drugs, at a cost not to exceed \$9,014.30 scheduled for October 14-15, 2014 at the Police Standards and Training Council Training Facility in Concord, NH. Effective upon G&C approval through December 31, 2014. **100% Transfer from other agency.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#54 Authorized to transfer funds in and among accounting units in the amount of \$226,769 and create three new expenditure classes. The transfers are made up of \$186,165 in general funds, \$13,241 in transfer funds, and \$27,363 in other funds. Effective upon G&C approval through June 30, 2015. **82% General, 6% Transfer, 12% Other Funds. Contingent upon Fiscal Committee approval on September 26, 2014.**

#55 Authorized on behalf of the NH Deferred Compensation Commission, to accept and expend funds in the amount of \$98,580 earned from contractual payments from Great-West Retirement Services which will be used to pay for expenses. Effective upon G&C approval through June 30, 2015. **100% Agency Income – Deferred Compensation.**

#56 Authorized the Division of Personnel's' request for waiver of classification decisions.

#57 Authorized the State Surplus Distribution to enter into a service contract with James R. St. Jean Auctioneers, Epping, NH, for auctioneer services at no charge to the State of NH. The Auctioneer's revenue will be achieved with an 8% Byers fee and will reimburse the State of NH 3% of the selling price of municipal and other property. Effective upon G&C approval through September 30, 2016, with the option to extend, but not to exceed five years in total.

#58 Authorized the Risk Management Unit to enter into a **sole source** contract with Employee Benefit Management Inc., Freeport, ME, for the continued administration of the State's voluntary benefits contract for short-term disability, accident, and critical illness insurance. Effective January 1, 2015 through December 31, 2015. No Cost.

#59 Authorized the Risk Management Unit to enter into a contract with Delta Dental Plan of NH Inc., Concord, NH, for the administration of self-funded dental coverage for the state employees and eligible dependents for a period of 36 months, in the amount of \$1,061,504. Effective January 1, 2015 through December 31, 2017, with the option to renew for up to two additional years. **Approximately 34% General, 19% Federal, 3% Enterprise, 13% Highway, 2% Turnpike, and 29% Other Funds.**

#60 Authorized the Surplus Distribution Section to enter into a contract with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, to coordinate and provide statewide Surplus Food Distribution for the Emergency Food Assistance Program, for a total amount not to exceed \$475,317. Effective October 1, 2014 through September 30, 2017, with the option to renew for an additional term of two years. **100% Federal Funds.**

#61 Authorized the Bureau of Purchase and Property Surplus Distribution Section to accept and expend the Emergency Feeding Assistance Program funds available from the US Department of Agriculture in the amount of \$68,952 for funding the warehousing and distribution of USDA commodity foods. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#62 Authorized the Risk Management Unit to enter into a contract with The Segal Company, Boston, MA, for actuarial, claims audit, procurement support and general health benefits consulting services, for a total amount not to exceed \$1,893,150. Effective January 1, 2015 through December 31, 2017. **32% General, 18% Federal, 3% Enterprise, 12% Highway, 34% Other, and 1% Turnpike Funds.**

*

The Next regular Governor and Executive Council meeting is scheduled for Wednesday, October 15, 2014, at the State House, Concord, NH.

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