

GOVERNOR AND EXECUTIVE COUNCIL MINUTES  
State House, Concord, New Hampshire  
March 7, 2018 10:00 a.m.

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

Today's pre-meeting ceremonial items included:

- A reading and the Pledge of Allegiance was led by Councilor Pappas.
- Music by Hillsboro-Deering High School Acapella Choir under the direction of Heidi Welch performing in honor of Music in our Schools Month.
- Commendation(s):
  - Extraordinary Service Award Program commendation for Ted Chen of DoIT.
  - Proclaiming March as Music in our Schools Month.
  - Proclaiming March as "Francophonie Month" with Marie-Claude Francoeur of the Quebec Government office in Boston.

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The Governor and Executive Council on motion of Councilor Kenney, seconded by Councilor Prescott, voted to approve the minutes of February 21, 2018.

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The Governor and Executive Council, on motion of Councilor Kenney, seconded by Councilor Pappas, approved the appointment of several persons nominated for Civil Commissions from the February 21, 2018 meeting.

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

\*

The following representative elect was sworn into office:

Belknap County District No. 3 (Laconia Wards 1-6)  
Philip Spagnuolo Jr, d, Laconia (266 S Main Street) 03246

**RESIGNATIONS**

The Governor and Council accepted the following resignation:

Board of Dental Examiners - RSA 317-A:2  
Robert C. Kuepper, Concord Effective: March 7, 2018

Board of Psychologists - RSA 329-B: 3  
Stacey L. Pawlik, Portsmouth Effective: March 7, 2018

Commissioner, Department of Natural and Cultural Resources - RSA 12-A: 2  
Jeffrey J. Rose, Goffstown Effective: June 1, 2018

Connecticut River Valley Resource Commission - RSA 227-E  
Richard Walling, Bath Effective: March 7, 2018

Connecticut River Valley Resource Commission - RSA 227-E  
Richard M. Sanders, Monroe Effective: March 7, 2018

Enhanced 911 Commission - RSA 106-H  
Douglas M. Aiken, Moultonborough Effective: March 7, 2018

Juvenile Parole Board - RSA 170-H:3  
Jennifer Logsdon, Amherst

Effective: March 7, 2018

New Hampshire Land and Community Heritage Authority - RSA 227-M: 4  
Cynthia Copeland, Newmarket

Effective: March 31, 2018

### CONFIRMATIONS

The Governor and Council confirmed the following:

Chief Justice, New Hampshire Supreme Court - RSA 490: 1  
Robert J. Lynn, Windham  
Succeeding: Linda Stewart Dalianis, Nashua (resigned)

Effective: April 2, 2018  
Term: Until 70 years of age

Assessing Standards Board - RSA 21-J:14-a  
(Municipal official of town with population greater than 3,000)  
Paul J. Brown, Newport  
Succeeding: Gary E. Nichols, Newport

Effective: March 7, 2018  
Term: July 14, 2018

Board of Mental Health Practice - RSA 330-A: 3  
(Public Member)  
Paul F. Barry, Exeter  
Succeeding: Jessica Baum, Keene (resigned)

Effective: March 7, 2018  
Term: September 27, 2018

Dir. of the Division of Administration, Dept. of Safety - RSA 21-P  
Steven R. Lavoie, Allenstown  
Reappointment  
Salary: LG HH, \$108,961.32

Effective: March 7, 2018  
Term: March 31, 2022

Dir. of the Division of Motor Vehicles, Dept. of Safety - RSA 21-P  
Elizabeth A. Bielecki, Bedford  
Reappointment  
Salary: LG II, \$115,224.72

Effective: March 7, 2018  
Term: March 31, 2022

Dir. of the Division of State Police, Dept. of Safety - RSA 21-P  
Christopher J. Wagner, Litchfield  
Reappointment  
Salary: LG II, \$115,224.72

Effective: March 7, 2018  
Term: March 31, 2022

Lottery Commission - RSA 284:21-a  
J. Christopher Williams, Nashua  
Succeeding: David Gelinas, Manchester

Effective: March 7, 2018  
Term: June 29, 2020

Site Evaluation Committee - RSA 162-H:3 – Councilor Volinsky abstained.  
(Public Member)  
Susan V. Duprey, Concord  
Vacancy

Effective: March 7, 2018  
Term: December 3, 2020

State Commission for Human Rights - RSA 354-A: 4  
Alex Samuel, Derry  
Succeeding: Sarah L. Browning, Manchester (resigned)

Effective: March 7, 2018  
Term: November 1, 2021

## NOMINATIONS

The following nominations were submitted:

Agricultural Advisory Board - RSA 425:22  
(Belknap County)

Charles G. Hanson, Center Harbor  
Succeeding: John E. Moulton, Meredith

Effective: Upon Confirmation  
Term: August 18, 2022

Agricultural Advisory Board - RSA 425:22  
(Carroll County)

Kathleen M. Sherman, Center Conway  
Succeeding: David L. Babson, Ossipee

Effective: Upon Confirmation  
Term: January 31, 2023

Agricultural Advisory Board - RSA 425:22  
(Grafton County)

James H. Fadden, Woodstock  
Succeeding: Denis Ward, Monroe

Effective: Upon Confirmation  
Term: January 31, 2021

Agricultural Advisory Board - RSA 425:22  
(Strafford County)

Tina Fottler Sawtelle, Lee  
Succeeding: Mae Burnap, Strafford

Effective: Upon Confirmation  
Term: January 31, 2023

Agricultural Advisory Board - RSA 425:22  
(Sullivan County)

Stephen H. Taylor, Plainfield  
Succeeding: Sarah M. Sprague, Plainfield

Effective: Upon Confirmation  
Term: January 31, 2022

Air Resources Council - RSA 21-O  
(Environmental Interest)

Georgia Murray, Conway  
Reappointment

Effective: Upon Confirmation  
Term: October 24, 2021

Community College System of New Hampshire - RSA 188-F  
(Health)

Steven J. Hattamer, Hollis  
Succeeding: Robert A. Duhaime, Manchester (resigned)

Effective: Upon Confirmation  
Term: June 30, 2021

Connecticut River Valley Resource Commission - RSA 227-E  
(Public Member)

James S. Kennedy, Hanover  
Succeeding: Mary E. Sloat, Hanover

Effective: Upon Confirmation  
Term: February 10, 2021

Connecticut River Valley Resource Commission - RSA 227-E  
(Public Member)

John T.B. Mudge, Lyme  
Reappointment

Effective: Upon Confirmation  
Term: January 22, 2021

Juvenile Parole Board - RSA 170-H:3

Donald C. Bolduc, Stratham  
Succeeding: Jennifer Logsdon, Amherst

Effective: Upon Confirmation  
Term: July 1, 2022

Water Council - RSA 21-O

(Granite State Designers & Installers Association)  
Gary R. Spaulding, Canterbury  
Succeeding: Deborah L. Hinds, Boscawen (resigned)

Effective: Upon Confirmation  
Term: June 13, 2018

## CONSENT CALENDAR AGENDA

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

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

#### **DEPARTMENT OF AGRICULTURE MARKETS AND FOOD**

#A. Authorized the Division of Plant Industry to allow four employees to travel beyond a 300-mile radius in a state vehicle to Mystic, Connecticut to attend the Eastern Plant Board meeting and concurrent sessions for the Cooperative Agriculture Pests Survey coordinators and the Horticultural Inspectors from April 9-12, 2018. **35% Federal, 65% Dedicated Funds.**

#### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

##### **Bureau of Human Resource Management**

#B. Authorized to enter Debora Lee Wyman into an educational tuition agreement with NH Technical Institute, Concord, NH, to participate in Business Organizations and Bankruptcy and Legal Nurse Consultant during the period of March 9, 2018 to May 14, 2018, and to pay said costs in an amount of \$840. **100% General Funds.**

#### **STATE TREASURY**

#C. Authorized the Comptroller to issue a warrant from funds not otherwise appropriated in the amount of \$104,741 and the State Treasurer to issue checks in the amount of \$104,740.12 to the rightful owners for abandoned or unclaimed funds.

#### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

##### **Division for Children, Youth & Families**

#D. Authorized to pay a membership fee to the Interstate Commission for Juveniles, Lexington, KY, in the amount of \$12,000 for an annual membership in the Interstate Commission for Juveniles. Effective July 1, 2018 through June 30, 2019. **76.15% General, 23.85% Federal Funds.**

#### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

##### **Division for Children, Youth & Families**

#E. Authorized to pay a membership fee to the Judge Baker Children's Center, Boston, MA, in the amount of \$19,000 for annual membership in the New England Association of Child Welfare Commissioners and Directors. Effective July 1, 2018 through June 30, 2019. **43% Federal, 57% General Funds.**

#### **NEW HAMPSHIRE LOTTERY COMMISSION**

#F. Authorized to enter Sandy Goulet into an educational tuition agreement with Southern NH University, Manchester, NH, to participate online in Governmental and Non-profit Accounting, and Strategic Management and Policy, during the period of March 5, 2018 through April 29, 2018 and to pay costs not to exceed \$1,728. **Lottery Funds.**

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

#### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

##### **New Hampshire Hospital**

#A. Authorized to accept non-monetary donations received during the period of October 1, 2017 through December 31, 2017.

#### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

##### **New Hampshire Hospital**

#B. Authorized to accept donations in the amount of \$2,110.91 from the period of October 1, 2017 through December 31, 2017.

### **THE ADJUTANT GENERALS DEPARTMENT**

#C. Authorized the State Veterans Cemetery to accept donations of a welder, engraving on the walkway, a color printer and computer services in the amount of \$960,99 for the cemetery to be used for the operation, maintenance, and improvement of the cemetery.

### **DEPARTMENT OF SAFETY**

#D. Authorized the Division of State Police to accept the donation of a portable light tower with a value of approximately \$8,000 from the Defense Logistics Agency to be used by the Division of State Police.

#3 **MOP 150, I, B (3): Reports and Findings** - NONE

#4 **MOP 150, I, B (4): Nominations, Confirmations and Appointments** - NONE

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

### **DEPARTMENT OF TRANSPORTATION**

#A. Councilor Prescott requested that this item be removed from the consent calendar for discussion. Following discussion, the Governor and Council on motion of Councilor Pappas, seconded by Councilor Prescott, authorized the Bureau of Highway Design to amend a contract with Vanasse Hangen Brustlin Inc. (originally approved by G&C on 10-7-15, item #29), to perform the second phase of a turnpike transportation system upgrade along three miles of the F.E. Everett Turnpike through Exits 6 and 7 in the City of Manchester, by extending the completion date from March 31, 2018 to December 31, 2018. No Additional Funding.

### **DEPARTMENT OF ENVIRONMENTAL SERVICES**

#B. Authorized to amend an agreement with Trout Unlimited, Arlington, VA (originally approved by G&C on 11-8-17, item #62), to complete the conductance of stream crossing assessments in NH, by extending the completion date to September 30, 2018 from March 31, 2018. No Additional Funding. **100% Federal Funds.**

## **REGULAR AGENDA**

### **BUSINESS FINANCE AUTHORITY**

#6 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Pappas, 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 Eastern Bank to Bio-Concept Laboratories, Inc. located in Bedford, New Hampshire. Action will authorize 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 MARCH 7, 2018  
COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE**

\* \* \* \* \*

At approximately 11:05 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 Eastern Bank to Bio-Concept Laboratories, Inc., and declared that the public hearing on the subject had commenced. He said that he 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 Prescott introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM EASTERN BANK TO BIO-CONCEPT LABORATORIES, INC." and moved its adoption, which was seconded by Councilor Pappas. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Kenney, Councilor Volinsky, Councilor Prescott, and Councilor Pappas; those abstaining were Councilor(s) None; and those voting against were: Councilor Wheeler. 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  
WITH RESPECT TO A LOAN FROM  
EASTERN BANK TO BIO-CONCEPT LABORATORIES, 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 \$2,000,000 from Eastern Bank to Bio-Concept Laboratories, 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.

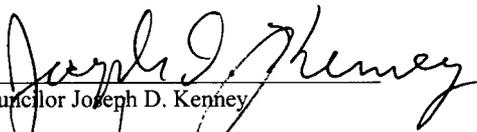
(iv) The award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

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 March 7, 2018.

  
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Governor Christopher T. Sununu

  
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Councilor Joseph D. Kenney

  
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Councilor Andru Volinsky

  
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Councilor Russell E. Prescott

  
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Councilor Christopher C. Pappas

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Councilor David K. Wheeler

#7 The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Pappas, authorized to hold a Public Hearing with respect to the financing of an industrial facility by the Business Finance Authority for Pennichuck Water Works, Inc. for projects in various locations throughout New Hampshire. Action will authorize a Resolution under RSA 162-I:9 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 MARCH 7, 2018  
IN THE STATE HOUSE, CONCORD, NEW HAMPSHIRE**

At 11:10 a.m. the Governor announced that the next matter to be considered would be the financing of water facilities by the Business Finance Authority for Pennichuck Water Works, Inc. at various locations within the State of New Hampshire and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received documentation and information with respect to the project. The Governor said that the meeting would then hear anyone wishing to speak on the subject. Michael B. Donahue, Senior Credit Officer of the Authority, stated that the Authority had approved the financing and recommended that the Governor and Council make the required findings under RSA 162-I:9 and approve the issuance of the Bonds under Section 147(f) of the Internal Revenue Code. He also briefly explained the project and emphasized that the credit of the State was not involved. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Wheeler introduced a resolution entitled "A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF WATER FACILITIES BY THE BUSINESS FINANCE AUTHORITY FOR PENNICHUCK WATER WORKS, INC. AT VARIOUS LOCATIONS WITHIN THE STATE OF NEW HAMPSHIRE" and moved its adoption, which was seconded by Councilor Pappas. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Kenney, Councilor Volinsky, Councilor Pappas, and Councilor Wheeler; those abstaining were: Councilor Prescott; and those voting against were: None. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING  
OF WATER FACILITIES BY THE BUSINESS FINANCE AUTHORITY FOR PENNICHUCK WATER  
WORKS, INC. AT VARIOUS LOCATIONS WITHIN THE STATE OF NEW HAMPSHIRE**

WHEREAS, the Governor and Council have received from the Business Finance Authority (the "Authority") its written recommendation that the Governor and Council make certain findings and a determination pursuant to RSA 162-I:9 with respect to the financing of water facilities for Pennichuck Water Works, Inc. (the "Borrower") in Amherst, Bedford, Derry, Epping, Hollis, Merrimack, Milford, Nashua, Newmarket, Pittsfield, Plaistow and Salem (collectively, "Locations") by the Authority's issue of up to \$32,500,000 Bonds under RSA 162-I (the "Act");

WHEREAS, the Governor and Council have received all the documentation and information with respect to the transaction that they have requested; and

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

IT IS HEREBY RESOLVED THAT:

Section 1. Findings. On the basis of the Authority's recommendation and the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special findings:

(1) The Project (which constitutes the "Facilities") consists of those projects listed on Schedule A attached hereto.

The Project is within the definition of "Water facility" in the Act and may be financed under the Act.

(2) The establishment and operation of the Facilities expands or maintains and improves the collection, purification, storage or distribution of water for domestic, industrial, agricultural or other uses, and the water for such uses is to be available on reasonable demand to members of the general public within the State of New Hampshire.

(b) General findings:

(1) The Project and the proposed financing of the Project are feasible;

(2) The Borrower has the skills and financial resources necessary to operate the Facilities successfully;

(3) The LOAN AND TRUST AGREEMENT (which is a combined financing document and security document, hereinafter called an "Agreement") contain provisions so that under no circumstances will the Authority be obligated directly or indirectly to pay project costs, debt service or expenses of operation, maintenance and upkeep of the Facilities except from Bond proceeds or from funds received under the Agreement, exclusive of funds received thereunder by the Authority for its own use;

(4) The Agreement does not purport to create any debt of the State with respect to the Facilities, other than a special obligation of the Authority acting on behalf of the State under the Act; and

(5) The proposed financing of the Project by the Authority and the proposed operation and use of the Facilities will serve one or more needs and implement one or more purposes set forth in RSA 162-I:1, will preserve or increase the social 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.

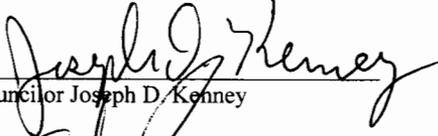
Section 2. Ultimate Finding and Determination. The Governor and Council find that the proposed financing, operation and use of the Facilities will serve a public use and provide a public benefit; and the Governor and Council determine that the Authority's financing of the Project will be within the policy of, and the authority conferred by, the Act.

Section 3. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the transaction as may be required.

Section 4. Effective Date. This resolution shall take effect upon its passage.

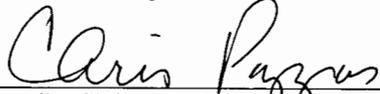
Passed and Agreed to March 7, 2018.

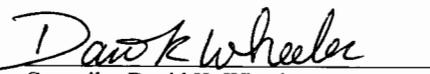
  
Governor Christopher T. Sununu

  
Councilor Joseph D. Kenney

  
Councilor Andru Volinsky

Councilor Russell E. Prescott

  
Councilor Christopher C. Pappas

  
Councilor David K. Wheeler

## Schedule A

The Project consists of the financing of capital improvements to the Borrower's water supply and water distribution installations, upgrades, replacements, rehabilitations and related support systems at project sites located in Amherst, Bedford, Derry, Epping, Hollis, Merrimack, Milford, Nashua, Newmarket, Pittsfield, Plaistow and Salem, New Hampshire, all of which are within the Borrower's service areas, as such service areas are respectively shown at <http://www.pennichuck.com/tefra.php> (the "Service Area Website"), including (i) water treatment media and miscellaneous water supply upgrades; (ii) water main replacement and rehabilitation throughout the Borrower's service areas in Amherst, Bedford, Derry, Hollis, Merrimack and Nashua, including, but not limited to, (a) in Nashua on Park Street, Mulberry Street, Rochette Street, Ash Street, Marquis Street, Lake Street, Chestnut Street, Scripture Street, Water Street, Bridle Path, Tolles Street, Warren Street, Lowell Street, Green Street, Beard Street, Lemon Street, Proctor Street, Temple Street, Mulvanity Street, Buchanan Avenue, Fowell Street, Zellwood Avenue, Pratt Street, Lincoln Street, Nutt Street, and (b) in Bedford on Route 101; (iii) development of a new well in Plaistow; and (iv) booster station replacement and rehabilitation throughout the Borrower's service areas (a) in Amherst, Bedford, Derry, Hollis, Merrimack, Milford and Nashua, as respectively shown on the Service Area Website, (b) in the Woodlands Subdivision in Epping, (c) in the Shanda Farms/Great Bay Subdivision in Newmarket, (d) in the Sweet Hill, Valleyfield and Twin Ridge Subdivisions in Plaistow, and (e) in the Autumn Woods Subdivision in Salem; (v) storage tank installation/maintenance/replacement throughout the Borrower's service areas in Amherst, Bedford, Derry, Hollis, Merrimack, Milford and Nashua, as respectively shown on the Service Area Website, including, but not limited to, the Kessler Farm Tank in Nashua; (vi) the development and installation of a new raw water intake in the Merrimack River in Merrimack; (vii) improvements to the Bowers Dam spillway in Merrimack; (viii) pump and system operational improvements throughout the Borrower's service areas (a) in Amherst, Bedford, Derry, Hollis, Merrimack, Milford and Nashua, as respectively shown on the Service Area Website, (b) in the Woodlands Subdivision in Epping, (c) in the Shanda Farms/Great Bay Subdivision in Newmarket, (d) in the Sweet Hill, Valleyfield and Twin Ridge Subdivisions in Plaistow, and (e) in the Autumn Woods Subdivision in Salem; (ix) service, hydrant and meter replacement or rehabilitation throughout the Borrower's service areas (a) in Amherst, Bedford, Derry, Hollis, Merrimack, Milford and Nashua as respectively shown on the Service Area Website, (b) in the Woodlands Subdivision in Epping, (c) in the Shanda Farms/Great Bay Subdivision in Newmarket, (d) in the Sweet Hill, Valleyfield and Twin Ridge subdivisions in Plaistow, and (e) in the Autumn Woods Subdivision in Salem; (x) replacement or rehabilitation of rolling stock and equipment at 25 Manchester Street in Merrimack, 16 DW Highway in Merrimack, 200 Concord Street in Nashua and 371 Catamount Road in Pittsfield; (xi) customer service support applications, financial accounting and other applications and water system monitoring upgrades and enhancements at 25 Manchester Street in Merrimack; (xii) data presentation and collection system development, acquisition, installation and implementation at 25 Manchester Street in Merrimack, 16 DW Highway in Merrimack, 200 Concord Street in Nashua and 371 Catamount Road in Pittsfield; (xiii) geographical information systems development, acquisition, installation and implementation at 25 Manchester Street in Merrimack, 16 DW Highway in Merrimack, 200 Concord Street in Nashua and 371 Catamount Road in Pittsfield; and (xiv) asset management system development, acquisition, installation and implementation at 25 Manchester Street in Merrimack, 16 DW Highway in Merrimack, 200 Concord Street in Nashua and 371 Catamount Road in Pittsfield, all of which are or will be owned, operated or used by the Borrower for the purpose of improving its collection, purification, storage and distribution of water in Amherst, Bedford, Derry, Epping, Hollis, Merrimack, Milford, Nashua, Newmarket, Pittsfield, Plaistow and Salem, New Hampshire.

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

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

#8 Authorized with Councilor Wheeler voting **no**, to transfer general funds in the amount of \$8,969,307, increase related Federal Revenues in the amount of \$2,750,495 and decrease related Other revenues in the amount of \$14,387. Effective upon G&C approval through June 30, 2018. **Fiscal Committee approved.**

#9 Authorized to transfer general funds in the amount of \$3,973,879, decrease Federal revenues in the amount of \$242,800 and increase related Other revenues in the amount of \$76,884. Effective upon G&C approval through June 30, 2018. **Fiscal Committee approved.**

#10 Authorized to **retroactively** reimburse Dr. James Chithalen, formerly of San Leandro, CA, for moving expenses associated with the relocation from California to Concord, NH, in an amount not to exceed \$8,000. **11% Federal, 89% General Funds.**

#### **Bureau of Human Resource Management**

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

#11 Authorized to finalize the determination made by the Commissioner that on January 27, 2018 a Registered Nurse II at the NH Hospital sustained an injury in the line of duty due to a hostile or overt act, or an act caused by another during the performance of duties which are considered dangerous in nature. Effective upon G&C approval.

#12 Authorized to finalize the determination made by the Commissioner that on January 16, 2018 a Mental Health Worker II at the NH Hospital sustained an injury in the line of duty due to a hostile or overt act, or an act caused by another during the performance of duties which are considered dangerous in nature. Effective upon G&C approval.

#### **Division of Client Services**

#13 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Volinsky, authorized to accept and expend Federal Funds in the amount of \$13,028,118 from the Centers for Medicare and Medicaid Services for purposes of making changes to the New HEIGHTS eligibility system to comply with federally required guidelines, implement the expanded Medicaid work program, and modernize legacy systems. (2)Further authorized to increase Class 046 Consultants to amend a contract for the purposes as detailed above. Effective upon G&C approval through June 30, 2018. **100% Federal Funds. Fiscal Committee approved.**

#### **New Hampshire Hospital**

#14 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Kenney, authorized to accept and expend Trust Funds in the amount of \$772,000 from the NH Hospital Trust Funds to replace deteriorated patient furnishings. Effective upon G&C approval. **100% Other Funds. Fiscal Committee approved.**

#### **Glencliff Home**

#15 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas, authorized to make a **retroactive sole source** unencumbered payment to Capital Well Company Inc., Dunbarton, NH, in the amount of \$35,996.50 to provide repairs to the current bedrock well and provide an emergency connection to a new well. Effective upon G&C approval. **100% General Funds.**

#### **Bureau of Drug and Alcohol Services**

The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas acted as follows:

#16 Authorized with Councilor Wheeler voting **no**, to amend a **sole source** agreement with Foundation for Healthy Communities, Concord, NH (originally approved by G&C on 7-13-16, item #6B), for the purpose of expanding the State's capacity to provide office-based Opiate Treatment, including the use of medications to NH residents experiencing opioid addiction, by increasing the price by \$1,056,000 from \$,800,000 to an amount not to exceed \$2,856,000, and by extending the completion date from June 30, 2018 to June 30, 2019. **80% Federal, 20% General Funds.**

#16A Authorized to amend an existing **sole source** contract with Harbor Homes Inc., Nashua, NH (originally approved by G&C on 8-23-17, item #22), to further support the provision of substance use disorder crisis respite shelter, by increasing the price by \$100,000 from \$200,000 to an amount not to exceed \$300,000 with no change to the completion date of June 30, 2018. **100% Other Funds.**

#16B Authorized to enter into a **retroactive sole source** agreement with Friends of Recovery, NH, d/b/a Hope for NH Recovery, Manchester, NH, to provide Peer Recovery Support Services, in an amount not to exceed \$600,000. (2)Further authorized to make an advance payment of \$150,000 to Friends of Recovery NH, d/b/a Hope for NH Recovery, to be used for program operations and staffing activities to provide Peer Recovery Support Services. Effective March 1, 2018 through February 28, 2019. **64.75% Federal, 35.25% General Funds.**

### **Division of Family Assistance**

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

#17 Authorized to accept and expend federal funds in the amount of \$13,313,800 from the Temporary Assistance to Needy Families program. Effective upon G&C approval through June 30, 2018. **100% Federal Funds. Fiscal Committee approved.**

#18 Authorized to make a one-time payment to **retroactively** renew agency membership in the American Public Human Services Association (formerly known as the American Public Welfare Association), Washington, DC, in the amount of \$20,569. Effective January 1, 2018 through December 31, 2018. **34% Federal, 66% General Funds.**

### **Office of Human Services**

#19 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Pappas, authorized to accept and expend the Title II/Formula Grant from the Office of Juvenile Justice and Delinquency Prevention in the amount of \$326,407. Effective upon G&C approval through June 30, 2018. **Fiscal Committee approved.**

### **Bureau of Homeless and Housing Services**

#20 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Kenney, authorized to enter into **sole source** amendments with the seven vendors as detailed in letter dated February 6, 2018 (originally approved by G&C on 6-7-17, item #17), to provide administration of the Homeless Housing and Access Revolving Loan Fund Program, by increasing the price by \$299,964 from \$99,988 to an amount not to exceed \$399,952. Effective upon G&C approval through the original completion date of June 30, 2019. **100% General Funds.**

### **DEPARTMENT OF TRANSPORTATION**

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

#21 Authorized the Bureau of Human Resources to **retroactively** pay Nathan Lewis, Bridge Inspector, \$2,635.82 for compensation due to missed increments on December 28, 2016 to January 4, 2018. **60% Highway, 27% Federal, 13% Other Funds.**

#22 Authorized the Bureau of Right of Way to transfer a well and a one hundred square foot portion of the NH Route 10 Limited Access Right of Way located on the westerly side of NH Route 10 in the Town of Grantham to Northwind Security Products LLC. This is a no cost transfer except for the Department assessing an Administrative fee of \$1,100. (2)Further authorized to emendate the return of highway layout and adjust the limits of NH Route 10 Limited Access Right of Way for the disposal of the mentioned parcel.

#23 **TABLED** – The Governor and Council on motion of Councilor Prescott, seconded by Councilor Wheeler voted to **table** the request of the Bureau of Right of Way to sell a 3.0+/- acre parcel of State owned land located on the southeasterly corner of NH Route 101, Exit 5 westbound off ramp and NH Route 27 in the Town of Raymond to Rye Harbor Realty LLC for \$161,100 which includes a \$1,100 administrative fee. Effective upon G&C approval. Originally purchased with 80% Federal, 20% Highway Funds.

#24 Authorized the Bureau of Planning and Community Assistance to enter into a contract with Upper Valley-Lake Sunapee Regional Planning Commission, Lebanon, NH, in the amount of \$100,000 to undertake certain transportation related planning activities. Effective upon G&C approval through June 30, 2019. **100% Federal Funds.**

#25 Authorized to accept and place on file the Bureau of Construction's quarterly basis summary of active projects that may require contingency use.

#26 Authorized the Bureau of Bridge Design and the Pease Development Authority – Division of Ports and Harbors, to enter into a memorandum of agreement for up to \$18,550,000 for final design and construction for the Functional Replacement of the Side Barge Wharf impacted by the replacement of the Sarah Mildred Long Bridge (NH Br. No. 251/110) carrying US 1 Bypass over the Piscataqua River between Portsmouth, NH, and Kittery, ME. Effective upon G&C approval and continuing through design, construction, inspection, and final acceptance of the completed project. **100% Federal Funds.**

#27 Authorized the Bureau of Highway Maintenance to enter into a contract with Skillings & Sons Inc., Amherst, NH, for a 6-inch drilled well and pump on the property of Susan Rinners, Dublin, NH, in the amount of \$20,600. Effective upon G&C approval through June 29, 2018. **100% Highway Funds.**

#### **OFFICE OF STRATEGIC INITIATIVES**

#28 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Pappas, authorized to enter into a contract agreement with New York State Weatherization Directors Association, Guilderland, NY, to provide training for personnel of the five Weatherization Assistance Program sub grantees in NH, in the amount of \$12,320. Effective March 8, 2018 or upon G&C approval, whichever is later, through March 31, 2018. **100% Federal Funds.**

#### **DEPARTMENT OF INFORMATION TECHNOLOGY**

#29 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Pappas, authorized, on behalf of the Department of Safety, to enter into a **sole source retroactive** contract with Computer Projects of Illinois, Inc., Bolingbrook, IL, for the purpose of providing software support and maintenance services for the J-One message switch, in the amount of \$740,786.55. Effective July 1, 2017 through June 30, 2019, with the option to extend for one year. **100% Other (Agency Class 27) funds: the Agency Class 027 used by the Department of Safety to reimburse DoIT is 90% Highway and 10% Turnpike Funds.**

#### **THE ADJUTANT GENERAL'S DEPARTMENT**

#30 The Governor and Council on motion of Councilor Prescott, seconded by Councilor Pappas, authorized to accept and expend \$36,000 of rental agency income to apply towards snowplowing, trash removal and related facility maintenance repairs. Effective upon G&C approval through June 30, 2019. **100% Agency Income.**

#### **DEPARTMENT OF AGRICULTURE, MARKETS AND FOOD**

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

#31 Authorized with Councilor Wheeler voting **no**, to enter into a grant with the NH Plant Growers Association, Concord, NH, in the amount of \$44,500 to implement the Plant Something NH program to encourage with purchase and planting of materials from NH growers. Effective upon G&C approval through September 1, 2019. **100% Federal Funds – Specialty Crop Black Grant.**

#32 Authorized the Division of Pesticide Control to enter into a **retroactive** Cooperative Project Agreement with the University of NH Sponsored Programs Administration, Durham, NH, for the advancement of pesticide education in NH, in the amount of \$15,120. Effective upon G&C approval through September 30, 2018. **100% Agency Income.**

#### **NEW HAMPSHIRE EMPLOYMENT SECURITY**

#33 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott, authorized to enter into a contract agreement with Citizens Financial Group Inc., N.A. d/b/a Citizens Bank, Manchester, NH, for unemployment compensation trust fund banking services in an amount up to \$300,000. Effective upon G&C approval through March 31, 2021, with the option to extend for up to two additional one-year terms. **100% Federal Funds.**

## DEPARTMENT OF CORRECTIONS

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

#34 Authorized to purchase a Gravograph-New Hermes LS100ex Computerized Laser Engraving System for an amount not to exceed \$15,000. Effective upon G&C approval through June 30, 2018. **100% Other Funds. Fiscal Committee approved.**

#35 Authorized to accept and expend funds in the amount of \$900,000 received from the NH Department of Health and Human Services, which will provide funding for substance use disorder case management services to the residents of the Shea Farm Transitional House and Funding will also provide any individual reentering the community from a NH Department of Corrections facility the accessibility to and instruction on administering Naloxone. (2)Further authorized to establish one full-time temporary Program Coordinator, LG 26, in class 059, for the purpose of Re-Entry Care for the NH Department of Corrections, Division of Community Corrections in support of the federally funded State Targeted Response to the Opioid Crisis sub-grant. Effective upon G&C approval through June 30, 2019. **100% Transfer From Other Agency (DHHS). Fiscal Committee approved.**

#36 Authorized to enter into a contract with the Office of Public Guardian, Concord, NH, for the provision of Guardianship Services for the NH Department of Corrections, in the amount of \$396,400.80. Effective July 1, 2018 through June 30, 2021, with the option to renewal for one additional period of two years. **100% General Funds.**

#37 Authorized to **retroactively** amend a **sole source** contract with Keefe Commissary Network LLC, St. Louis, MO (originally approved by G&C on 4-13-11, item #36), for the continued provision of Downloadable Digital Media & Kiosk Services, by extending the completion date from January 31, 2018 to April 30, 2018. **100% Offender Funds.**

#38 Authorized the NH Department of Administrative Services to delegate purchasing authority to the NH Department of Corrections for the sole and express purpose of purchasing up to 9 full body security scanners for the correctional facilities. (2)Further authorized to enter into a contract with OD Security North America LLC, Daniel Island, SC, to purchase 9 full body security scanners, in the amount of \$911,250. Effective upon G&C approval through June 30, 2021. **100% General Funds.**

## DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS

#38A The Governor and Council on motion of Councilor Prescott, seconded by Councilor Kenney, authorized the Office of Workforce Opportunity to enter into a contract with PowerNotes LLC, St. Louis, MO, for the provision of staff training services, in the amount not to exceed \$19,600. Effective March 7, 2018 or upon G&C approval, whichever is later, through June 30, 2018. **100% Federal Funds (Workforce Innovation and Opportunity Act, Implementation Funds).**

## DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

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

#39 Authorized the Division of Parks and Recreation to enter into a contract with K.S. LLC General Contracting, Mason, NH, for the construction of a new Ski Patrol Hut at the Cannon Mountain Ski Area, in the amount of \$164,400. Effective upon G&C approval through September 28, 2018. **100% Capital Funds.**

#40 Authorized the Division of Parks and Recreation to enter into a **sole source** contract with Cale America Inc., Clearwater, FL, for the wireless parking pay station program at Hampton Beach, North Hampton Beach, and Jenness Beach State Parks, in the amount of \$409,270. Effective upon G&C approval through December 31, 2021. **100% Agency Income (Hampton Meters).**

## NEW HAMPSHIRE FISH AND GAME DEPARTMENT

#41 The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Prescott, authorized to enter into a **retroactive sole source** amendment with Wildlife Management Institute (originally approved by G&C on 11-18-15, item #41), to continue research and management of cottontail, by extending the end date from June 30, 2017 to December 31, 2019. **94% Federal, 6% Conservation License Plate Funds.**

## DEPARTMENT OF ENVIRONMENTAL SERVICES

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

#42 Authorized to award a **sole source** agreement to the University of NH, Sponsored Programs Administration, Durham, to document and evaluate data management, in the amount of \$119,963. Effective upon G&C approval through September 30, 2020. **100% Federal Funds.**

#43 Authorized to enter into an agreement with Gannett Fleming Inc., Harrisburg, PA, to provide as needed engineering and technical support services for repair/reconstruction projects on dams owned by the State of NH, in an amount not to exceed \$600,000. Effective upon G&C approval through September 30, 2019. **100% Capital (General) Funds.**

#44 Authorized to award a grant to the City of Portsmouth, NH, in the amount of \$200,000 to acquire a conservation easement on 72 acres of land in the Town of Madbury to protect drinking water supply. Effective upon G&C approval through December 31, 2018. **100% Drinking Water/Groundwater Trust Fund.**

#45 Authorized to award a grant to the City of Portsmouth NH, in the amount of \$200,000 for water system improvements. Effective upon G&C approval through June 1, 2019. **100% Drinking Water/Groundwater Trust Funds.**

#46 Authorized Brian Short's request to perform work on the Piscataqua River in Dover.

#47 Authorized Denis Bourque's request to perform work on Lake Winnepesaukee in Laconia.

#48 Authorized Pamela H. Hopkins' request to perform work on Lake Winnepesaukee in Wolfeboro.

## DEPARTMENT OF EDUCATION

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

#49 Authorized the Division of Program Support to enter into a contract with JenkinsFord Consulting LLC, in an amount not to exceed \$24,750 to assist the department's teacher preparation programs in the area of program approvals. Effective upon G&C approval through June 30, 2018. **100% Other Funds.**

#50 Authorized the Division of Educational Improvement to hold an organized meeting entitled "New Hampshire Continuing Title I Focus and Priority School Meeting" driven by the "Problems of Practice" model of school improvements for Title I schools on March 22, 2018 at the University of NH, Durham, NH, in an amount not to exceed \$12,100. Effective upon G&C approval through March 22, 2018. **100% Federal Funds.**

#51 Authorized the Division of Educational Improvement to enter into a **sole source** memorandum of understanding with the Office of Legislative Budget Assistant, in an amount not to exceed \$30,000 for an independent audit. Effective upon G&C approval through June 30, 2018. **100% Federal Funds.**

#52 Authorized to enter into a **sole source** contract with America's Youth Teenage Unemployment Reduction Network Inc., d/b/a MyTurn Inc., Brockton, MA, to provide services to pregnant and/or parenting youth that support increased development in academics, career planning, parenting skills, credential attainment and community supports that will result in continued education and/or employment outcomes, in an amount not to exceed \$100,000. Effective upon G&C approval through June 30, 2018. **100% Federal Funds.**

#52A Authorized to enter into a contract with Utah State University, Center for Technical Assistance for Excellence in Special Education Center for Persons with Disabilities, Logan, UT, to recruit educational sign language interpreter candidates that seek State certification, provide preliminary assessment through the Educational Interpreter Performance Assessment, in an amount not to exceed \$150,000. Effective upon G&C approval through June 20, 2021. **100% Federal Funds.**

#### DEPARTMENT OF SAFETY

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

#53 Authorized the Division of State Police to accept and expend \$657,188 of federal funds from the US Department of Justice to assist law enforcement in investigating illicit activities related to the distribution of opioids. (2) Further authorized to establish one temporary full-time position titled Senior Management Analyst (LG 26, A000) to be assigned to the Division of State Police, Information and Analysis Center. Effective upon G&C approval through June 30, 2019. **100% Federal Funds. Fiscal Committee approved.**

#54 Authorized the Division of State Police to **retroactively** pay the ANSI-ASQ National Accreditation Board LLC, Milwaukee, WI, in the amount of \$5,280 for the annual fee to continue the Forensic Laboratory's accreditation certificate program for the period of January 1, 2018 through December 31, 2018. **100% Agency Income.**

#### DEPARTMENT OF JUSTICE

#55 The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Prescott, authorized to grant an annual salary increment to Kim K. Fallon, Chief Forensic Investigator, from a salary level of \$77,740.52 (LG DD Step 5) to a salary level of \$81,766.88 (LG DD Step 6). Effective upon G&C approval or March 16, 2018, whichever is the latter.

#### DEPARTMENT OF ADMINISTRATIVE SERVICES

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

#56 Authorized to enter into a memorandum of understanding with the NH Liquor Commission for the purpose of supporting one part-time human resources employee to provide services as outlined in the MOU to audit and approve human resources transactions originating from the Liquor Commission and to perform job analysis duties related to the Liquor Commission positions, in the amount of \$67,100. Effective July 1, 2018 through June 30, 2020.

#57 Authorized a Working Capital Warrant in the amount of \$475,000,000 to cover the expenditures for the month of April 2018.

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

#59 Authorized to **retroactively** extend the State's contract with Inmate Calling Solutions LLC d/b/a IC Solutions, San Antonio, TX (originally approved by G&C on 3-6-13, item #12), for inmate telephone services and pay telephone services for a period of 8 months. Effective October 31, 2017 through June 30, 2018. No State funds shall be expended for this contract.

#60 Authorized the Division of Plant and Property, Bureau of Court Facilities, and General Services Claremont Monadnock Mill, to **retroactively** pay Fairpoint Communications for past due invoices, in the amount of \$19,671.15. Effective upon G&C approval through June 30, 2018. **100% Transfer from Other Agencies.**

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**LATE ITEM**

**DEPARTMENT OF ADMINISTRATIVE SERVICES**

#A. The Governor and Council on motion of Councilor Volinsky, seconded by Councilor Pappas, authorized to display in the State House the donation of a portrait of former Executive Councilor Dudley Webster Dudley of Durham, NH, painted by artist Alastair Dacey of Portsmouth, NH.

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The Next regular Governor and Executive Council meeting is scheduled for Wednesday March 21, 2018, at The State House, Concord, New Hampshire.

Honorable Board then Adjourned at 12:15 p.m.