

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
February 22, 2012, 10:00 a.m.

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

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Bishop Peter Lebaschi offered the prayer and the Pledge of Allegiance was led by the Councilor Burton.

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The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton, accepted the minutes of February 8, 2012.

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The Governor and Executive Council, on motion of Councilor Wieczorek, seconded by Councilor St. Hilaire, approved the appointment of several persons nominated for Civil Commissions from the February 8, 2012 meeting.

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

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CONFIRMATIONS

The Governor and Council confirmed the following:

Board of Auctioneers

Gregory J. Walsh, Keene

Effective: March 1, 2012

Succeeding: Jay T. St. Jean, Manchester

Term: March 1, 2017

Chief Operations Officer for the Department of Environmental Services

Susan A. Carlson, Bow

Effective: March 10, 2012

Reappointment

Term: March 10, 2016

Salary: Grade GG; Maximum Step - \$90,606

Lakes Management Advisory Committee

(Representative of the Conservation Community)

Nom by Loon Presentation Comm, Society for Protection of NH Forests, Audubon Society of NH and the NH Wildlife Fed

John H. Cooley, Jr. Center Sandwich

Effective: February 22, 2012

Succeeding: Lawrence B. Sunderland, Deering

Term: September 19, 2013

New Hampshire Motor Vehicle Industry Board

Paula M. Hiuser, Laconia

Effective: February 22, 2012

Succeeding: Lindsey Boyd-Robertson, Exeter

Term: January 9, 2016

Public Employee Labor Relations Board

(Alt. Member Representing Public)

David J. T. Burns, Concord

Effective: February 22, 2012

Succeeding: Charles S. Temple, Concord (resigned from position)

Term: February 13, 2016

Public Water Access Advisory Board

(Power Boating)

Scott R. Verdonck, Goffstown

Effective: February 22, 2012

Succeeding: Paul F. Blizzard, Laconia

Term: October 27, 2013

Real Estate Appraisers Board

(Public Member)

Lee F. Carroll, Gorham

Effective: February 22, 2012

Succeeding: Leonard Gerzon, Amherst

Term: September 16, 2014

Real Estate Appraisers Board

(Public Member)

Patricia C. Sherman, Newbury

Vacancy

Effective: February 22, 2012

Term: May 13, 2013

Rivers Management Advisory Committee

(Representative of Agricultural Community)

Roger F. Noonan, New Boston

Reappointment

Effective: March 22, 2012

Term: March 22, 2015

Director of the Division of Travel and Tourism Development

Nominated by the Commissioner of the Department of Resources and Economic Development

Lori Harnois, Epsom

Reappointment

Salary: Grade GG; Step 3 - \$81,656

Effective: March 8, 2012

Term: March 8, 2016

Volunteer NH Board of Directors

Norma M. Milne, Concord

Succeeding: Debra A. Paul, Londonderry

Effective: March 8, 2012

Term: March 8, 2015

Volunteer NH Board of Directors

Annmarie J. Woods, Manchester

Succeeding: Kyle MacDonald, Manchester

Effective: February 22, 2012

Term: November 15, 2012

Waste Management Council

(Representative of Private Industries that Generate Hazardous Waste)

Daniel P. Sweet, Kingston

Vacancy

Effective: February 22, 2012

Term: August 22, 2014

NOMINATIONS

The Governor placed into nomination the following:

Compensation Appeals Board - RSA: 281-A:42

(Employer/Insurer)

Nominated by the Commissioner of Labor

Ronald E. Ludwig, Manchester

Reappointment

Effective: Upon confirmation

Term: February 13, 2015

Board of Licensed Dietitians - RSA: 326-H

(Public Member)

Margaret E. Lynott, Swanzey

Reappointment

Effective: March 28, 2012

Term: March 28, 2015

Division of Fire Safety, State Fire Marshal - RSA: 21-P:12

Nom by the Commissioner of Safety after consultation with the State Advisory Board of Fire Control

J. William Degnan, Amherst

Reappointment

Salary: Grade HH: maximum step – \$98,691

Effective: March 31, 2012

Term: March 31, 2016

Hearing Care Providers Board - RSA: 137-F:3

(Audiologist)

Mary Louise Brozena, Portsmouth

Reappointment

Effective: April 23, 2012

Term: April 23, 2014

Hearing Care Providers Board - RSA: 137-F:3

(Hearing Aid Dealer)

David Dachowski, Bedford

Succeeding: Norman P. Fournier, Manchester

Effective: Upon confirmation

Term: April 23, 2013

Human Rights Commission - RSA: 354-A:4

Christine C. Wellington, Derry

Succeeding: Behzad Mirhashen, Mont Vernon

Effective: Upon confirmation

Term: November 1, 2016

Juvenile Parole Board - RSA: 170-H

Robert J. Peterson, Weare

Succeeding: Frank E. Jones, Bow

Effective: Upon confirmation

Term: July 1, 2016

Motor Vehicle Industry Board - RSA: 357-C:12

William S. Fenollosa, Hopkinton

Reappointment

Effective: Upon confirmation

Term: January 9, 2016

Speech-Language Pathology Governing Board - RSA: 328-F:3

(Public Member)

Julie A. Introcaso, Manchester

Reappointment

Effective: March 4, 2012

Term: March 4, 2015

Board of Managers of the New Hampshire Veteran's Home - RSA: 119

(American Legion)

Robert J. Wyman, Keene

Reappointment

Effective: March 1, 2012

Term: March 1, 2017

#1 **CONSENT CALENDAR - TRAVEL:**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Bureau of Licensing & Certification

- A. Authorized to allow Mr. Glen Martin, MS Rehab, Licensing & Evaluation Coordinator or designee and John H. Lambrukos, MD, Program Specialist IV or designee, for the Office of Operations Support, Health Facilities Administration-Certification, to travel over 300 miles one way by automobile rather than commercial air in the amount of \$550 for the period of March 25-29, 2012.

#2 **CONSENT CALENDAR - DONATIONS:**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

- A. Authorized the Division of Parks and Recreation to accept a donation of commissioned art valued at approximately \$75,000 from Alexander Renard Gezalian, Eliot, ME.

DEPARTMENT OF CORRECTIONS

- B. Authorized to accept a nonmonetary donation from Vision New England, Att. Mr. J. Keith Tolley, Danvers, MA, of 64 large print, New International version soft cover Bibles; 120 New King James version, paperback Bibles; 20 large print, New International Reader's version paperback Bibles; and 120 New International Reader's version Bibles, with a value of \$1,153.18, for use by the inmates at the NH State Prison for Men in Concord.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

New Hampshire Hospital

- C. Authorized to accept donations from contributors in the amount of \$1,785.01, and deposit into the NH Hospital Resident Benefit Fund, for the period of October 1, 2011 through December 30, 2011.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
New Hampshire Hospital**

- D. Authorized to accept nonmonetary donations as detailed in letter dated January 24, 2012, received October 1, 2011 through December 30, 2011.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
Glenciff Home**

- E. Authorized to accept monetary donations for the period of October 1, 2011 through December 31, 2011, with a value totaling \$355.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
Glenciff Home**

- F. Authorized to accept a monetary donation from FAE Barrett Demarest 2006 – Revoc Trust – Michele F. Demarest, Exeter, NH, in the amount of \$500 and deposit into the Patient’s Welfare Fund.

BUSINESS FINANCE AUTHORITY

#3 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wheeler and further on a roll call vote as follows: Councilor Burton – yes, Councilor St. Hilaire – yes, Councilor Sununu – yes, Councilor Wieczorek – yes, and Councilor Wheeler – yes, authorized to hold a Public Hearing with respect to the financing of a loan to W.H. Silverstein, Inc., for a project located in Claremont, 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 FEBRUARY 22, 2012
COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE**

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At approximately 10:50 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Temporary Loans to Business of the Business Finance Authority in connection with a loan to be to W. H. Silverstein, 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 Jack Donovan, Executive Director 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 Burton introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDING A LOAN UNDER RSA 162-A:9 FROM THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE TO W.H. SILVERSTEIN, INC." and moved its adoption, which was seconded by Councilor Wheeler. Those voting in favor were: The Governor and Councilor Burton, Councilor St. Hilaire, Councilor Sununu, Councilor Wieczorek and Councilor Wheeler; those abstaining were Councilor (s): None; and those voting against were: None. The Governor declared that the resolution was passed.
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**A RESOLUTION UNDER RSA 162-A:18 AWARDED A LOAN
UNDER RSA 162-A:9 FROM THE BUSINESS FINANCE AUTHORITY OF
THE STATE OF NEW HAMPSHIRE TO W.H. SILVERSTEIN, 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 a loan by the Authority to W.H. Silverstein, Inc. (the "Borrower") in the original principal amount of up to \$329,000 to provide financing towards working capital and the financing of the Plains Road facility in Claremont, 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 February 22, 2012.

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#4 Authorized to amend a **sole source** contract with Strafford County Community Action Committee Inc., Dover, NH (originally approved by G&C on 9-28-11, item #5), for the repair or replacement of malfunctioning heating systems in low-income households receiving Weatherization services, by increasing the contract by an amount not to exceed \$32,208.43, from \$78,753 to \$110,961.43. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

#5 Authorized to amend item #5, approved by G&C on March 30, 2011, by reallocating ARRA funding for Weatherization between expenditure classes in the amount of \$49,681, and by extending the date of the grant from March 31, 2012 to September 30, 2012. **100% Federal Funds (ARRA Weatherization). Contingent upon Fiscal Committee approval on February 17, 2012.**

DEPARTMENT OF STATE

#6 The Governor and Council on motion of Councilor Burton, seconded by Councilor Sununu authorized the request to accept and place on file the Annual Report for the period of July 1, 2010 through June 30, 2011.

DEPARTMENT OF INFORMATION TECHNOLOGY

#7 The Governor and Council on motion of Councilor Burton, seconded by Councilor Sununu authorized the request to accept and expend \$880,922 in SFY2012 of additional other funds available from the Department of Health and Human Services for the procurement of information technology hardware, software, consultants and the establishment of Class 026-Organizational Dues. Effective upon G&C approval through June 30, 2012. **100% Other Funds (Agency Class 027); the agency class 027 used by DHHS to reimburse DoIT is 60% General, 40% Federal Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#8 Authorized the nomination of Captain James L. Pappaioanou, Bow, 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.

#9 Authorized the nomination of Captain Nelson A. Abreu, Marston Mills, MA, 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.

#10 Authorized the confirmation of Jeffrey S. Chang, Concord, NH, to the rank of Major, NH Army National Guard.

#11 Authorized the confirmation of Major Jason R. Denton, Stratham, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

#12 Authorized the confirmation of Captain Christine L.B. Banks, Wells, ME, for promotion to the rank of Major, NH Air National Guard.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#13 Authorized that \$280,548,200 be lapsed from the Working Capital Warrant for the months of October (12-4), November (12-5), and December (12-6). (2)Further authorized a Working Capital Warrant in the amount of \$500,000,000 to cover expenditures for the month of March.

#14 Authorized the Bureau of General Services to pay for emergency repairs and testing to the HVAC equipment, fire alarm and suppression systems that were performed as a result of the failed heating plant serving the State Laboratory and Core offices at 29 Hazen Drive during the week of January 16, 2012, in the amount of \$88,241.71. **79.9% General, 20.1% Other Funds – Rental Income.**

#15 Authorized the Bureau of Public Works Design and Construction to enter into a contract with Stallion Builders LLC, Nashua, NH, for the Bathroom/Shower Renovations Rebid, Department of Corrections, Concord, NH, for a total price not to exceed \$153,247. Effective upon G&C approval through August 31, 2012. **100% Capital – General Funds.**

STATE TREASURY

#16 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to issue a warrant from funds not otherwise appropriated in the amount of \$120,489, and the State Treasurer to issue checks in the amount of \$120,488.01 to the rightful owners of abandoned or unclaimed funds.

ATTORNEY GENERAL – DEPARTMENT OF JUSTICE

#17 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton authorized the request of a grant to the Nashua Police Department in the amount of \$4,000, and to the NH Coalition Against Domestic and Sexual Violence, in the amount of \$3,000, from the Violence Against Women grant program for the purpose of attending domestic violence training for new officers and providing services for victims of sexual assault. Effective upon G&C approval through July 31, 2012. **100% Federal Funds.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#18 Authorized to exercise the option to extend a lease agreement with Key Road Associates, (originally approved by G&C on 6-17-09, item #45), for rental of 4,800 square feet of office space, Keene, NH, for the full term of the extension, at an additional cost of \$115,104. Effective August 1, 2012 through July 31, 2014. **100% Federal Funds.**

#19 Authorized to enter into a contract with Kobo Utility Construction Corporation, Sandwich, MA, to purchase and install a commercial generator at NHES's Nashua office building, in the amount of \$108,792. Effective upon G&C approval through December 31, 2012. **91% Federal, 9% Demand Response/Energy Efficiency Funds.** (2)Further authorized to expend up to \$3,000 in contingency funds for additional site work which may be required due to the unknown condition of underground power lines as well as unforeseen wiring or switching device replacement. Effective upon G&C approval through December 31, 2012. **100% Federal Funds.**

HIGHWAY SAFETY AGENCY

#20 The Governor and Council on motion of Councilor Burton, seconded by Councilor Sununu, and with Councilor Wheeler voting **no**, authorized the request to enter into a **sole source** contractual agreement with the NH Fisher Cats Baseball Team, Manchester, NH, in the amount of \$42,000 to coordinate a highway-safety related advertisement campaign during the 2012 season home games. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

INSURANCE DEPARTMENT

#21 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to accept and place on file the Annual Report for the period of July 1, 2010 through June 30, 2011.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Finance

#22 Authorized to amend a **sole source** agreement with Absolute Data Destruction, Goffstown, NH, (originally approved by G&C on 6-26-02, item #129), by extending the end date from June 30, 2012 to June 30, 2017. No Additional Funding. **40% Federal, 60% General Funds.**

Office of Minority Health and Refugee Affairs

#23 Authorized to enter into a **retroactive** contract with Southern NH Services Inc., Manchester, NH, to provide direct services to NH refugees, in the amount not to exceed \$30,000. Effective October 1, 2011 through September 30, 2012. **100% Federal Funds.**

#24 Authorized to enter into a **retroactive** contract with Somali Development Center Inc., Jamaica Plain, MA, to provide direct services to NH refugees, in the amount not to exceed \$78,200. Effective October 1, 2011 through September 30, 2012. **100% Federal Funds.**

#25 Authorized to enter into a **retroactive** contract with Lutheran Community Services Inc., Concord, NH, to provide direct services to NH refugees, in the amount not to exceed \$170,900. Effective October 1, 2011 through September 30, 2012. **100% Federal Funds.**

#26 Authorized to enter into a **retroactive** contract with International Institute of Boston Inc., Boston, MA, to provide direct services to NH refugees, in the amount not to exceed \$170,900. Effective October 1, 2011 through September 30, 2012. **100% Federal Funds.**

Division of Public Health Services

#27 Authorized with Councilor Wheeler voting **no**, the Bureau of Population Health and Community Services, Healthy Eating and Physical Activity Section, Obesity Prevention Program, to enter into an agreement with Marla Ianello, Thetford, VT, to provide Nutrition and Physical Activity Self-Assessment Consultation for Child Care, in an amount not to exceed \$6,500. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#28 Authorized with Councilor Wheeler voting **no**, the Bureau of Population Health and Community Services, Healthy Eating and Physical Activity Section, Obesity Prevention Program, to enter into an agreement with Christina Tarness, Gilford, NH, to provide Nutrition and Physical Activity Self-Assessment Consultation for Child Care, in an amount not to exceed \$6,500. Effective upon G&C approval through June 30, 2012. **100% Federal Funds.**

#29 Authorized the Bureau of Infectious Disease Control, to enter into a grant agreement with Valley Regional Hospital Inc., Claremont, NH, under which the Division of Public Health Services will provide two portable ventilators and necessary accessories valued at \$13,980 to enhance respiratory medical capacity in response to a large-scale health emergency, using funding supported by the federal Department of Homeland Security Grant to NH. Effective upon G&C approval and until the grant agreement is terminated by one of the parties.

Bureau of Homeless and Housing Services

#30 Authorized to enter into a **retroactive** contract renewal option with First Congregational Church, Concord, NH, (originally approved by G&C on 7-13-11, item #96B), to provide services to homeless individuals, in an amount not to exceed \$13,832. Effective January 1, 2012 through December 31, 2012. **100% Federal Funds.**

Bureau of Drug and Alcohol Services

#31 Authorized to make a **retroactive** one-time payment from SFY12 funds to Southeastern NH Services, Dover, NH, in the amount of \$26,486.96 for residential services delivered during March 2009. **100% Federal Funds.**

#32 Authorized to amend an agreement with Headrest Inc., Lebanon, NH, (originally approved by G&C on 6-23-10, item #132), to provide substance abuse treatment services, by decreasing the price by \$24,112 from \$551,124 to an amount not to exceed \$527,012. Effective upon G&C approval. **100% Federal Funds.**

#33 Authorized to amend an agreement with Horizons Counseling Center Inc., Gilford, NH, (originally approved by G&C on 6-23-10, item #134A), to provide substance abuse treatment services, by decreasing the price by \$54,692 from \$524,892 to an amount not to exceed \$470,200. (2)Further authorized to amend an agreement with Horizons Counseling Center Inc., Gilford, NH, (originally approved by G&C on 6-23-10, item #134A), to provide substance abuse treatment services, by decreasing the price by \$18,178 from \$524,892 to an amount not to exceed \$506,714. Effective upon G&C approval. **40% Federal, 60% General Funds.**

#34 Authorized to amend an agreement with Child and Family Services of NH, Manchester, NH (originally approved by G&C on 6-23-10, item #134), to provide substance abuse treatment services, by decreasing the price by \$8,324 from \$190,254 to an amount not to exceed \$181,930. Effective upon G&C approval. **100% General Funds.**

#35 Authorized to amend an agreement with Grafton County, North Haverhill, NH (originally approved by G&C on 6-23-10, item #132), to provide substance abuse treatment services, by decreasing the price by \$6,656 from \$152,134 to an amount not to exceed \$145,478. Effective upon G&C approval. **100% General Funds.**

#36 Authorized to amend an agreement with Families In Transition, Manchester, NH (originally approved by G&C on 6-23-10, item #132), to provide substance abuse treatment services, by decreasing the price by \$31,886 from \$728,832 to an amount not to exceed \$696,946. Effective upon G&C approval. **41% Federal, 59% General Funds.**

#37 Authorized to amend an agreement with National Council on Alcoholism and Drug Dependence/Greater Manchester, Manchester, NH (originally approved by G&C on 6-23-10, item #134), to provide substance abuse treatment services, by decreasing the price by \$41,470 from \$947,876 to an amount not to exceed \$906,406. Effective upon G&C approval. **100% Federal Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#38 Authorized to accept and place on file the reports that for calendar year 2011, two existing mining permits remain in effect, and in good standing. No other mining applications were accepted or rejected during this period.

#39 Authorized the Office of Workforce Opportunity to amend a contract with Grafton County Economic Development Council, Plymouth, NH, (originally approved by G&C on 3-10-10, item #61, in the amount of \$234,678), to implement an innovative workforce development project, by extending the end date from February 28, 2012 to May 31, 2012. **100% Federal Workforce Investment Act Governor's Discretionary Funds, CFDA #17.259.**

#40 Authorized the Office of Workforce Opportunity to amend a contract with White Mountain Community College, Berlin, NH, (originally approved by G&C on 3-10-10, item #59, in the amount of \$118,683), to implement two innovative workforce development projects, by extending the end date from February 28, 2012 to June 30, 2012. **16% Federal (WIA) ARRA Governor's Discretionary Funds, 84% Federal (WIA) Governor's Discretionary Funds. (Please note that the ARRA portion of this contract has been fully expended and the timeframe for reporting WIA ARRA funds has expired.)**

#41 Authorized the Division of Forests and Lands to purchase approximately 344 acres of undeveloped forestland abutting Nash Stream Forest in the Town of Columbia, NH from Allen Bouthillier and Gregory Stone, in the amount of \$110,000. **100% Agency Income (Forest Improvement Fund, Trails Administration).**

#42 Authorized the Division of Economic Development to make a payment to Eastern Trade Council, New York, NY, in the amount of \$10,000 for membership dues required as part of the State Trade and Export Promotion Grant awarded to the Department. Effective upon G&C approval through September 29, 2012. **100% Federal Funds.**

#43 Authorized the Division of Parks and Recreation to budget and expend FEMA funds (originally approved by G&C on 6-25-08, item #113), in the amount of \$168,413 that were unexpended as of June 30, 2011 for flood-related damages to DRED-managed lands caused by the April 2007 rainstorm. Effective upon G&C approval through June 30, 2012. **100% Transfer (FEMA).** (2) Further authorized to accept and expend FEMA and State matching funds in the amount of \$322,373 from the Department of Safety, Homeland Security and Emergency Management to close out the White Island portion of Disaster #FEMA-1695-DR-NH. Effective upon G&C approval through June 30, 2012. **100% Transfer from Other Agency. Contingent upon Fiscal Committee approval on February 17, 2012.**

#44 Authorized the Division of Parks and Recreation to enter into a memorandum of agreement with the Town of Hampton, NH and Rye, NH, to allow the State to deliver effluent from the North Hampton State Beach bathhouse to the Town of Hampton Waste Water Treatment Plant by connecting into the Town of Rye force main sewer line. Effective upon G&C approval through 2019.

#45 Authorized the Division of Parks and Recreation to enter into a **retroactive** contract with the DLP Restaurant Corporation, Portsmouth, NH, for two separate catering services provided on December 31, 2011 and on January 18, 2012, in the amount of \$3,231.76. **100% Agency Income.**

#46 Authorized the Division of Parks and Recreation to enter into a contract with Bob Ailes Roofing Inc., St. Johnsbury, VT, for the bathhouse roof replacement at Forest Lake State Park, Dalton, NH, in the amount of \$19,190. Effective upon G&C approval through May 25, 2012. **100% Capital Funds.**

#47 Authorized the Division of Parks and Recreation to name the life guard station at Hampton Beach State Park in honor of Mr. James W. Donahue Jr. Effective upon G&C approval.

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#48 Authorized to amend a grant agreement with The Nature Conservancy, Concord, NH (originally approved by G&C on 7-15-09, item #52), to conduct the Staying Connected in the Northern Appalachians project, by extending the completion date to February 28, 2013 from April 30, 2012. **100% Federal Funds.**

#49 Authorized to enter into a **sole source** contract with the Wildlife Management Institute to provide a scope of services that includes research and management on Cottontail, for an amount not to exceed \$423,375. Effective upon G&C approval through December 30, 2014. **100% Federal Funds.**

WASTE MANAGEMENT COUNCIL

#50 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to accept and place on file the 2010 annual report.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#51 Authorized a loan agreement with the Town of Pittsfield, in the amount of \$288,000 to finance the South Main Street Pumping Station Replacement Project. Effective upon G&C approval. **50% Clean Water State Revolving Fund Repayment Account, 50% Federal ARRA Funds.**

#52 Authorized to enter into a memorandum of agreement with the Department of Resources and Economic Development, for comparative evaluation of alternative wetland assessment methods, in the amount of \$70,000. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#53 Authorized to enter into a grant agreement with the Town of Merrimack, NH, for the purpose of milfoil control activities in portions of Horseshoe Pond, Merrimack, NH, in the amount of \$10,175. Effective upon G&C approval through December 31, 2012. **100% Lake Restoration Funds.**

#54 Authorized to enter into a grant agreement with the Town of Meredith, NH, for the purpose of milfoil control activities in portions of Lake Winnepesaukee in Meredith, in the amount of \$10,025. Effective upon G&C approval through December 31, 2012. **100% Lake Restoration Funds.**

#55 Authorized Christopher Carpenter Trust's request to perform work on Lake Winnepesaukee in Moultonborough.

#56 Authorized Wolfeboro Corinthian Yacht Club's request to perform work on Lake Winnepesaukee in Wolfeboro.

#57 Authorized Beverly and Miller Malcolm's request to perform work on Lake Winnepesaukee in Meredith.

#58 Authorized Donna & Richard Johnson's request to perform work on an average of 109 ft of frontage on Lake Winnepesaukee in Moultonborough.

#59 Authorized Mary & Matthew Dunne's request to perform work on Lake Winnepesaukee in Alton.

#60 Authorized Sunray Shores Improvement Association's request to perform work on Winnisquam Lake in Belmont.

NEW HAMPSHIRE VETERANS HOME

#61 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to accept monies totaling \$29,457.78 received during the period of October 1, 2011 to December 31, 2011 as a result of fundraising drives from various organizations and from personal contributions, and to be placed in the Veterans Home Benefit Fund.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#62 **TABLED** – The Governor and Council on motion of Councilor Burton, seconded by Councilor St. Hilaire, voted to **table** the request to pay the Council of Chief State School Officers, Washington, DC, membership dues for FY12, in the amount of \$32,916. Effective **retroactive** to July 1, 2011 through June 30, 2012. **100% General Funds.**

#63 Authorized to amend a grant approved by G&C on January 13, 2010, item #122, to transfer carry-forward grant funds between classes in the amount of \$15,472.72, in order to maximize the use of federal grant funds. (2)Further authorized to extend two positions in two classes. Effective **retroactive** to December 31, 2011 through June 30, 2012. **100% Federal ARRA Funds. Contingent upon Fiscal Committee approval on February 17, 2012.**

#63A Authorized to conduct a one day training institute for NH Responds Demonstration Site school teams scheduled for March 9, 2012 to be held at the Hampshire Hospitality Holdings Inc., d/b/a The Inns and Spa at Mills Fall, Meredith, NH, at a cost not to exceed \$3,718.20. (2)Further authorized to enter into an agreement with The Inns and Spa at Mills Fall, Meredith, NH, for the purpose of providing necessary conference facilities and food services at the NH RESPONDS Demonstration Site school teams for the one day training, in an amount not to exceed \$3,718.20. Effective upon G&C approval through March 9, 2012. **100% Federal Funds.**

#63B Authorized the Division of Career Technology and Adult Learning to enter into a lease agreement with P.M. Mackay and Sons Inc., Nashua, NH, for the purpose of Vocational Rehabilitation regional office space comprised of 3,000 square feet in Nashua, NH, for a total cost of \$285,000. Effective March 1, 2012 through April 30, 2017. **97% Federal, 3% General Funds.**

MCAULIFFE-SHEPARD DISCOVERY CENTER

#64 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton authorized the request to amend a contract with AAA Energy Service Company, Auburn, NH (originally approved by G&C on 9-14-11, item #122), for HVAC service and preventative maintenance, by increasing the price by \$3,000 from \$23,560 to \$26,560. Effective **retroactive** to January 16, 2012 through June 30, 2012. **66% General, 34% Other Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#65 Authorized to enter into a rental agreement with the Department of Transportation, (originally approved by G&C on 2-7-07, item #119), to provide the State Police with vehicle storage space located in the Stickney Ave Facility, Concord, NH, for \$50,320. Effective **retroactive** to July 1, 2011 through June 30, 2012. **100% Federal Funds.**

#66 Authorized the Division of Motor Vehicles to exercise a contract with CMC Americas, for the purpose of installation and setup of the SharePoint Server and RightFax software, which is part of the Vision capital project, in the amount of \$101,320. Effective upon G&C approval through September 30, 2012. **100% Highway Funds.**

#67 Authorized the Division of Homeland Security and Emergency Management to enter into a memorandum of agreement with the Department of Environmental Services, to support the base of the fluvial erosion hazard assessment program, which provides support for two full-time personnel and associated benefits, travel and equipment necessary to support the program of preparing and conducting assessments for the delineation of FEH zones in NH, for \$200,355. Effective upon G&C approval through September 30, 2012. **100% Federal Funds.**

#68 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Effingham, NH, for updating their local hazard mitigation plan, in the amount of \$5,000. Effective upon G&C approval through September 18, 2014. **100% Federal Funds.**

#69 Authorized the Division of Homeland Security and Emergency Management to amend a memorandum of agreement with the Department of Environmental Services, (originally approved by G&C on 6-8-11, item #158), for the operation of five stream gauges used for flood forecasting and flood management, by changing four of the five stream gauges only. Effective upon G&C approval. **100% Federal Funds.**

#70 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Central NH Regional Planning Commission, to provide technical assistance to three local communities for the update of hazard mitigation plans, for a total amount of \$15,000. Effective upon G&C approval through September 18, 2014. **100% Federal Funds.**

#71 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Freedom, NH, for updating their local hazard mitigation plan, in the amount of \$5,000. Effective upon G&C approval through September 18, 2014. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#72 Authorized to accept and expend funds in the amount of \$9,000 to cover municipal charges. Effective upon G&C approval through June 30, 2012. **100% Agency Income.**

#73 Authorized the Operations Division to accept as a gift to the State, and to expend funds as they determine in the amount of \$7,350 to cover expenditures in design, construction and maintenance of a Public Works Memorial. Effective upon G&C approval. **100% Agency Income.**

#74 Authorized the Bureau of Aeronautics to enter into an agreement with Rhode Island (Rhode Island Airport Corporation), to reimburse Rhode Island Airport Corporation for a portion (one-sixth) of the non-federal share associated with a Federal Aviation Administration grant to fund the development of a New England General Aviation Airport Regional System Study, in the amount of \$5,604. Effective upon G&C approval through February 28, 2016. **100% General Funds.**

#75 Authorized the Bureau of Right of Way petition for a hearing on alterations to NH 10 in the Town of Haverhill, with a suggested budget of \$699.60.

#76 Authorized the Bureau of Highway Maintenance Well Section to enter into a contract with Kriester Artesian Well Company Inc., Henniker, NH, for a 6-inch drilled well and pump on the property of Paul Longuiel, Northwood, NH, in the amount of \$21,570. Effective upon G&C approval through April 6, 2012. **100% Highway Funds.**

#77 Authorized Bureau of Bridge Maintenance to enter into a contract with Capitol Alarm Systems Inc., Penacook, NH, for Inspection , Testing, Service, and Repair of Fire Alarm Systems for six locations within NHDOT Bureau of Bridge Maintenance, in the amount of \$24,000. Effective upon G&C approval through June 30, 2014. **100% Highway Funds.**

#78 Authorized the Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for pavement rehabilitation, guardrail improvements and drainage improvements on 1.8 miles of US Route 3 in Stratford, on the basis of a low bid of \$2,277,200. (2)Further authorized a contingency in the amount of \$227,720 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 12, 2012. **100% Federal Funds.**

#79 Authorized the Bureau of Construction to enter into a contract with Wyman and Simpson Inc., Richmond, ME, for guardrail replacement on the NH Route 1B causeway between Goat Island and New Castle, on the basis of a low bid of \$284,076.50. (2)Further authorized a contingency in the amount of \$28,407.65 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through May 18, 2012. **100% Betterment Funds.**

#80 Authorized the Bureau of Construction to enter into a contract with Weaver Bros. Construction Co Inc., Concord, NH, for culvert replacements on NH Route 12A in Alstead and NH Route 31 in Lyndeborough, on the basis of a low bid of \$156,550. Effective upon G&C approval through August 17, 2012. **100% Betterment Funds.**

#81 Authorized the Bureau of Construction to enter into a contract with Connie's Septic Service Inc., Bedford, NH, for the design, permitting, construction, start-up, and placement of a septic system replacement in service for the existing NHDOT rest area (I-89 southbound), in Sutton, on the basis of a low bid of \$105,420. (2)Further authorized the amount of \$8,400 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$113,820. Effective upon G&C approval through May 18, 2012. **100% Federal Funds.**

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ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Wieczorek, voted to remove item #9A- which was tabled at the February 8, 2012 Meeting.

DEPARTMENT OF ADMINISTRATIVE SERVICES

#9A The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Wieczorek, voted to authorize the request of the Bureau of Court Facilities to enter into a lease agreement with the Lake Sunapee Group, Newport, NH, providing 4,191 square feet of courtroom and office space for the 6th Circuit Division Courthouse, Hillsborough, NH, for an amount not to exceed \$627,500. Effective March 1, 2012 through May 31, 2022. **100% Transfer Funds – transfer from AOC, Rent from Other Agencies.**

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ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Wieczorek, voted to remove item #17- which was tabled at the February 8, 2012 Meeting.

DEPARTMENT OF AGRICULTURE MARKETS & FOODS

#17 **FAILED** – The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Wieczorek, and with Councilors Burton, St. Hilaire, Sununu, Wieczorek and Wheeler all voting **NO**, the Council unanimously **failed** to authorize the request to enter into a memorandum of understanding with the NH Department of Resources and Economic Development, to continue a marketing project uniting NH agriculture with tourism marketing for the State, in the amount of \$163,585. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

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Next regular Governor and Executive Council meeting is scheduled for Wednesday, March 7, 2012, at the State House, Concord, NH.

The Honorable Board then Adjourned at 11:45 a.m.