

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
Hampton Beach State Park Seashell Complex, Hampton, NH
October 3, 2012, 10:00 a.m.

*

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

*

Councilor Sununu offered the prayer and led the Pledge of Allegiance.

*

The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor St. Hilaire, accepted the minutes of September 19, 2012.

*

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Sununu, accepted the minutes of the Special meeting held September 25, 2012.

*

The Governor and Executive Council, on motion of Councilor Sununu, seconded by Councilor Burton, approved the appointment of several persons nominated for Civil Commissions from the September 19, 2012 meeting.

*

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

*

RESIGNATIONS

The Governor and Council accepted the following resignation:

Commissioner of the Department of Labor - RSA: 273:2
George N. Copadis, Manchester

Effective: October 3, 2012

CONFIRMATIONS

The Governor and Council confirmed the following:

Agricultural Advisory Board - RSA: 425:22

(Food retailing industry)

Andrew M. Harris, Marlborough

Succeeding: David S. Floyd, Conway (term limited)

Effective: October 3, 2012

Term: June 19, 2016

Agricultural Advisory Board - RSA: 425:22

(Hillsborough County)

Roger F. Noonan, New Boston

Succeeding: Matthew R. LeClair, Mason (term limited)

Effective: October 3, 2012

Term: June 19, 2016

Agricultural Advisory Board - RSA: 425:22

(Sullivan County)

Sarah M. Sprague, Plainfield

Succeeding: Robert N. Beaudry, Charlestown (term limited)

Effective: October 3, 2012

Term: January 31, 2017

Agricultural Lands Preservation Committee - RSA: 432

Jane A. Presby, Concord

Succeeding: Ruth I. Clough, Elkins

Effective: October 3, 2012

Term: October 10, 2015

State Council on the Arts - RSA: 19-A

Emile Birch, Canaan

Succeeding: Dorothy J. Yanish, Peterborough

Effective: October 3, 2012

Term: November 23, 2016

Board of Chiropractic Examiners - RSA: 316-A

Sofia Haffenreffer, North Hampton

Succeeding: John D. Boyden, II, Bedford (term limited)

Effective: October 3, 2012

Term: August 24, 2017

Community College System of New Hampshire Board of Trustees - RSA: 188-F

(Business & Industry)

Alison Stebbins, Portsmouth

Succeeding: Ronald J. Rioux, Exeter (resigned)

Effective: October 3, 2012

Term: June 30, 2015

Community Development Finance Authority - RSA: 162-L

(Community Development Organization)

Christine Walker, Warner

Succeeding: Racheal L. Stuart, Berlin (resigned)

Effective: October 3, 2012

Term: December 18, 2016

Connecticut River Valley Resource Commission - RSA: 227-E

(Forest Products/ Timberland Owners)

Nominated by the Connecticut River Valley Resource Commission

Brendan Prusik, Colebrook

Vacancy

Effective: October 3, 2012

Term: February 10, 2014

Connecticut River Valley Resource Commission - RSA: 227-E

(Public member)

Nominated by the Connecticut River Valley Resource Commission

Mary Edgerton Sloat, Hanover

Succeeding: William E. Roberts, Hinsdale

Effective: October 3, 2012

Term: February 10, 2015

Commissioner of the Department of Employment Security – RSA: 282:9

George N. Copadis, Manchester

Vacancy

Salary: Grade II; maximum \$104,364

Effective: October 3, 2012

Term: April 1, 2014

Family Mediator Certification Board - RSA: 328-C

Nominated by the NH Conflict Resolution Assoc.

Candace F. Dochstader, Hollis

Reappointment

Effective: November 4, 2012

Term: November 4, 2015

Health Exchange Advisory Committee - RSA: 420-N

(rep. employer)

Nancy Clark, Intervale

Vacancy

Effective: October 3, 2012

Term: October 3, 2015

Health Exchange Advisory Committee - RSA: 420-N

(rep. individual coverage)

Russell B. Grazier, Jr., Portsmouth

Vacancy

Effective: October 3, 2012

Term: October 3, 2015

Health Exchange Advisory Committee - RSA: 420-N

(rep. navigators)

Lisa M. Morris, Gilford

Vacancy

Effective: October 3, 2012

Term: October 3, 2014

Division of Higher Education - RSA: 21-N:8-a

(Lay public)

James M. Fitzgerald, Laconia

Reappointment

Effective: October 3, 2012

Term: June 30, 2017

Division of Higher Education - RSA: 21-N:8-a
(Rep. Dartmouth College)
Nominated by the NH College and University Council
Lindsay J. Whaley, Lebanon
Vacancy

Effective: October 3, 2012
Term: June 30, 2017

Judicial Council - RSA: 494
(Attorney)
Ellen Gordon, Intervale
Succeeding: Wendy Roberts, Whitefield

Effective: October 3, 2012
Term: October 18, 2013

Chief Medical Examiner at the Department of Justice - RSA: 4:1
Nominated by the Attorney General
Thomas A. Andrew, MD, Contoocook
Reappointment
Salary: QQ \$144,289

Effective: October 3, 2012
Term: August 20, 2017

Installation Standards Board - RSA: 205-D:2 – Councilor Wheeler abstained.
(Dealer/ retailer)
Nominated by the NH Manufactured Housing Assoc.
James L. Baird, Claremont
Vacancy

Effective: October 3, 2012
Term: October 3, 2014

Installation Standards Board - RSA: 205-D:2– Councilor Wheeler abstained.
(Fire Chief)
Nominated by the NH Assoc. of Fire Chiefs
Kevin J. Breen, Salem
Vacancy

Effective: October 3, 2012
Term: October 3, 2013

Installation Standards Board - RSA: 205-D:2– Councilor Wheeler abstained.
(Owner/ Operator more than 100 lots)
Nominated by the NH Manufactured Housing Assoc.
Kenneth R. Burgess, Hooksett
Vacancy

Effective: October 3, 2012
Term: October 3, 2014

Installation Standards Board - RSA: 205-D:2– Councilor Wheeler abstained.
(Engineer)
Nominated by the Board of Professional Engineers
Fred Emanuel, Stratham
Vacancy

Effective: October 3, 2012
Term: October 3, 2013

Installation Standards Board - RSA: 205-D:2– Councilor Wheeler abstained.
(Owner/ Operator 100 or fewer lots)
Nominated by the NH Manufactured Housing Assoc.
Gary Francoeur, Hudson
Vacancy

Effective: October 3, 2012
Term: October 3, 2015

Installation Standards Board - RSA: 205-D:2– Councilor Wheeler abstained.
(Building code official)
Nominated by the NH Building Officials Assoc.
Wayne H. Moore, Epsom
Vacancy

Effective: October 3, 2012
Term: October 3, 2014

Installation Standards Board - RSA: 205-D:2– Councilor Wheeler abstained.
(Owner/ Operator 100 or fewer lots)
Nominated by the NH Manufactured Housing Assoc.
Linda J. Rogers, Exeter Effective: October 3, 2012
Vacancy Term: October 3, 2013

Installation Standards Board - RSA: 205-D:2– Councilor Wheeler abstained.
(Installer)
Nominated by the NH Manufactured Housing Assoc.
Craig Therrien, Wolfeboro Effective: October 3, 2012
Vacancy Term: October 3, 2015

Board of Mental Health Practice - RSA: 330-A:3, II
(Public member)
Jane Power Kilcoyne, Portsmouth Effective: October 3, 2012
Reappointment Term: September 27, 2015

Nashua Police Commission – RSA: 105-C:2, II
Thomas A. Maffee, (r), Nashua Effective: October 3, 2012
Reappointment Term: September 1, 2015

Deputy Commissioner of the Department of Transportation - RSA: 21-L:5-a
Nominated by the Commissioner of the Department of Transportation
Michael P. Pillsbury, Henniker Effective: October 8, 2012
Reappointment Term: October 8, 2016
Salary: JJ; step 4 \$104,589

Advisory Council on Unemployment Compensation - RSA: 282-A:128
(Employees)
Mark S. MacKenzie, Manchester Effective: October 3, 2012
Reappointment Term: March 26, 2015

Volunteer New Hampshire Board of Directors - RSA: 19-H
Patricia Morris, Center Barnstead Effective: October 7, 2012
Succeeding: Ralph Littlefield, North Hampton Term: October 7, 2015

Site Selection Committee - RSA: 482-A
Nominated by the Society for the Protection of New Hampshire Forests
Christopher L. Wells, Wilmot Effective: October 3, 2012
Reappointment Term: September 27, 2015

NOMINATIONS

The Governor placed into nomination the following:

State Council on the Arts - RSA: 19-A
J. Christopher Williams, Nashua Effective: November 23, 2012
Succeeding: Tim Sappington, Randolph Expiration: November 23, 2017

Business Finance Authority Board of Directors - RSA: 162-A
(Regional Planning)
Michael J. King, North Haverhill Effective: November 3, 2012
Reappointment Expiration: November 3, 2015

Connecticut River Valley Resource Commission - RSA: 227-E
(Public Member)
Nominated by the Connecticut River Valley Resource Commission
James U. McClammer, Jr., Charlestown Effective: Upon confirmation
Succeeding: John C. Severance, Whitefield Expiration: January 22, 2014

Dropout Prevention and Dropout Recovery Oversight Council - RSA: 189:60
(Public Member)
Dwight Davis, Newfields Effective: Upon confirmation
Succeeding: Kevin E. Cash, Rochester Expiration: September 17, 2013

Fire Standards and Training Commission - RSA: 21-P:25
(NH Municipal Association)
Nominated by the NH Municipal Association
J. Michael Joyal, Jr., Dover Effective: November 16, 2012
Vacancy Expiration: November 16, 2015

Fire Standards and Training Commission - RSA: 21-P:25
(Full-time Career Fire Chief)
George Klauber, Derry Effective: November 12, 2012
Reappointment Expiration: November 12, 2015

Fire Standards and Training Commission - RSA: 21-P:25
(Prof. Firefighters of NH International)
David C. Lindh, Jr., Dover Effective: November 12, 2012
Reappointment Expiration: November 12, 2015

Judicial Retirement Plan Board of Trustees - RSA: 100-C
(Business Experience)
Jack R. Hutton, Concord Effective: October 22, 2012
Reappointment Expiration: October 22, 2015

Board of Natural Scientists- RSA: 310-A:81
Damon E. Burt, Strafford Effective: October 26, 2012
Reappointment Expiration: October 26, 2017

Board of Nursing - RSA: 326-B
(LPN)
Ann Finn-Wadell, Concord Effective: November 16, 2012
Succeeding: Sharon Dyer, Greenfield (term limited) Expiration: November 16, 2015

Physical Therapy Governing Board - RSA: 328-F
(Public Member)
Martha B. Aguiar, Campton Effective: October 28, 2012
Reappointment Expiration: October 28, 2015

Public Water Access Advisory Board - RSA: 233-A
(Public Member)
Jayne E. Spaulding, Bedford Effective: October 27, 2012
Reappointment Expiration: October 27, 2015

Recreational Therapy Governing Board - RSA: 328-F
Bronwyn Dronsfield, Barrington Effective: October 25, 2012
Reappointment Expiration: October 25, 2015

Recreational Therapy Governing Board - RSA: 328-F

(Public Member)

John J. Preve, Concord

Reappointment

Effective: October 25, 2012

Expiration: October 25, 2015

Acting Commissioner of the Department of Resources and Economic Development - RSA: 12-A:2

Philip A. Bryce, Deering

Succeeding: George M. Bald, Somersworth (retired)

Salary: Grade KK; step 2 - \$90,509 (per RSA 94:1-C)

Effective: November 1, 2012

Expiration: Upon conf. of Comm.

Volunteer New Hampshire Board of Directors - RSA: 19-H

Joanne Dowdell, Portsmouth

Succeeding: Donna J. Wright, Concord

Effective: November 18, 2012

Expiration: November 18, 2015

Volunteer New Hampshire Board of Directors - RSA: 19-H

Kerri S. Tasker, Penacook

Succeeding: Joceline D. Champagne, Manchester

Effective: November 18, 2012

Expiration: November 18, 2015

Water Council - RSA: 21-O:7

(Conservation/Environmental Organization)

Thomas W. O'Brien, Concord

Succeeding: Joel M. Harrington, Concord

Effective: Upon confirmation

Expiration: August 24, 2016

New Hampshire Water Well Board - RSA: 489-B

(Water Well Contractor)

Roger Skillings, Hollis

Reappointment

Effective: Upon confirmation

Expiration: September 15, 2015

#1 **CONSENT CALENDAR - DONATIONS:**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Glencliff Home

- A. Authorized to accept a non-monetary donation of a 24 year old Ferno-ille Mobile Hydrotherapy Rehab Whirlpool Therapy Tub Model 911 from Dr. Robert Otis a contractor for podiatry services at Glencliff Home, Meredith, NH, with a total value of \$1,500.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

- #2 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Sununu authorized the request to award a grant to the Town of Boscawen, NH in the amount of \$500,000 for the purpose of construction of adequate drainage infrastructure for the Forest Lane subdivision. Effective upon G&C approval through December 31, 2013. **100% Federal Funds.**

OFFICE OF ENERGY AND PLANNING

- #3 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to enter into a memorandum of agreement with the Department of Environmental Services, Concord, NH, for the continued operation of the Granite State Clean Cities Coalition and support of alternative fuel and advanced technology vehicle efforts in NH, in the amount of \$30,000. Effective upon G&C approval through June 30, 2013. **100% Federal Funds (State Energy Program).**

DEPARTMENT OF INFORMATION TECHNOLOGY

The Governor and Council acted as follows:

- #4 Authorized to establish an entrance salary of \$90,606, Salary Grade GG, Step 5 for Ms. Leslie J. Williams, Chief Information Security Officer. Effective **retroactive** to June 16, 2012. **100% Other Funds (Class 27 – transferred by agencies).**

#5 Authorized, for the benefit of the Department of Health and Human Services, to amend a **sole source retroactive** contract with Interactive Voice Applications Inc., Dallas, TX, (originally approved by G&C on 6-13-07, item #20), for the ongoing support, maintenance, and hosting services provided for the email-based Random Moment Sample service, in the amount of \$30,000 from \$85,000 to \$115,000, and by extending the end date from July 1, 2012 to June 30, 2014. **100% Other (Agency Class 27) Funds: the agency class 27 used by DHHS to reimburse DoIT for this contract is 58% General, 42% Federal Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#6 Authorized the nomination of Major Thaddeus V. Day, North Yarmouth, ME, for promotion to the rank of Lieutenant Colonel, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

#7 Authorized the confirmation of Scott R. Manahan, Westerville, OH, for appointment to the rank of Lieutenant Colonel and promotion to the rank of Colonel, NH Army National Guard.

#8 Authorized the confirmation of Peter J. Degnan, Exeter, NH, for appointment to the rank of Major, NH Air National Guard.

#9 Authorized the confirmation of Captain Scott M. Treadwell, Dover, NH, for promotion to the rank of Major, NH Air National Guard.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#10 Authorized to accept and place on file the Report and Findings of Councilor Raymond S. Burton with regard to the refinancing of certain existing indebtedness and the financing of certain capital improvements in connection with the Spear Memorial Hospital of Plymouth, NH.

#11 Authorized the Division of Personnel's request to waive approval of classification decisions. Effective upon G&C approval.

#12 Authorized the Bureau of Public Works Design and Construction to enter into a contract with FPH Tank Installation & Service Inc., Orleans, VT, for the demolition of three above ground storage tanks and installation of a 5,000 gallon underground storage tank, Glencliff, NH, for a total price not to exceed \$159,000. Effective upon G&C approval through December 19, 2012. **50% General – Capital, 50% General Operating Funds.**

#13 Authorized the Bureau of Public Works Design and Construction to **retroactively** amend a contract with Granite State Plumbing & Heating LLC, Weare, NH (originally approved by G&C on 4-14-10, item #15), for ARRA – HVAC Project Phase I, Statewide, as part of the US Department of Energy, in the amount of \$5,930 increasing the amount from \$1,070,116.51 to \$1,076,046.51. Effective December 14, 2010. **25% General, 75% Agency Income – Rental Income. ARRA Project.**

STATE TREASURY

The Governor and Council acted as follows:

#14 Authorized to issue a warrant from funds not otherwise appropriated in the amount of \$74,731 and the State Treasurer to issue checks in the amount of \$74,730.68 to the rightful owners of abandoned or unclaimed funds.

#15 Authorized to continue maintaining regular bank accounts with the NH banks and account names for the corresponding valid business purpose. Effective upon G&C approval.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#16 Authorized with Councilor Wheeler voting **no**, the Division of Arts to award a grant in the amount of \$12,000 to the Arts Alliance of Northern NH, for a collaborative regional partnership initiative for NH Artists. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#17 Authorized with Councilor Wheeler voting **no**, the Division of Arts to enter into a contract with Maren Brown Associates, Florence, MA, to coordinate the strategic plan for the NH State Council on the Arts, in an amount not to exceed \$25,204. Effective upon G&C approval through November 30, 2013. **100% Federal Funds.**

ATTORNEY GENERAL – DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

#18 Authorized to amend a grant received from the Federal Bureau of Justice, John R. Justice (Federal Fiscal Year 2011) in the amount of \$110,107 (originally approved by G&C on 5-9-12, item #18), to provide student loan financial assistance to public defenders and prosecutors in NH, by extending the end date from September 30, 2012 to June 30, 2013. No Additional Funds. **100% Federal Funds. Fiscal Committee approved.**

#19 Authorized to **retroactively** amend item #21 approved by G&C on April 13, 2011, by extending a part-time temporary Program Specialist IV (LG25) position, which provides the coordination of the Sexual Assault Resource Teams project, from April 30, 2012 through June 30, 2013. **100% Agency Income (origin – federal funding). Fiscal Committee approved.** (2)Further authorized to enter into a sub grant with the NH Department of Justice, in the amount of \$30,520 from the Violence Against Women Act grant program for the purpose of providing services for women and children in NH who are victims of violent crimes, specifically for the Sexual Assault Response Teams. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.** (3)Further authorized to accept and expend a \$30,520 sub grant received from the DOJ's Violence Against Women Act grant program for the purpose of the enhancement of services to victims of sexual assault through the continued efforts of the Sexual Assault Response Teams. Effective upon G&C approval through June 30, 2013. **100% Agency Income (origin Federal Funds).**

#20 Authorized to amend a grant received from the Bureau of Justice Assistance, Office of Justice Programs in the amount of \$300,000 (originally approved by G&C on 7-13-11, item #27), to implement a Family-Based Residential Substance Treatment program for those who are justice involved, by extending the end date from September 30, 2012 to June 30, 2013. Effective upon G&C approval. No Additional Funds. **100% Federal Funds. Fiscal Committee approved.**

#21 Authorized to amend item #24 approved by G&C on July 13, 2011, by reallocating \$117,535 of the remaining grant received from the US Department of Justice, Office on Violence Against Women utilized in support of the Elder Abuse Training and Services Program, by extending the end date from September 30, 2012 to June 30, 2011. Effective upon G&C approval. No Additional Funds. (2)Further authorized to extend one part-time temporary Program Specialist II (LG 21) position, to provide support to the NH Partnership for the Protection of Older Adults. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#22 Authorized to amend item #25 approved by G&C on July 13, 2011, by reallocating \$51,630 for enhancing the services provided by the Homicide Survivor Services Program and developing written protocols, procedures and materials to assist in institutionalizing the program, by extending the end date from October 31, 2012 to June 30, 2013. Effective upon G&C approval. No Additional Funds. (2)Further authorized to continue one full-time temporary Program Specialist (LG 21) position that provides services and support to homicide victims' families and institutionalizes the program in a format conducive to succession planning and replication in other communities and class 046 (Consultants) to contract for experts in trauma-informed grief counseling to train staff and service providers. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#23 Authorized the nomination and appointment of Scott A. Sweet as the Commander of the Attorney General's Drug Task Force, at a salary of \$67,192. Effective upon G&C approval through July 1, 2014.

#24 **WITHDRAWN** – The Agency withdrew the nomination of John R. Cantin to serve on the NH Victims' Assistance Commission. Effective upon G&C approval through a period of three years.

#25 **WITHDRAWN** – The Agency withdrew the nomination of Bonni Schumann, to serve on the NH Victims' Assistance Commission, for the remainder of Teresa Knight's term, which expires March 16, 2014.

#26 Authorized to accept and expend a grant in the amount of \$9,003.55 from the NH Safety Agency for the purpose of hosting a two-day Motor Vehicle Homicide Seminar. (2) Further authorized to conduct a two-day seminar for the investigation and prosecution of motor vehicle crashes and incidents of driving while under the influence of alcohol or other drugs, at a cost not to exceed \$8,270, scheduled for December 4-5, 2012 at the Police Standards and Training Council training facility in Concord, NH. Effective upon G&C approval through December 31, 2012. **100% Transfer from other agency.**

EMPLOYMENT SECURITY

#27 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Sununu authorized the request to secure continued workers' compensation insurance coverage from Riverport Insurance Company via the State's contracted insurance broker, Ferdinando Insurance Associates Inc., Manchester, NH, for participants in the Return to Work program, in the amount not to exceed \$22,308. Effective October 12, 2012 through October 12, 2013, with the option to renew for two additional one year terms.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of Medicaid Business and Policy

#28 Authorized to accept and expend additional federal funds from the Centers for Medicare and Medicaid Services in the amount of \$17,639,826.20. Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

Division for Children, Youth & Families

#29 Authorized with Councilor Wheeler voting **no**, to **retroactively** 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, 2012 through June 30, 2013. **100% Federal Funds.**

#29A Authorized with the Department of Administrative Services, Risk Management Unit, to enter into a **sole source** contract with FIAI Inc., Manchester, NH, to purchase a general liability insurance Policy for foster parents, in the amount of \$55,147.50. Effective October 11, 2012 through October 11, 2013. **30% Federal, 70% General Funds.**

Division of Child Support Services

#30 Authorized to amend an agreement with the Supreme Court of NH, Administrative Office of the Courts, through its Office of Mediation and Arbitration, Concord, NH (originally approved by G&C on 1-11-12, item #50), for access, visitation and mediation services, by increasing the price by \$70,000 from \$70,000 to \$140,000, and by extending the completion date from September 30, 2012 to September 30, 2013. **100% Federal Funds.**

#31 Authorized to amend an agreement with Merrimack County Visitation Center, Concord, NH, (originally approved by G&C on 11-30-11, item #71), for access, visitation and mediation services, by increasing the price by \$30,000 from \$30,000 to \$60,000, and by extending the completion date **retroactively** from September 30, 2012 to September 30, 2013. **100% Federal Funds.**

Division of Public Health Services

#32 Authorized the Bureau of Infectious Disease Control to enter into a **retroactive sole source** agreement with the Trustees of Dartmouth College, Hanover, NH, to provide expert medical disaster management planning services, in an amount not to exceed \$164,671. Effective August 31, 2012 through August 30, 2013. **92% Federal, 8% General Funds.**

#33 Authorized the Bureau of Infectious Disease Control to enter into a grant agreement with LRGHealthcare d/b/a Lakes Region General Hospital, Laconia, NH, under which the Division of Public Health Services will provide three portable ventilators and necessary accessories valued at \$20,970 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 is terminated by one of the parties. **100% Other Funds.**

#34 Authorized the Bureau of Infectious Disease Control to enter into a grant agreement with Crotched Mountain Rehabilitation Center Inc., Greenfield, 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 is terminated by one of the parties. **100% Other Funds.**

#35 Authorized the Bureau of Infectious Disease Control to enter into a grant agreement with LRGHealthcare d/b/a Franklin Regional Hospital, Franklin, 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 is terminated by one of the parties. **100% Other Funds.**

Division of Family Assistance

#36 Authorized to execute a **sole source** contract with Deloitte Consulting LLP, Pittsburgh, PA, to provide enhancements to the New HEIGHTS public assistance eligibility system for the purpose of modernizing New HEIGHTS infrastructure and providing functionality to support the Department of Health and Human Services' strategic vision for improved service delivery in an amount not to exceed \$28,367,824.33. Effective upon G&C approval through September 30, 2016. **76.76% Federal, 23.24% General Funds.**

#37 Authorized to enter into a **sole source** contract with Strafford County Community Action Committee Inc., Dover, NH, as a grant recipient under the Community Services Block Grant to provide community based services and anti-poverty programs to low-income families, in an amount not to exceed \$390,775. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#38 Authorized to enter into a **sole source** contract with Tri-County Community Action Program Inc., Berlin, NH, as a grant recipient under the Community Services Block Grant to provide community based services and anti-poverty programs to low-income families, in an amount not to exceed \$647,908. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#39 Authorized to enter into a **sole source** contract with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, as a grant recipient under the Community Services Block Grant to provide community based services and anti-poverty programs to low-income families, in an amount not to exceed \$467,577. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#40 Authorized to enter into a **sole source** contract with Southwestern Community Services Inc., Keene, NH, as a grant recipient under the Community Services Block Grant to provide community based services and anti-poverty programs to low-income families, in an amount not to exceed \$410,737. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#41 Authorized to enter into a **sole source** contract with Southern NH Services Inc., Manchester, NH, as a grant recipient under the Community Services Block Grant to provide community based services and anti-poverty programs to low-income families, in an amount not to exceed \$1,531,338. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

Bureau of Homeless and Housing Services

#42 Authorized to enter into an agreement with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, to provide services to homeless individuals in the amount of \$66,519. Effective December 1, 2012 or upon G&C approval, whichever is later, through November 30, 2013. **100% Federal Funds.**

RACING AND CHARITABLE GAMING COMMISSION

#43 The Governor and Council on motion of Councilor Burton, seconded by Councilor St. Hilaire authorized the request to accept and place on file the report of activities for the fiscal year ended June 30, 2012.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#44 Authorized the Division of Parks and Recreation to enter into a contract with JMS Roofing LLC, Wolfeboro Falls, NH, for roof replacement at Wellington State Park in Alexandria, NH, in the amount of \$14,600. Effective upon G&C approval through October 19, 2012. **100% Capital Funds.**

#45 Authorized the Division of Parks and Recreation to enter into a contract with LA Brochu Inc., Concord, NH, for supplement landscape plantings at Hampton Beach State Park, in the amount of \$17,000. Effective upon G&C approval through October 31, 2012. **100% Park Funds.**

#46 Authorized the Division of Travel and Tourism Development to award grants to the organizations as detailed in letter dated September 14, 2012, for their 2012/2013 in-state and out-of-state marketing projects under the Joint Promotional Program, for a total amount of \$138,981.20. Effective upon G&C approval. **100% General Funds.**

FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#47 Authorized to enter into a contract with Green Environmental Inc., Norwell, MA, to complete the Woodman Marsh and Lamontagne Wildlife Management Areas Asbestos Abatement and Demolition Project, in the amount of \$17,999. Effective upon G&C approval through June 30, 2013. **75% Federal, 25% Other (Wildlife Habitat Conservation) Funds.**

#48 Authorized to enter into a **sole source** contract with Roger Stephenson d/b/a Stephenson Strategic Communications Stratham, NH, for fundraising efforts for the Nongame and Endangered Wildlife Program, in an amount not to exceed \$25,280. Effective upon G&C approval through September 30, 2014. **100% Other (Nongame) Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#49 Authorized to enter into a **sole source** memorandum of agreement with the NH Department of Resources and Economic Development to perform specialty mowing services at State-owned flood control dams at a cost not to exceed \$6,000. Effective upon G&C approval through December 1, 2012. **100% Dam Maintenance Program Funds.**

#50 Authorized with Councilor Wheeler voting **no**, to enter into a **sole source** contract with the Regional Greenhouse Gas Initiative, Incorporated, New York, NY, to provide technical and administrative services for continuation of the NH Carbon Dioxide (CO₂) Budget Trading Program, in an amount not to exceed \$375,000. Effective upon G&C approval through December 31, 2015. **100% CO₂ Trading Funds.**

#51 Authorized to award a Brownfields Revolving Loan Fund cleanup grant totaling \$150,000 to the Town of Hudson, for addressing environmental contamination. Effective upon G&C approval through September 30, 2013. **100% Federal ARRA Funds.**

#51A Authorized Paul J. Urbanek's request to perform work on the Piscataqua River, in New Castle.

#51B Authorized Laurel Glen Condominium Association's request, c/o Ralph Faulkingham, to perform work on Squam Lake in Center Harbor.

NEW HAMPSHIRE BOARD OF PODIATRY

#52 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Burton authorized the request to expend \$10,000 from funds not Authorized in order to retain investigators to enable the Board to pay the Attorney General's Office/APU. **100% General Funds.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#53 Authorized to accept and expend Statewide Longitudinal Data System funds in the amount of \$1,540,973 from the US Department of Education. (2)Further authorized to establish a full-time temporary Program Specialist II position, and increase funding for additional class 046 Consultant needs. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#54 Authorized to amend a Federal ARRA Educational Technology grant (originally approved by G&C on 1-13-10, item #122), in the amount of \$361 to maximize the use of federal grant funds and to extend the end date **retroactively** from July 1, 2012 through January 31, 2013. **100% Federal ARRA Funds. Fiscal Committee approved.**

#55 Authorized to amend a Federal ARRA School Improvement grant (originally approved by G&C on 7-28-10, item #50), to transfer carry-forward grant funds between classes in the amount of \$4,552 to maximize the use of federal grant funds and to extend the end date **retroactively** from July 1, 2012 through January 31, 2013. **100% Federal ARRA Funds. Fiscal Committee approved.**

#56 Authorized with Councilor Wheeler voting **no**, the Division of Higher Education, Higher Education Commission to pay the FY 2013 membership renewal fee to the State Higher Education Executive Officers Association, in the amount of \$3,176. **52% General, 48% Higher Education Fees.**

#57 Authorized the Division of Instruction to contract with Robert Manseau, Amesbury, MA, to provide technical assistance to NH schools and districts regarding State priorities: curriculum, instruction and assessment; school improvements; and innovation, in an amount not to exceed \$37,500. Effective upon G&C approval through June 30, 2013, with the option to renew for up to one additional fiscal year. **100% Federal Funds.**

#57A Authorized the Division of Instruction to contract with Philip (Randy) Bell, Bedford, NH, to provide technical assistance to NH schools and districts regarding State priorities: curriculum, instruction and assessment; school improvements; and innovation, in an amount not to exceed \$37,500. Effective upon G&C approval through June 30, 2013, with the option to renew for up to one additional fiscal year. **100% Federal Funds.**

#58 Authorized the Division of Instruction to contract with Jane Bergeron-Beaulieu, Litchfield, NH, to provide technical assistance to NH schools and districts regarding State priorities: curriculum, instruction and assessment; school improvements; and innovation, in an amount not to exceed \$37,500. Effective upon G&C approval through June 30, 2013, with the option to renew for up to one additional fiscal year. **100% Federal Funds.**

#59 Authorized the Division of Instruction to contract with Sandra Kent, Deering, NH, to provide technical assistance to NH schools and districts regarding State priorities: curriculum, instruction and assessment; school improvements; and innovation, in an amount not to exceed \$37,500. Effective upon G&C approval through June 30, 2013, with the option to renew for up to one additional fiscal year. **100% Federal Funds.**

MCAULIFFE-SHEPARD DISCOVERY CENTER

#60 The Governor and Council on motion of Councilor St. Hilaire, seconded by Councilor Wieczorek authorized the request of Jeanne Gerulskis, Executive Director of the McAuliffe-Shepard Discover Center, and Timothy Taber, Science Center Educator, to travel to Columbus OH, for the purpose of participating in the Association of Science-Technology Centers Annual Meeting and Conference, at a cost not to exceed \$5,228.47, during the period of October 12-18, 2012. (2)Further authorized to issue a travel advance to Jeanne Gerulskis in the amount of \$1,479 and a travel advance in the amount of \$1,413 to Timothy Taber. **Retroactive. 100% Federal Grant Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#61 Authorized the Division of Homeland Security and Emergency Management to enter into a memorandum of agreement with the Department of Environmental Services, to operate five real-time stream gauges to monitor water levels for flood warnings management in order to reduce potential flood damages throughout the State, in the amount of \$37,250. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#62 Authorized the Division of Fire Standards and Training and Emergency Medical Services to enter into a **sole source** agreement with National Honor Guard Academy, Seminole, FL, for the delivery of the Honor Guard course, in the amount not to exceed \$23,750. Effective October 21, 2012 through December 31, 2012. **100% Agency Income.**

#63 Authorized the Division of Fire Standards and Training and Emergency Medical Services, to enter into a **sole source** grant agreement with Intl Assn of Fire Fighters, Washington, DC, for the delivery of the IAFF Fire Ground Survival Program, in the amount of \$105,000. Effective October 9, 2012 through December 31, 2012. **100% Federal Funds.**

#64 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the City of Somersworth, NH, for a total amount of \$48,562 for implementation of projects identified through the evaluation of natural hazards. Effective upon G&C approval through March 8, 2014. **100% Federal Funds.**

#65 Authorized the Division of Homeland Security and Emergency Management to amend the grant agreement with the Town of New Hampton, NH (originally approved by G&C on 5-11-11, item #61), for three different projects, by extending the completion date from December 31, 2012 through September 27, 2013. **100% Federal Funds.**

#65A Authorized to enter into a memorandum of Operation and Maintenance Agreement with the Department of Transportation, Department of Resources and Economic Development, the Adjutant General, and NH Public Broadcasting Inc., for the purpose of establishing and defining the roles, responsibilities, and expectations of the aforementioned parties to operate and maintain the shared microwave system known as the NHSafeNet. Effective upon G&C approval through a period of two years, with renewal for seven additional four year periods contingent upon funding availability and legislative appropriation.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#66 Authorized the Division of Operations to transfer \$168,780 from Highway Surplus to fund safety and environmental training. Effective upon G&C approval through June 30, 2013. **100% Highway Funds. Fiscal Committee approved.**

#67 Authorized the Bureau of Right of Way to pay property owners \$7,895 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period of August 23, 2012 through September 10, 2012. Effective upon G&C approval. **100% Federal Funds.**

#68 Authorized the Bureau of Right of Way to sell and release its interest in a 0.89 +/- acre portion of the proposed Conway Bypass Limited Access Right of Way located on the westerly side of the Conway Bypass in the Town of Conway directly to the abutter, Wal-Mart Stores Inc., for \$276,100, which includes an Administrative Fee of \$1,100. Effective upon G&C approval. **Recovery of 100% Federal Highway Funds.**

#69 Authorized the Bureau of Right of Way to sell an 11.7 +/- acre parcel of State owned land with improvements located in the Town of Windham to Jay R. Yennaco for \$1,250,000 plus a \$1,100 Administrative Fee. (2)Further authorized to compensate NAI Norwood Group in the amount of \$72,500 for real estate services. Effective upon G&C approval. **Recovery of 100% Federal Highway Funds.**

#70 Authorized the Bureau of Right of Way to sell and release its interest in a 2.37 +/- acre portion of State owned Laconia Bypass (US Route 3) Limited Access Right of Way located on the westerly side of the Laconia Bypass (US Route 3) in the Town of Gilford directly to the abutter, Traditional Catholics of NH, for \$13,500 which includes an Administrative Fee of \$1,100. Effective upon G&C approval. **Recovery of 100% Federal Highway Funds.**

#71 Authorized the Bureau of Aeronautics to award a grant to the City of Claremont to conduct a hangar reconstruction study at the Claremont Municipal Airport, in the amount of \$69,375. Effective upon G&C approval through October 31, 2016. **97.30% Federal, 2.70% General Funds.**

#72 Authorized the Bureau of Aeronautics to award a grant to the City of Manchester, AIP-93, to acquire snow removal equipment at the Manchester-Boston Regional Airport, in the amount of \$1,134,050. Effective upon G&C approval through October 31, 2016. **97.30% Federal, 2.70% General Funds.**

#73 Authorized the Bureau of Aeronautics to award a grant to the City of Manchester, AIP-92, to upgrade heating, ventilation, and air conditioning systems in the airport terminal at the Manchester-Boston Regional Airport, in the amount of \$647,500. Effective upon G&C approval through October 31, 2016. **97.30% Federal, 2.70% General Funds.**

#74 Authorized the Bureau of Planning and Community Assistance to enter into agreements with the City of Berlin and the City of Claremont to provide funding and services with federal highway funds through a local project administration process, to reconstruct Hutchings Street from Napert Street to Bridge Street in Berlin; and to rehabilitate approximately 2,700 feet of two-lane roadway including sidewalk upgrades on Main Street in Claremont, for a total of \$1,266,067. Effective upon G&C approval through June 13, 2013. **100% Federal Funds.**

#75 Authorized the Bureau of Planning and Community Assistance to enter into an agreement with the City of Dover to provide funding and services under the Federal Air Bridge Program and the State Aid Bridge Program through a local project administration process, totaling \$3,040,000. Effective upon G&C approval through June 30, 2017. **90.79% Federal, 9.21% Highway Funds.**

#76 Authorized the Bureau of Mechanical Services to enter into an agreement with Consolidated Utility Equipment Services Inc., Amherst, NH, to provide repairs and scheduled maintenance to the Bureau of Mechanical Services' Aerial Bucket Lifts, for a fee not to exceed \$33,640. Effective upon G&C approval through June 30, 2013. **100% Agency Income.**

#77 Authorized the Bureau of Mechanical Services to enter into an agreement with Consolidated Utility Equipment Services Inc., Amherst, NH, to provide repairs and scheduled maintenance to the Bureau of Mechanical Services' Truck Mounted Cranes, for a fee not to exceed \$41,388. Effective upon G&C approval through June 30, 2013. **100% Agency Income.**

#78 Authorized the Bureau of Mechanical Services to enter into an agreement with Consolidated Utility Equipment Services Inc., Amherst, NH, to provide repairs and scheduled maintenance to the Bureau of Mechanical Services' Mobile Yard Cranes, for a fee not to exceed \$10,190. Effective upon G&C approval through June 30, 2013. **100% Agency Income.**

*

The Governor and Council on motion of Councilor Wiczorek seconded by Councilor St. Hilaire, and further on a roll call vote as follows: Councilor Burton – yes, Councilor St. Hilaire – yes, Councilor Sununu – yes, Councilor Wiczorek – yes, and Councilor Wheeler – yes, voted to go into non-public session under RSA 91-A:3:2.

After the conclusion of the non-public session, and back in public session, the Governor announced that the Council unanimously voted to seal the minutes of the non-public session under RSA 93-A:3 because the information pertains to a personnel matter.

*

The Next regular Governor and Executive Council meeting is scheduled for Wednesday, October 17, 2012, at the State House, Concord, NH.

Honorable Board then Adjourned at 1:00 p.m.