

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
February 20, 2013, 10:00 a.m.

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The Governor and Executive Council convened at 10:00 a.m. Councilor Van Ostern, Councilor Sununu, Councilor Pappas, and Councilor Pignatelli present in person, and Councilor Burton was present via teleconference.

The Governor asked that those councilors participating by telephone identify themselves and identify anyone else who is physically present with them at the location from which they are participating.

Councilor Burton was participating by telephone from his home office. He identified himself and indicated that he was alone.

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Councilor Van Ostern led the Pledge of Allegiance.

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The Governor and Executive Council on motion of Councilor Pignatelli, seconded by Councilor Sununu, accepted the minutes of February 6, 2013.

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The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Sununu authorized the appointment of several persons nominated for Civil Commissions from the February 6, 2013 meeting.

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

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RESIGNATIONS

The Governor and Council accepted the following resignation:

State Board of Education

(District 2)

Thomas Raffio, Bow

Effective: Upon confirm of District 4 seat

Real Estate Appraisers Board

(Certified Residential Appraiser)

Kevin Fritschy, Londonderry

Effective: February 20, 2013

CONFIRMATIONS

The Governor and Council confirmed the following:

State Council on the Arts - RSA: 19-A:3

Amanda A. Merrill, Durham

Succeeding: Randy Armstrong, Dover

Effective: February 20, 2013

Term: November 23, 2017

Compensation Appeals Board - RSA: 281-A:42

(Labor)

Daniel P. Manning, Manchester

Reappointment

Effective: February 20, 2013

Term: February 9, 2016

Compensation Appeals Board - RSA: 281-A:42

(Attorney)

Richard A. Mitchell, Candia

Reappointment

Effective: February 20, 2013

Term: February 13, 2016

State Board of Education - RSA: 21-N

(District 4)

Thomas Raffio, Bow

Succeeding: John R. Rist, Manchester

Effective: February 20, 2013

Term: January 31, 2017

Board of Foresters - RSA: 310-A:100

(Public Member)

Paula K. Miner, Penacook

Reappointment

Effective: February 20, 2013

Term: November 7, 2017

State Coordinator of Highway Safety - RSA: 238:7

Peter M. Thomson, Orford

Reappointment

Salary: Grade EE; maximum step- \$78,467

Effective: February 20, 2013

Term: February 3, 2018

Invasive Species Committee - RSA: 430:52

(Environmental Interests)

Leonard A. Lord, Epping

Succeeding: Douglas A. Bechtel, Penacook

Effective: February 20, 2013

Term: August 9, 2015

Invasive Species Committee - RSA: 430:52

(Horticultural Interests)

Andrew M. Mauch, Northfield

Succeeding: Glenn L. Caron, Raymond

Effective: February 20, 2013

Term: August 9, 2015

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

Janna Hartley, Pembroke

Reappointment

Effective: February 20, 2013

Term: January 24, 2016

NOMINATIONS

The Governor placed into nomination the following:

Board of Licensing for Alcohol and Other Drug Use Professionals - RSA: 330-C:3

(Licensed Alcohol and Drug Counselor)

Peter A. DalPra, Penacook

Reappointment

Effective: Upon confirmation

Term: January 28, 2016

Board of Licensing for Alcohol and Other Drug Use Professionals - RSA: 330-C:3

(Master Licensed Alcohol and Drug Counselor)

Barry S. Timmerman, Newmarket

Reappointment

Effective: Upon confirmation

Term: January 28, 2016

Appellate Board - RSA: 282-A:62

(Management)

Fred B. Keach, Concord

Reappointment

Effective: Upon confirmation

Term: August 9, 2016

Commissioner of the Banking Department - RSA: 383

Glenn A. Perlow, Concord

Succeeding: Ronald A. Wilbur, Concord

Salary: Grade II; Step 4- \$99,202

Effective: Upon confirmation

Term: January 1, 2019

Compensation Appeals Board - RSA: 281-A:42

(Employers/ Insurers)

Susan A. Jeffery, Manchester

Reappointment

Effective: Upon confirmation

Term: February 9, 2016

Current Use Advisory Board - RSA: 79-A
(Public Member/ Agriculture)
Chuck Souther, Concord
Succeeding: Wayne Mann, Canterbury (resigned)
Effective: Upon confirmation
Term: November 16, 2014

Director of the Division of Instruction for the Department of Education - RSA: 21-N:3
Nominated by: Commissioner of Education
Heather Gage, Bedford
Vacancy
Salary: Grade GG; Step 4- \$86,131
Effective: Upon confirmation
Term: December 11, 2015

Family Mediator Certification Board - RSA: 328-C
(Nom. by the NH Conflict Resolution Assoc.)
Robert W. Sturke, Concord
Reappointment
Effective: Upon confirmation
Term: January 27, 2016

New Hampshire Commission on Human Rights - RSA: 354-A:4
David N. Cole, Hanover
Reappointment
Effective: Upon confirmation
Term: January 1, 2018

New Hampshire Commission for Human Rights - RSA: 354-A:4
Harvey Keye, Nashua
Succeeding: Gayle E. Troy, Dunbarton
Effective: Upon confirmation
Term: January 1, 2018

New Hampshire Commission for Human Rights - RSA: 354-A:4
James R. Martin, Brookfield
Succeeding: Joshua P. Boynton, Goffstown
Effective: Upon confirmation
Term: January 1, 2018

Invasive Species Committee - RSA: 430:52
(Livestock Owners and Feed Growers Interests)
Donald Keirstead, Rollinsford
Succeeding: Brandon A. Smith, Rye
Effective: Upon confirmation
Term: September 21, 2014

Manufactured Housing Installation Standards Board - RSA: 205-D:2
(Cooperative Manufactured Housing Park)
Manufactured Home Owners & Tenants Assoc of NH
Robert G. Cook, Sr., Milford
Vacancy
Effective: Upon confirmation
Term: 3 yrs from confirmation

Volunteer New Hampshire Board of Directors - RSA: 19-H
(Community-based Organization)
Annmarie J. Woods, Manchester
Succeeding: Donald E. Chesnel, Rochester
Effective: Upon confirmation
Term: October 10, 2015

#1 **CONSENT CALENDAR - DONATIONS:**

OFFICE OF THE ADJUTANT GENERAL

- A. Authorized to accept donations of \$2,029 for computers, computer services, and brick engraving for the NH State Veterans Cemetery.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

- B. Authorized the Division of Parks and Recreation to accept a donation from Reach the Beach Relay Inc, Woodville, MA, in the amount of \$13,500 for the NH State Parks' involvement in the 2012 edition of the New Balance Reach the Beach Relay race series.

NEW HAMPSHIRE LIQUOR COMMISSION

- C. The Governor and Council on motion of Councilor Burton, seconded by Councilor Sununu, and further on a roll call vote as follows: Councilor Burton – yes, Councilor Van Ostern – **no**, Councilor Sununu – yes, Councilor Pappas – yes, and Councilor Pignatelli – yes, authorized the request to accept a donation from the Italian Trade Commission, in the amount of \$4,900 for hotel accommodations, meals and transfers in Verona, Italy for two Liquor Commission employees to attend the 2013 Vinitaly Wine Exhibition in Verona, Italy from April 6-13, 2013.

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#2 Authorized to **retroactively** amend the competitive State Energy Programs Energy Efficiency Resource Standard, (originally approved by G&C on 10-26-11, item #11), by extending the end date of September 29, 2012 to June 30, 2013. No Additional Funding. **100% Federal Funds (SEP – Department of Energy). Fiscal Committee approved.**

#3 Authorized to enter into a memorandum of agreement with the NH Department of Environmental Services, Concord, NH, to support work under a federal grant to evaluate options for use of an Energy Efficiency Resource Standard or other mechanisms to increase the deployment of energy efficiency in NH, in the amount of \$85,000. (2)Further authorized the Department of Environmental Services to accept and expend \$57,000 in pass thru federal funds from the Office of Energy and Planning for purposes of funding the work conducted under the memorandum of agreement above. Effective upon G&C approval through September 29, 2013. **100% Federal Funds.**

#4 Authorized to enter into a contract with Vermont Energy Investment Corporation, Burlington, VT, for technical assistance in the development and implementation of a statewide plan to increase cost effective energy efficiency and contribute to the development of state energy strategy, in the amount of \$215,000. Effective upon G&C approval through September 29, 2013. **100% Federal Funds.**

#5 Authorized to accept and expend federal grant funds in the amount of \$55,000 from the US Department of Energy for the State Energy Programs formula grant. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

DEPARTMENT OF INFORMATION TECHNOLOGY

The Governor and Council acted as follows:

#6 Authorized to accept and expend \$220,200 in SFY 2013 from the State Homeland Security Program funds available from the Department of Safety for funding of recommended physical security measures to be implemented at the DoIT Data Center, Concord, NH. (2)Further authorized to establish consultant positions for the purpose of reviewing and recommending physical security measures at DoIT for the statewide IT network. Effective upon G&C approval through June 30, 2013. **100% Other Funds, the funds used by DOS to reimburse DoIT are 100% Federal Funds. Fiscal Committee approved.**

#7 Authorized to accept and expend \$295,200 in SFY 2013 from the State Homeland Security Program funds available from the Department of Safety for funding of recommended cyber/network security measures DoIT for the statewide IT network. (2)Further authorized to establish consultant positions for the purpose of reviewing and recommending cyber/network security measures at DoIT for the statewide IT network. Effective upon G&C approval through June 30, 2013. **100% Other Funds, the funds used by DOS to reimburse DoIT are 100% Federal Funds. Fiscal Committee approved.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#8 Authorized to transfer funds in and among accounting units in the amount of \$318,391 to address projected expenses. The transfers are made up of \$72,774 in general funds and \$245,617 in other funds. Effective upon G&C approval through June 30, 2013. **22.9% General, 77.1% Other Funds. Fiscal Committee approved.**

#9 Authorized the Bureau of Public Works Design and Construction to increase its fleet by purchasing one used vehicle for a not to exceed cost of \$7,600, increasing the fleet from 28 to 29 vehicles and reducing the Bureau's lease of state-owned equipment and in-state travel costs. Effective upon G&C approval. **71.59% General, 28.41% Agency Fees.**

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

#11 Authorized the Bureau of Court Facilities to amend a lease extension agreement with the US Postal Service, Englewood, CO (originally approved by G&C on 11-19-08, item #42), to add 408 square feet of space to the current 4,404 square foot demise of the Littleton Circuit Court for a total of 4,812 square feet, by increasing the amount by \$6,528 from \$140,040 to \$146,568. Effective March 1, 2013 through June 30, 2014. **100% Transfer Funds – transfer from AOC, Rent from Other Agencies.**

#12 **TABLED** – The Governor and Council on motion of Councilor Sununu, seconded by Councilor Pappas, voted to **table** the request to enter into a contract with Inmate Calling Solutions LLC d/b/a IC Solutions, San Antonio, TX, for Inmate Telephone Services, and Pay Telephone services to various state agencies. Effective upon G&C approval through May 31, 2016 with the option to extend for two years. No State funds will be expended for this contract.

#13 Authorized to accept and place on file the Division of Personnel's Sixty-Second Annual Report.

#13A Authorized to enter into a **sole source** Real Property Marketing Agreement with Jones Lang LaSalle Americas Inc., New York, NY, to market, promote, and negotiate the Sale of the Lakes Region Facility property in Laconia, NH, in exchange for 6% of the gross proceeds from any sale, except that there shall be no commission paid in any sale to the City of Laconia or the County of Belknap. Effective upon G&C approval through May 1, 2013.

#13B Authorized \$63,785,418 be lapsed from the Working Capital Warrant for the months of October (13-04), November (13-05), and December (13-06). (2) Further authorized a Working Capital Warrant in the amount of \$550,000,000 to cover the payment of expenditures for the month of March.

#13C Authorized to transfer management responsibility for approximately 4.03 acres of the Ahern State Park property in Laconia from DRED to DAS, as summarized by the "Transfer of Management Responsibility" declaration, in order to aid DAS in complying with 2011 NH Laws 224:80.

#13D Authorized to **retroactively** amend the **sole source** contract with Infor (US) Inc., St. Paul, MN, formerly known as Lawson Software Americas Inc., (originally approved by G&C on 3-28*12, item #36E), for system installation and Migration Services, by extending the completion date from December 31, 2012 to March 31, 2013. No Additional Funding.

#13E Authorized with the Department of Safety, to exercise the first of two options to extend for one year the State's contract with Enhanced Communications of Northern New England Inc., d/b/a Fairpoint Internet, Portland, ME (originally approved by G&C on 3-10-10, item #34), for the provision of internet connectivity services, with a corresponding increase in contract price limitation by \$76,279.20 from \$228,837.60 to \$305,116.80. Effective upon G&C approval through February 28, 2014.

TREASURY DEPARTMENT

#14 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Pappas, authorized to issue a warrant from funds not otherwise appropriated in the amount of \$159,280 and the State Treasurer to issue checks in the amount of \$159,279.81 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF REVENUE ADMINISTRATION

#15 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Sununu, authorized to amend a contract with Robert Half International, Manchester, NH, (originally approved by G&C on 11-14-12, item C), for temporary data entry services, by extending the end date from April 11, 2013 to April 30, 2013, and by increasing the amount by \$51,000 from \$117,000 to \$168,000. Effective upon G&C approval. **100% General Funds.**

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#16 Authorized the Division of Arts to award an Artist in Residency in Schools grant in the amount of \$3,200 to the Seacoast charter School, Kingston. Effective upon G&C approval through June 30, 2013. **100% General Funds.**

#16A Authorized the Division of Historical Resources to award a Conservation Number Plate Grant to the Town of Rye, in the amount of \$10,000. Effective upon G&C approval through November 30, 2014. **100% Conservation Plate Fund.**

#16B Authorized the NH State Library to renew membership with the Chief Officers of State Library Agencies, Lexington, KY, in the amount of \$3,000. Effective **retroactive** to January 1, 2012 through December 31, 2013. **100% Federal Funds.**

INSURANCE DEPARTMENT

#17 The Governor and Council on motion of Councilor Burton, seconded by Councilor Pappas, authorized to establish the salary for the Department's newly appointed Statistician, (Group DD), at Step 5 (\$74,060) effective upon his start date of March 4, 2013. **100% Insurance Assessment Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of the Commissioner

#18 Authorized General Fund transfers in the amount of \$1,663,148 and decrease related revenue adjustments of (\$647,578) in Federal Funds and increase revenue adjustments of \$13,191 in Other Funds. Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

#19 Authorized General Fund transfers in the amount of \$488,704 and decrease related revenue adjustments of (\$125,731) in Federal Funds and increase revenue adjustments of \$34,586 in Other Funds. Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

#20 Authorized General Fund transfers in the amount of \$22,053,109 and decrease related revenue adjustments of (\$7,087,447) in Federal Funds and decrease revenue adjustments of (\$1,173,883) in Other Funds. Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

Bureau of Human Resource Management

#21 Authorized to make a **retroactive** one-time payment from SFY 2013 funds to John Ahern, a part-time Mental Health Worker II, NH Hospital, in the amount of \$3,039.63 to compensate for wages that were not paid for SFY 2012. **70% General, 30% Federal Funds.**

Office of Business Operations

#22 Authorized to amend an agreement with Bell and Howell, Burlington, MA, (originally approved by G&C on 9-14-11, item #83), for continued preventive maintenance and service on the Automated In-line Mailing System, by increasing the price by an amount not to exceed \$124,332 from \$119,550 to \$243,882, and by extending the completion date from June 30, 2013 to June 30, 2015. **39% Federal, 61% General Funds.**

Bureau of Homeless and Housing Services

#23 Authorized to accept and expend \$100,000 from the State Treasurer, from funds not otherwise appropriated to support the provisions of the Housing Security Guarantee Program. (2)Further authorized to amend Purchase Order #1017275 with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, (originally approved by G&C on 7-13-11, item #85), for homeless assistance services, by increasing the price by \$100,000 from \$552,258 to \$652,258. Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

Division of Family Assistance

#24 Authorized to accept and expend Federal Funds in the amount of \$4,500,000 from the centers for Medicare and Medicaid Services for the purposes of making changes to the New HEIGHTS eligibility system to accommodate federally required elements of the Affordable Care Act. Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

Bureau of Elderly and Adult Services

#25 Authorized to accept and expend Aging and Disabilities Resource Center Options Counseling Enhancement Program federal funds from the Administration for Community Living in the amount of \$293,169. Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

Division for Children, Youth and Families

#26 Authorized to pay a annual subscription fee to Chapin Hall Center for Children at the University of Chicago, Chicago, IL, in the amount of \$20,000 to access the Center for State Foster Care and Adoption Data service. Effective April 1, 2013 through March 31, 2014. **100% Federal Funds.**

Division of Public Health Services

#27 Authorized the Bureau of Population Health and Community Services to accept and expend Federal funds in the amount of \$72,573 from Centers for Disease Control and Prevention to fund the NH Tobacco Prevention and Control Program. Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

#28 Authorized the Bureau of Public Health Protection to accept and expend federal funds in the amount of \$94,217 from the Department of health and Human Services, Centers for Disease Control and Prevention to fund the Building Resilience Against Climate Effects in State Health Departments project. Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

#29 Authorized the Bureau of Public Health Systems, Policy and Performance, Rural Health and Primary Care Section to enter into an agreement with April Castellano, Registered Dental Hygienist, to provide reimbursement for payment of educational loans through the State Loan Repayment Program, in an amount not to exceed \$13,704. Effective April 1, 2013 or upon G&C approval, whichever is later, through March 31, 2016. **100% General Funds.**

#30 Authorized the Bureau of Public Health Systems, Policy and Performance, Rural Health and Primary Care Section to enter into an agreement with Dr. Christopher Moriarty, Doctor of Dental Medicine, to provide reimbursement for payment of educational loans through the State Loan Repayment Program, in an amount not to exceed \$27,500. Effective April 1, 2013 or upon G&C approval, whichever is later, through March 31, 2015. **100% General Funds.**

#31 Authorized the Bureau of Public Health Systems, Policy and Performance, Rural Health and Primary Care Section to enter into an agreement with Amanda L. Wood-Friend, Advance Practice Registered Nurse, to provide reimbursement for payment of educational loans through the State Loan Repayment Program, in an amount not to exceed \$2,500. Effective April 1, 2013 or upon G&C approval, whichever is later, through March 31, 2014. **100% General Funds.**

#32 Authorized the Bureau of Public Health Systems, Policy and Performance, Rural Health and Primary Care Section to enter into an agreement with Dr. Ruth E. James, Doctor of Allopathic Medicine, to provide reimbursement for payment of educational loans through the State Loan Repayment Program, in an amount not to exceed \$70,000. Effective April 1, 2013 or upon G&C approval, whichever is later, through March 31, 2016. **100% General Funds.**

#33 Authorized the Bureau of Public Health Systems, Policy and Performance, Rural Health and Primary Care Section to enter into an agreement with Loren Caruso, Licensed Clinical Mental Health Counselor, to provide reimbursement for payment of educational loans through the State Loan Repayment Program, in an amount not to exceed \$45,000. Effective April 1, 2013 or upon G&C approval, whichever is later, through March 31, 2016. **100% General Funds.**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#34 Authorized to transfer appropriated funds in the amount of \$40,000 within and among accounts to cover projected shortfalls for the remainder of state fiscal year 2013. Effective upon G&C approval. **100% General Funds. Fiscal Committee approval.**

#35 Authorized to accept and expend additional grant funding from the Federal Bureau of Investigation in the amount of \$7,167 and the Drug Forfeiture-State fund in the amount of \$1,533 for a total of \$8,700 to support the "NH Safe Streets Task Force" initiative by providing certified Probation/Parole Officer(s) to increase officer presence with the primary focus in the City of Manchester. Effective upon G&C approval through June 30, 2013. **82.4% Federal, 17.6% Agency Income (Drug Forfeiture-State).**

#35A Authorized to **retroactively** pay an invoice in the amount of \$3,555 to the Association of State Correctional Administrators, Hagerstown, MD, for annual membership dues. Effective January 1, 2013 through December 31, 2013. **100% General Funds.**

NEW HAMPSHIRE LIQUOR COMMISSION

#36 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Burton, authorized to accept and place on file the annual report for the period ending June 30, 2012.

PUBLIC UTILITIES COMMISSION

The Governor and Council acted as follows:

#37 Authorized to continue membership and participation in the Clean Energy States Alliance, for the period of July 1, 2012 through June 30, 2013, for an amount of \$10,000. **100% Utility Assessment.**

#38 Authorized to amend an award of grant funds to the NH Community Loan Funds, in the amount of \$2,000,000 (originally approved by G&C on 12-8-10, item #68), for the purpose of providing energy efficiency retrofits for manufactured homes in resident-owned communities, by extending the completion date from June 30, 2013 to September 30, 2013. No Additional Funding. **100% Greenhouse Gas Emissions Reduction Fund (GHGERF).**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#39 Authorized to accept and place on file the reports of transfers of funds for the Bureau of Trails for the quarter ending December 31, 2012.

#40 The Governor and Council on motion of Councilor Burton, seconded by Councilor Pappas, and further on a roll call vote as follows: Councilor Burton – yes, Councilor Van Ostern – yes, Councilor Sununu – **recused**, Councilor Pappas – yes, and Councilor Pignatelli – yes, authorized, the Division of Parks and Recreation, Cannon Mountain to make a **sole source retroactive** payment to Royal Electric, Woodsville, NH, in the amount of \$4,705 for running additional power to the Eagle Cliff and Zoomer Triple Lifts and a snowmaking junction house at Cannon Mountain Ski Area on November 30, 2012. **100% Capital Funds.**

#40A Authorized the Division of Parks and Recreation to **retroactively** grant the Appalachian Mountain Club the option to renew the Special Use Permit for the use of state-owned property known as Lonesome Lake in Lincoln, with an additional 2% annual increase as follows: FY13 \$5,979, FY14 \$5,913, FY15 \$6,031, FY16 \$6,152, and FY17 \$6,275. Effective upon G&C approval through June 30, 2017.

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#41 Authorized to enter into a contract with the Wildlife Management Institute, Cabot, VT, to provide a scope of services that includes dues and assessments, as well as research and management of multiple waterfowl species, for an amount not to exceed \$117,000. Effective upon G&C approval through June 30, 2015. **75% Federal, 25% Other (Game Management) Funds.**

#42 Authorized to accept and expend \$30,582 in federal funds from the US Fish and Wildlife Service. Effective upon G&C approval through December 31, 2013. **100% Federal Funds.**

#43 Authorized to enter into a contract with Fulcrum Appraisal Service, Nashua, NH, to conduct 4 appraisal reviews to Uniform Standards for Federal Land Acquisition for properties located in Grantham, Hooksett, Stratham and Stark, NH, in the amount of \$4,480. Effective upon G&C approval through December 31, 2013. **75% Federal, 25% Other (Donated Property, Wildlife Habitat and Estuarine Reserve Funds).**

#44 Authorized to enter into an agricultural agreement with Fitch Farm LLC for the management of 55 acres of agricultural land on Milford Fish Hatchery Lands in the town of Milford. Effective upon G&C approval through December 31, 2011. No Funding.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#45 Authorized to accept and expend \$875,877 in federal funds from the Environmental Protection Agency for purposes of funding cleanup efforts at various Superfund sites. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#46 Authorized the Oil Fund Disbursement Board to budget and expend prior year carry forward funds in the amount of \$750,000 for purposes of gasoline ether cleanup. Effective upon G&C approval through June 30, 2013. **100% Gasoline Ether Funds. Fiscal Committee approved.**

#47 Authorized to **retroactively** pay 2013 calendar year membership dues to the New England Interstate Water Pollution Control Commission, Lowell, MA, in the amount of \$13,399. Effective upon G&C approval. **16% Federal, 84% Clean Water State Revolving Loan Funds.**

#48 Authorized to enter into an agreement with the Lakes Region Planning Commission, Meredith, NH, to complete the Site-Level Stormwater Planning and Education Program for the Waukegan Watershed, in the amount of \$32,220. Effective upon G&C approval through September 30, 2014. **100% Federal Funds.**

#49 Authorized to enter into an agreement with the Southwest Regional Planning Commission, Keene, NH, to complete the Lake Warren Nutrient Loading Study, in the amount of \$40,800. Effective upon G&C approval through September 30, 2015. **100% Federal Funds.**

#50 Authorized to enter into an agreement with Active Fire Alarm LLC, Brentwood, NH, for fire alarm systems inspections and service, in the amount of \$51,877. Effective upon G&C approval through December 31, 2016. **100% WRBP Funds.**

#51 Authorized to enter into a grant agreement with the Town of Wolfeboro, NH, for milfoil control efforts in portions of Lake Winnepesaukee, in the amount of \$8,200. Effective upon G&C approval through December 31, 2013. **100% Lake Restoration Funds.**

#52 Authorized to enter into a grant agreement with Lake Monomac Property Owners Association Inc., Rindge, NH, for milfoil control efforts in portions of Lake Monomac, in the amount of \$3,380. Effective upon G&C approval through December 31, 2013. **100% Lake Restoration Funds.**

#53 Authorized to enter into a grant agreement with the Town of Moultonborough, NH, for milfoil control efforts in portions of Lake Winnepesaukee and Lees Pond in Moultonborough, in the amount of \$41,376. Effective upon G&C approval through December 31, 2013. **100% Lake Restoration Funds.**

#54 Authorized to enter into a grant agreement with the Town of Tuftonboro, NH, for milfoil efforts in portions of Lake Winnepesaukee in Tuftonboro, in the amount of \$14,079. Effective upon G&C approval through December 31, 2013. **100% Lake Restoration Funds.**

#55 Authorized to enter into a grant agreement with the Flint Pond Improvement Association, Hollis, NH, for milfoil control efforts in portions of Flints Pond, in the amount of \$7,500. Effective upon G&C approval through December 31, 2013. **100% Lake Restoration Funds.**

#56 Authorized to award an Asset Management and Financial Planning grant to the Town of Colebrook, NH, to improve public water system management, in the amount of \$12,500. Effective upon G&C approval through May 31, 2014. **100% Federal Funds.**

#57 Authorized to award an Asset Management and Financial Planning grant to the Town of Seabrook, NH, to improve public water system management, in the amount of \$15,000. Effective upon G&C approval through May 31, 2014. **100% Federal Funds.**

#58 Authorized to amend a grant with the University of NH, Sponsored Programs Administration, Durham, NH (originally approved by G&C on 9-19-12, item #87), to map oyster bed boundaries in the Great Bay Estuary, by increasing the total by \$19,535 to \$44,595 from \$25,060, and by extending the end date to May 15, 2013 from March 31, 2013. **100% Federal Funds.**

#59 Authorized to **retroactively** enter into a grant agreement with the Laconia Pickerel Cove Association, North Billerica, MA, for milfoil control efforts performed in portions of Pickerel Cove in Lake Winnepesaukee in summer 2012, in the amount of \$4,834.50. Effective July 1, 2012 through December 31, 2013. **100% Lake Restoration Funds.**

#60 Authorized Martingale Wharf Limited Partnership's request to perform work on the Piscataqua River in Portsmouth.

#61 The Governor and Council on motion of Councilor Burton, seconded by Councilor Sununu, and further on a roll call vote as follows: Councilor Burton – yes, Councilor Van Ostern – yes, Councilor Sununu – yes, Councilor Pappas – yes, and Councilor Pignatelli – **no**, authorized Karen and Michael Roark's request to perform work on Lake Winnepesaukee in Wolfeboro.

#62 Authorized the Town of Sunapee's request to perform work on Lake Sunapee.

NEW HAMPSHIRE VETERANS HOME

#62A The Governor and Council on motion of Councilor Burton, seconded by Councilor Pappas, authorized of the Board of Managers to **retroactively** place Mrs. Margaret D. LaBrecque, as Commandant, at the maximum step GG in the amount of \$90,606. Effective February 1, 2013. **18% General, 38% Federal, 44% Other Funds.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#63 Authorized to grant funds through a Cooperative Project Agreement, on a **sole source** basis, to the Institute on Disability, University of NH, Office of Sponsored Research, to provide opportunities for individuals with disabilities and their families to develop leadership skills, in an amount not to exceed \$30,000. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

#64 Authorized to enter into an agreement with the NH Department of Resources and Economic Development allowing the Department of Education's the Office of Services for Blind and Visually Impaired to provide vending machines services at NH I-93 Northbound and Southbound Hooksett Turnpike System Welcome Centers, and will submit one flat-fee monthly commission in the total amount of \$732 to the Bureau of Travel and Tourism on or before the 10th day of each month. Effective upon GC approval through a period of 3 years. **100% Vending Machine Revenue.**

#65 Authorized to enter into a cooperative agreement with the University of NH, Institute on Disability, to provide professional development to all NH school districts (k-12) for special education students who benefit from supports to express thoughts, needs, wants and ideas (at no cost to the district) via the use of Augmentative and Alternative Communication, in an amount not to exceed \$100,000. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

#66 Authorized to amend a contract with Bernard R. Davis (originally approved by G&C on 2-8-12, item #62, for \$15,000), to assist in implementing the new school building aid legislation, by increasing in the amount of \$4,980, for a total cost not to exceed \$19,980. Effective upon G&C approval through June 30, 2013. **25% General, 75% Teacher Competence Funds.**

#66A Authorized the Division of Higher Education to enter into a **sole source** contract with Community College System of NH, Concord, NH, to increase the knowledge of community college opportunities and awareness of mathematics pre-requisites and graduation requirements, increase the financial literacy of students and their postsecondary aspirations, enrollment and persistence, improve guidance and admissions staff knowledge and understanding of mathematics requirements, and increase the mathematics preparedness of at-risk students through its Mathematics Learning Communities, in the amount of \$115,000. Effective upon G&C approval through February 1, 2014. **100% Federal Funds.**

#66B Authorized to amend a contract with Measured Progress Inc., Dover, NH (originally approved by G&C on 6-22-11, item #318), to develop, administer, score, analyze, and report results of the New England Common Assessment Program, by decreasing the amount by \$139,940, for an amount not to exceed \$6,090,630. Effective upon G&C approval through June 30, 2013. **43% General, 57% Federal Funds.**

NEW HAMPSHIRE LOTTERY COMMISSION

#67 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Van Ostern, authorized to enter into a renewal lease agreement with Bert R. Whittemore Revocable Trust, Concord, NH, for the purpose of providing 24,300 square feet of office and warehouse space at 14 Integra Drive, Concord, NH, in an amount not to exceed \$2,041,224.24. Effective May 1, 2013 through April 30, 2018. (2) Further authorized to make an additional one-time payment in an amount not to exceed \$4,100 to Bert R. Whittemore Revocable Trust, Concord, NH, for the purpose of reimbursing construction of two new offices to be located in the current open office area. **100% Lottery Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#68 Authorized the Division of State Police to amend ARRA Funds (originally approved by G&C on 11-4-09, item #73), by reallocating the federal pass-through funds from the NH Department of Justice, in the amount of \$29,300, and by extending the end date for funding a Pharmacist/Compliance Investigator position in the Investigative Services Bureau from February 28, 2013 to June 30, 2013. (2) Further authorized to amend the end date of one full-time temporary Pharmacist/Compliance Investigator position, LG27 (originally approved by G&C on 11-4-09, item #73), assigned to the Diversion program by providing investigators with expertise in this area, from February 28, 2013 to June 30, 2013. (3) Further authorized to accept and expend an additional \$28,815 of federal pass-through ARRA funds from the NH Department of Justice for the purpose of continuing to fund the Pharmacist position assigned to the Investigative Services Bureau through June 30, 2013. **100% Transfers from other Agencies (ARRA Funds). Fiscal Committee approved.**

#69 Authorized the Division of Motor Vehicles to amend item #99 approved by G&C on September 19, 2012 to reduce the Authorized amount in class 040 – Indirect Cost by \$88 to realign the state appropriations with a revised grant budget as approved by FEMA. (2) Further authorized to accept and expend an additional \$152,741 into the account entitled NH Licensing Security Program in order to fund the consultant position to assist with a video security monitoring system and funding to cover security monitoring systems at the additional full time substations. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#70 Authorized the Division of Fire Standards and Training and Emergency Medical Services to budget and expend \$156,000 of the prior year carry forward balance in the Fire Standards and EMS Fund account to fund Retiree Health Insurance benefits. Effective upon G&C approval through June 30, 2013. **100% Revolving Funds. Fiscal Committee approved.**

#71 Authorized the Division of State Police to transfer \$3,400 within the account entitled New Entrant CDL to realign appropriated funds for the purpose of implementing the Federal Motor Carrier Safety Administration New Entrant Safety Audit Program. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#72 Authorized the Office of the Commissioner to transfer \$2,904,097 within federal grants entitled “FY 2008 Homeland Security Grant Program”, “FY 2009 Homeland Security Grant Program”, and “FY 2010 Homeland Security Grant Program”, from the US Department of Homeland Security/FEMA, Preparedness Directorate, to realign appropriated funds for the purpose of executing the mission of the Homeland Security Grant funding at the local and state level. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#73 Authorized the Division of State Police to **retroactively** pay an invoice in the amount of \$4,620 to the American Society of Crime Lab Directors Laboratory Accreditation Board, Garner, NC, for the annual fee to continue the Forensic Laboratory’s accreditation certificate program for the period of January 1, 2013 through December 31, 2013. **100% Agency Income.**

#74 Authorized the Division of State Police to make a one-time **retroactive** payment to John C. Marasco for hours worked from April 4, 2012 through June 29, 2012 in the amount of \$1,241.07 for both salaries and benefits using SFY 2013 funds for services provided in SFY 2012. Effective upon G&C approval. **81% Highway, 19% Turnpike Funds.**

#75 Authorized the Division of State Police to make a one-time **retroactive** payment to William R. Haynes, for hours worked from March 8, 2011 through September 28, 2011 in the amount of \$2,624.90 for both salaries and benefits using SFY 2013 funds for services provided in SFY 2011 and SFY 2012. Effective upon G&C approval. **100% Agency Income.**

#76 Authorized to enter into a grant agreement with the Department of Health and Human Services for the State Homeland Security Program portion of the Federal Fiscal Year 2011 Homeland Security Grant Program, in the amount of \$103,600. Effective upon G&C approval through August 31, 2014. **100% Federal Funds.**

#77 Authorized to enter into a grant agreement with the Department of Health and Human Services for the State Homeland Security Program portion of the Federal Fiscal Year 2010 Homeland Security Grant Program, in the amount of \$97,950. Effective upon G&C approval through July 31, 2013. **100% Federal Funds.**

#78 Authorized the Division of State Police to enter into a **sole source** contract with NAMI (National Alliance on Mental Illness) NH, Concord, NH, to provide training to troopers to assist them in responding to calls involving persons with mental illness, in an amount not to exceed \$4,000. Effective upon G&C approval through December 31, 2013. **81% Highway, 19% Turnpike Funds.**

#79 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Londonderry, NH, to elevate a repetitively damaged structure on Brookview Drive, for a total amount of \$103,461.75. Effective upon G&C approval through September 14, 2015. **100% Federal Funds.**

#80 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the City of Berlin Housing Authority, Berlin, NH, for the installation of back-up power generators at all of their locations, for a total amount of \$100,000. Effective upon G&C approval through September 24, 2015. **100% Federal Funds.**

#81 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Rockingham Planning Commission to provide technical assistance to the towns of Newfields and Sandown for updating their local hazard mitigation plans, for a total amount of \$12,000. Effective upon G&C approval through September 6, 2015. **100% Federal Funds.**

#81A Authorized to maintain regular bank accounts with Profile Bank to use as temporary holding accounts for revenues collected by town municipal agents. Effective upon G&C approval.

#81B Authorized the Division of State Police to **retroactively** exercise a renewal option under the contract with Intellectual Technology Inc., Carlsbad, CA (originally approved by G&C on 2-18-09, item #59D), for the purpose of producing and mailing Boater Education cards for completion of the required education course, by extending the end date from December 31, 2012 to December 31, 2013. No Additional Funding. **100% General Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#82 Authorized the Highway Maintenance Bureau to transfer \$115,000 between Highway Fund accounts and classes. Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

#83 Authorized the Highway Maintenance Bureau to transfer \$150,000 between Highway Fund accounts and classes. Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

#84 Authorized to accept and expend revenue in the amount of \$4,650,000 to fund project costs not reimbursed by Federal Highway Administration. (2)Further authorized to establish Consultants for services to be performed on projects not reimbursed by Federal Highway Administration. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#85 Authorized the Bureau of Bridge Maintenance to accept and expend funds in the amount of \$250,000 as a result of reimbursed costs and additional anticipated maintenance work. Effective upon G&C approval through June 30, 2013. **100% Other Funds. Fiscal Committee approved.**

#86 Authorized the Bureau of Right of Way to pay various owners \$27,000 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from January 11, 2013 through January 29, 2013. Effective upon G&C approval.

#87 Authorized the Bureau of Right of Way to replace two Highway Layout Commission members for the Durham-Newmarket-STP-TE-X-5133 (009), 13080 project. It is requested that Thomas Tatarczuch replace Raymond Curti and Clifford Taylor replace Leroy Syphers and their names be added to the Highway Layout Commission along with existing member Richard Adams.

#88 Authorized the Bureau of Highway Design to enter into an agreement with Parsons Brinckerhoff Inc., New York, NY, and Manchester, NH, to complete the final design of the roadway and bridges comprising the northern section of the Salem-Manchester I-93 improvement project beginning in the Town of Windham and ending in the City of Manchester, for a total fee not to exceed \$9,358,904.06. Effective upon G&C approval through February 28, 2018. **100% Other Funds.**

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All votes taken during the meeting were roll call votes to comply with RSA 91-A:2, III(e) as follows: the minutes of February 6, 2013, the appointment of several persons nominated for Civil Commissions from the February 6, 2013 meeting, Resignations, Confirmations, Nominations, #1A, #1B, #'s 2-11, #'s 13-39, #'s 41-60, and #'s 62-88 all on a roll call vote of: Councilor Burton – yes, Councilor Van Ostern – yes, Councilor Sununu – yes, Councilor Pappas – yes, and Councilor Pignatelli – yes.

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

Honorable Board then Adjourned at 11:20 a.m.