

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
March 20, 2013, 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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Councilor Pappas led the Pledge of Allegiance.

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

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

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

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CONFIRMATIONS

The Governor and Council confirmed the following:

New Hampshire State Council on the Arts - RSA: 19-A

Billie Tooley, Portsmouth

Effective: March 20, 2013

Succeeding: Wendy M. Cahill, Concord

Term: November 23, 2017

Commissioner of the Department of Education - RSA: 21-N:3

Virginia M. Barry, Bridgewater

Effective: March 23, 2013

Reappointment

Term: March 23, 2017

Salary: Grade KK; maximum step- \$112,861

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

(Recommended by the NH Association of the Deaf)

Glenys L. Crane-Emerson, Greenland

Effective: March 20, 2013

Succeeding: Michael Schock, Sanbornville

Term: October 10, 2015

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

(Licensed SPL)

Laura A. Darling, Loudon

Effective: March 20, 2013

Reappointment

Term: March 4, 2016

Advisory Council on Unemployment Compensation - RSA: 282-A:128

(Employers)

Connie M. Roy-Czyzowski, Manchester

Effective: March 26, 2013

Reappointment

Term: March 26, 2016

Board of Managers of the NH Veterans Home - RSA: 119:2

(Veterans of Foreign Wars)

Paul J. Lloyd, Concord

Effective: March 20, 2013

Succeeding: Donald R. Caron, Goffstown

Term: March 1, 2018

NOMINATIONS

The Governor placed into nomination the following:

Education & Training Officer for the Division of Personnel at the Depart. of Admin Svcs - RSA:21-I

Nominated by: Director of Personnel

Mary (Kate) McGovern, Penacook

Succeeding: Dennis T. Martino, Hopkinton

Grade DD; step 1- \$59,469

Effective: Upon Confirmation

Term: March 22, 2017

State Committee on Aging - RSA: 161-F

(Hillsborough County)

Sherri W. Harden, Goffstown

vacancy

Effective: Upon Confirmation

Term: June 24, 2013

Cannon Mountain Advisory Commission - RSA: 12-A:29-b

Karen K. Irwin, Hopkinton

Succeeding: Gerald L. Coogan, New London

Effective: Upon Confirmation

Term: January 1, 2015

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

(Alumni Member)

Angela M. Roussel-Roberge, Mont Vernon

vacancy

Effective: Upon Confirmation

Term: June 30, 2013

Dental Hygienists Committee of the Board of Dental Examiners - RSA: 317-A

(Nom. by the NH Dental Hygienists Assoc)

Jodi Carnes, Rollinsford

Succeeding: Joan K. Fitzgerald, Manchester

Effective: Upon Confirmation

Term: September 28, 2015

State Board of Education - RSA: 21-N

(District 2)

Emma Rous, Durham

vacancy

Effective: Upon Confirmation

Term: January 31, 2017

Board of Managers of the New Hampshire Veterans Home - RSA: 119

(Member of a chartered Veterans Service Organization)

Raymond J. Goulet, Jr., Manchester

Succeeding: Anthony J. Romano, Jr., New Hampton

Effective: Upon Confirmation

Term: August 26, 2015

BUSINESS FINANCE AUTHORITY

#1 The Governor and Executive 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 – **no**, Councilor Sununu – yes, Councilor Pappas – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing with respect to the financing of an industrial facility by the Business Finance Authority for Casella Waste Systems, Inc. for projects located in Allenstown, Newport, Bethlehem and Salem, New Hampshire. Action will Authorized a Resolution under RSA 162-I:9 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD MARCH 20, 2013
IN THE STATE HOUSE, CONCORD**

At 10:25 a.m. the Governor announced that the next matter to be considered would be the financing of an industrial facility project by the Business Finance Authority for Casella Waste Systems, Inc. for projects located in Allentown, Newport, Bethlehem and Salem. She said that she and the members of the Council had received documentation and information with respect to the project. The Governor said that the meeting would then hear anyone wishing to speak on the subject. Jack Donovan, Executive Director of the Authority, stated that the Authority had approved the financing and recommended that the Governor and Council make the required findings under RSA 162-I:9. He also briefly explained the project and emphasized that the credit of the State was not involved and introduced Bryan Gould, legal counsel for Casella Waste Management. Councilor Burton indicated the Town of Bethlehem had resolved its issues with Casella and voiced his support. Councilor Van Ostern raised concerns about the company's financial situation, its employment, and the completeness of its application. Councilor Pignatelli wanted assurances that the State would not, under any circumstances, be responsible for the debt. Mike Winnsett of DES indicated that the Bethlehem landfill was in compliance with its permits. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; Joseph Haas asked several questions about Casella's bank, employee pay and executive compensation. Councilor Burton introduced a resolution entitled "A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF COMMERCIAL FACILITIES BY THE BUSINESS FINANCE AUTHORITY FOR CASELLA WASTE SYSTEMS, INC." and moved its adoption, which was seconded by Councilor Sununu. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Burton, Councilor Sununu, Councilor Pappas, and Councilor Pignatelli; those abstaining were Councilor(s): None; and those voting against were Councilor(s): Councilor Van Ostern. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF COMMERCIAL
FACILITIES BY THE BUSINESS FINANCE
AUTHORITY FOR CASELLA WASTE SYSTEMS, INC.**

WHEREAS, the Governor and Council have received from the Business Finance Authority (the "Authority") its written recommendation that the Governor and Council make certain findings and a determination pursuant to RSA 162-I:9 with respect to the financing of commercial facilities for Casella Waste Systems, Inc. and its affiliates (together, the "Borrower") in the Towns of Allentown, Newport, Bethlehem and Salem by the Authority's issue of up to \$11,000,000 Solid Waste Disposal Revenue Bonds (Casella Waste Systems, Inc. Project), Series 2013 (the "Bonds"), under RSA 162-I (the "Act");

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

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

IT IS HEREBY RESOLVED THAT:

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

- (a) Special findings:

(1) The Project (as completed, the “Facility”) consists of (i) the acquisition of new collection vehicles, trucks, trailers, solid waste disposal containers and related equipment, and computers; (ii) the construction, improvement and equipping of certain solid waster disposal, collection, transfer and recycling facilities, and (iii) certain landfill development costs (including landfill cell development and liners to create additional disposal capacity at the Borrower’s current permitted landfill sites) and costs of general improvements (including various upgrades to the leachate collection systems, methane gas collection systems and other infrastructure improvements) located at the Borrower’s facilities at 104 River Road, Allenstown; 264 Stark Highway, Newport; 581 Trudeau Road, Bethlehem; and 53 Pelham Road, Salem. The Project is within the definition of “Commercial Facility” in the Act and may be financed under the Act.

(2) The establishment and operation of the Facility has created or preserved employment opportunities directly or indirectly within the State of New Hampshire and is of a general benefit to the community as a whole.

(b) General findings:

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

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

(3) The INDENTURE (which is a combined financing and security document, hereinafter called the “Indenture”) contains provisions so that under no circumstances will the Authority be obligated directly or indirectly to pay project costs, debt service or expenses of operation, maintenance and upkeep of the Facility except from Bond proceeds or from funds received under the Indenture, exclusive of funds received thereunder by the Authority for its own use and which will secure the Bonds;

(4) The FINANCING AGREEMENT (which is a financing document, hereinafter called the “Financing Agreement, and together with the Indenture, the “Agreements”) contains provisions so that under no circumstances will the Authority be obligated directly or indirectly to pay project costs, debt service or expenses of operation, maintenance and upkeep of the Facility except from Bond proceeds or from funds received under the Financing Agreement, exclusive of funds received thereunder by the Authority for its own use;

(5) The Agreements do not purport to create any debt of the State with respect to the Facility, other than a special obligation of the Authority acting on behalf of the State under the Act; and

(6) The proposed financing of the Project by the Authority and the continued operation and use of the Facility will serve one or more needs and implement one or more purposes set forth in RSA 162-I:1, will preserve or increase the social or economic prosperity of the State and one or more of its political subdivisions, and will promote the general welfare of the State’s citizens.

Section 2. Ultimate Finding and Determination. The Governor and Council find that the proposed financing, operation and use of the Commercial Facility serves a public use and provides a public benefit; and the Governor and Council determine that the Authority’s financing of the Project will be within the policy of, and the authority conferred by, the Act.

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

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

Passed and Agreed to March 20, 2013

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#2 Authorized to enter into a memorandum of agreement with the NH Department of Environmental Services, Concord, NH, to support work to increase resiliency in State government relative to severe weather events and other natural trends that are adversely affecting the state, in the amount of \$240,000. Effective upon G&C approval through September 30, 2013. **100% Federal ARRA Funds.**

#3 Authorized to amend item #6 approved by G&C on October 6, 2010, by reallocating ARRA Retrofit Ramp-Up Program funding between expenditure classes in the amount of \$136,200, and by extending the completion date from May 31, 2013 to September 30, 2013. **100% Federal ARRA Funds. Fiscal Committee approved.**

#4 Authorized to amend item #7 approved by G&C on August 8, 2012, by reallocating ARRA funding for State Energy Programs between expenditure classes in the amount of \$16,575, and by extending the completion date from September 30, 2012 to September 30, 2013. **100% Federal ARRA (State Energy Programs) Funds. Fiscal Committee approved.**

DEPARTMENT OF INFORMATION TECHNOLOGY

The Governor and Council acted as follows:

#5 Authorized to accept and expend \$958,950 in State Fiscal Year 2013 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 though June 30, 2013. **100% Other Funds (Agency Class 027) Funds; the agency class 027 used by DHHS to reimburse DoIT is 60% General, 40% Federal Funds.** (2) Further authorized to fund class 046 consultant in support of the Deloitte contract to provide the ongoing maintenance and operation of the New HEIGHTS public assistance eligibility system. Effective upon G&C approval through June 30, 2013. **100% Other Funds; the funds used by DHHS to reimburse DoIT is 60% General, 40% Federal Funds. Fiscal Committee approved.**

#6 Authorized Bill (Roger) Poulin, Technical Support Specialist V, to attend the IBM Northeast Users Group Conference (NEUGC) to be held April 22-24, 2013 in Framingham, MA, and to accept complimentary admission in the amount of \$625 from NEUGC. Effective upon G&C approval.

#7 Authorized to amend a **sole source** contract with Truven Health Analytics Inc., (formerly The Medstat Group Inc., and Thompson Reuters Healthcare Inc), Ann Arbor, MI, (originally approved by G&C on 12-19-01, item #82), to provide for ongoing contractor system maintenance and enhancements for DHHS Medicaid Decision Support System, by increasing the amount by \$158,749.98 from \$4,822,282 to an amount not to exceed \$4,981,031.98, and by extending the end date from March 31, 2013 to September 30, 2013. **100% Other (Agency Class 27) funds: the Agency Class 27 used by DHHS to reimburse DoIT for this contract is 75% Federal, 25% General Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#8 Authorized the nomination of Captain Tyler D. Chamberlain, Dover, 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 Brian P. Calhoun, Hooksett, 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.

#10 Authorized to enter into an agreement with Absolute Resource Associates LLC, Portsmouth, NH, for Hazardous Waste and Environmental Sample Analysis, in the amount of \$9,995. Effective upon G&C approval through December 31, 2013. **100% Federal Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

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

#12 Authorized a Working Capital Warrant in the amount of \$390,000,000 to cover payment of expenditures for the month of April.

#13 Authorized with Councilor Pignatelli abstaining, to **retroactively** amend a contract with MGT of America Inc., Tallahassee, FL (originally approved by G&C on 7-11-12, item #15), for the provision of consulting services for the evaluation and analysis of certain proposals received as a result of a series of three Request of Proposals for the construction and potential operation of prison facilities for the State, by extending the end date through April 30, 2013. No Additional Funding.

#13A Authorized DAS and the Trustees of the Community College System of NH jointly request to execute on behalf of the State of NH, the confirmatory deed memorializing for title purposes the transfer of the former Stratham Campus of the Community College System of NH from the State of NH to the Trustees of the Community College System of NH, together with any other instruments, affidavits, certificates, or documents as may be required to clear title in anticipation of a sale of the property.

#13B **TABLED** – The Governor and Council on motion of Councilor Pappas, seconded by Councilor Burton voted to **table** the request of the Bureau of Purchase and Property to enter into a contract with Auctions International Inc., Aurora, NY, free of charge to the State, for the administration of online auction services in the capacity of an intermediary and administrator for the sales and financial processing of surplus property. Effective upon G&C approval through January 31, 2016.

TREASURY DEPARTMENT

#14 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Burton, authorized to issue a warrant from funds not otherwise appropriated in the amount of \$91,621 and the State Treasurer to issue checks in the amount of \$91,620.58 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF AGRICULTURE, MARKETS AND FOOD

#15 The Governor and Council on motion of Councilor Burton, seconded by Councilor Sununu, authorized the Division of Agricultural Development to accept and expend grant funds from the US Department of Agriculture, Agricultural Marketing Service, in the amount of \$238,572. Effective upon G&C approval though June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

#16 Authorized to appoint Laurel A. O'Connor to an Assistant Attorney General at a salary of \$61,000. Effective upon G&C approval through March 20, 2018.

#16A Authorized to designate Stacey P. Coughlin as an Attorney at a salary of \$58,000. Effective March 29, 2013.

#16B Authorized to amend a **sole source** contract with Marie Labrie, Tamworth, NH (originally approved by G&C on 7-13-11, item #15), for the purpose of providing assistance to attorneys and investigators in the areas of condominium and land sales review and registration, by increasing the contract by \$2,394 from \$41,600 to \$43,994. Effective upon G&C approval through June 30, 2013. **100% Other (Consumer Escrow Account) Funds.**

INSURANCE DEPARTMENT

The Governor and Council acted as follows:

#17 Authorized to accept and expend federal grant funds in the amount of \$409,690 for FY 2013 from the US Department of Health and Human Services for the purpose of planning, development and design of plan management tasks relating to a partnership health benefit exchange to preserve the state's insurance regulatory authority, to the greatest extent possible, for insurance plans sold on the exchange. (2)Further authorized to establish a Class 050 (Personal Service – Part Time Temporary) position for one Grants & Contracts Technician. (3)Further authorized to establish a Class 046 (Consultants) to enter into contracts for consulting services with various vendors. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#18 Authorized to enter into a contract with Public Consulting Group Inc., Boston, MA, for consulting services for the purpose of planning, development and design of plan management activities related to partnership health benefit exchange, in the amount of \$594,250. Effective upon G&C approval through February 28, 2014. **100% Federal Funds.**

#19 Authorized to enter into a contract with Gorman Actuarial LLC, Marlborough, MA, to provide technical consulting services in connection with the Department's health premium rate review initiative, in the amount of \$139,610. Effective upon G&C approval through December 31, 2013. **100% Federal Funds.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

#19A The Governor and Council on motion of Councilor Pappas, seconded by Councilor Burton, authorized to enter into a contract with FIAI Inc., d/b/a Cross Insurance, Manchester, NH, for property (building and contents) insurance and liability coverage for NHES properties statewide, in the amount not to exceed \$61,193. Effective April 1, 2013 through March 31, 2014. **100% Federal Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of Medicaid Business and Policy

#20 Authorized to accept and expend additional Title XXI State Children's Health Insurance Program federal funds from the Centers for Medicare and Medicaid Services in the amount of \$9,745,766. Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

#21 Authorized to accept and expend federal funds from the Centers for Medicare and Medicaid Services for the Adult Medicaid Quality Grant in the amount of \$118,204. Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

Division of Client Services

#22 Authorized the Disability Determination Unit to amend an agreement with Herbert W. Crosby, Ph.D., (originally approved by G&C on 5-9-12, item #40), to provide services as a Medical Disability Determination Reviewer, by increasing the price limitation by an amount not to exceed \$9,000 from \$20,000 to \$29,000. Effective upon G&C approval through June 30, 2013. **75% Federal, 25% General Funds.**

Bureau of Facilities and Assets Management

#23 Authorized to amend a **sole source** lease with 75 New Hampshire LLC, c/o James J. Horne, CPManagement Inc., Exeter, NH (originally approved by G&C on 12-9-09, item #79), for continued occupation by the Seacoast District Office, by increasing the price in the amount of \$498,378.72 to \$1,962,301.68 from \$1,463,922.96, and by extending the end date from March 31, 2013 to March 31, 2014. **60% General, 40% Federal Funds.**

Bureau of Homeless and Housing Services

#23A Authorized to accept and expend Emergency Solutions Grant federal funds from the US Department of Housing and Urban Development to provide services to homeless individuals throughout the State of NH in the amount of \$887,687. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

Office of Business Operations

#23B Authorized one-time **retroactive** payments totaling \$3,855.24 to Ms. Kelley Dion in the amount of \$3,122.64, and Mr. Richard Sweezy in the amount of \$732.60 from current SFY funds for employee travel expenses incurred in SFY 2011 & 2012. **60% General, 40% Federal Funds.**

Division of Public Health Services

#24 Authorized the Bureau of Population Health and Community Services, Maternal and Child Health Section to accept and expend federal funds in the amount of \$560,419 from the Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Mental Health Services to fund the Cooperative Agreement for Linking Actions for Unmet Needs in Children's Health (aka Project Launch). Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

#25 Authorized the Bureau of Public Health Systems, Policy and Performance, Rural Health and Primary Care Section to enter into an agreement with Dr. Ross Emery, Doctor of Allopathic Medicine, to provide reimbursement for payment of educational loans through the State Loan Repayment Program, in an amount not to exceed \$27,000. Effective April 1, 2013, or upon G&C approval, whichever is later, through March 31, 2015. **100% General Funds.**

#26 Authorized the Bureau of Infectious Disease Control, Infectious Disease Prevention, Investigation and Care Services Section, to enter into an agreement with Southern NH HIV/AIDS Task Force, Nashua, NH, to provide medical case management and support services to individuals with Human Immunodeficiency Virus served by the NH Ryan White Comprehensive Acquired Immune Deficiency Syndrome Resources Emergency Act Program statewide, in an amount not to exceed \$666,666. Effective upon G&C approval through June 30, 2014. **100% Other – Pharmaceutical Rebates.**

Bureau of Developmental Services

#27 Authorized with the Office of Client and Legal Services to enter into an agreement with Michael Fitts, to provide Complaint Investigator services conducting investigations of abuse, neglect, exploitations, and rights violations, in an amount not to exceed \$21,600. Effective upon G&C approval through June 30, 2013. **100% Other Funds.**

#28 Authorized with the Office of Client and Legal Services to enter into an agreement with Sam Ducharme, to provide Complaint Investigator services conducting investigations of abuse, neglect, exploitations, and rights violations, in an amount not to exceed \$18,900. Effective upon G&C approval through June 30, 2013. **100% Other Funds.**

#29 Authorized with the Office of Client and Legal Services to enter into an agreement with Ellen J. Barry, to provide Complaint Investigator services conducting investigations of abuse, neglect, exploitations, and rights violations, in an amount not to exceed \$18,900. Effective upon G&C approval through June 30, 2013. **100% Other Funds.**

DEPARTMENT OF CORRECTIONS

#30 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Sununu, authorized to amend a Justice Reinvestment Intensive Technical Assistance to States sub grant received from The Council of State Governments, a nonprofit organization (originally approved by G&C on 6-6-12, item #87), to provide technical assistance and training for parole board members, Parole/Probation staff and Community Corrections staff in the latest effective approaches to manage re-entering offenders and upgrade data gathering capabilities, by extending the end date from May 31, 2013 to June 30, 2013. No Additional Funding. **100% Agency Income (federal funds at origin). Fiscal Committee approved.**

OFFICE OF CONSUMER ADVOCATE

#31 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Van Ostern, authorized to employ experts for assistance to complete participation in the NH Public Utilities Commission, Re Public Service Company of NH, Investigation of Scrubber Costs and Cost Recovery. (2)Further authorized to amend a contract with Exeter Associates Inc., (originally approved by G&C on 5-9-12, item #51), to complete participation in the NH Public Utilities Commission, Re Public Services Company of NH, Investigation of Scrubber Costs and Cost Recovery, by increasing the amount by \$39,500 from \$30,000 to \$69,500, and by extending the expiration day from June 30, 2013 to December 31, 2013. **Fiscal Committee approved.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#32 Authorized the Office of Workforce Opportunity to amend the ARRA federal fund grant in the amount of \$744,000 from the US Department of Labor (originally approved by G&C on 4-27-11, item #31A), by extending the end date of March 31, 2013 to September 30, 2013. **100% ARRA Funds.** (2)Further authorized the Department of Employment Security, the sub-grantee with DRED, to amend the ARRA federal fund grant in the amount of \$744,000 from the US Department of Labor (originally approved by G&C on 4-27-11, item #31A), by extending the end date of March 31, 2013 to September 30, 2013. **100% Transfer from Other Agency (ARRA Funds).** (3)Further authorized the Office of Workforce Opportunity and NHES to amend a memorandum of agreement (originally approved by G&C on 4-27-11, item #31A), in the total amount of \$744,000 for reimbursement of the costs incurred by NHES administering the HCTC grant from March 31, 2013 through September 30, 2013. **Fiscal Committee approved.**

#33 Authorized the Division of Forests and Lands to enter into a **retroactive** lease agreement with WBIN Media Company Inc., Portsmouth, NH, to lease space of certain areas at the summit of Belknap Mountain at Belknap Mountain State Forest. Effective March 1, 2013 through February 28, 2018, with the option to renew for three additional five year period. (2)Further authorized to accept a monthly fee of \$1,000 subject to a three percent annual adjustment to be paid by WBIN Media Company over the five year period.

#34 Authorized the Division of Parks and Recreation to enter into a contract with the Town of Greenfield – Police Department, Greenfield, NH, for security coverage and traffic control at Greenfield State Park, in the amount of \$3,744. Effective July 1, 2013 through June 30, 2014. **100% Park Account Fund.**

#35 Authorized the Division of Parks and Recreation to enter into a contract with the Town of Peterborough – Police Department, Peterborough, NH, for security coverage and traffic control at Miller State Park, in the amount of \$3,220. Effective July 1, 2013 through November 30, 2013. **100% Park Account Fund.**

#36 Authorized the Division of Parks and Recreation to enter into a contract with the Town of Bristol – Police Department, Bristol, NH, for security coverage and traffic control at Wellington State Park, in the amount of \$7,800. Effective July 1, 2013 through June 30, 2014. **100% Park Account Fund.**

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#37 Authorized to amend an existing contract with Roger Stephenson d/b/a Stephenson Strategic Communications, Stratham, NH, (originally approved by G&C on 10-3-12, item #48), by adding duties pertaining to planning and implementing events associated with the 25th Anniversary of the Nongame and Endangered Wildlife Program, in an amount not to exceed \$17,000. Effective upon G&C approval through September 30, 2014. **100% Other Funds (Nongame).**

#38 Authorized to accept \$10,200 from NH Distributors for conservation actions to benefit the state and federally endangered Karner blue butterfly.

#38A Authorized to accept and expend a grant of \$24,675 from the Wildlife Heritage Foundation of NH for the purpose of funding two grant projects. Effective upon G&C approval through June 30, 2013. **100% Other (Wildlife Heritage Foundation) Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#39 Authorized to approve a Supplemental Loan Agreement with the Winnepesaukee River Basin Program (originally approved by G&C on 7-15-09, late item B), which finalizes and lowers the original loan agreement by \$559,492.34 from \$2,523,000 to \$1,963,507.66. Effective upon G&C approval. **40.8% Clean Water State Revolving Fund, 8.3% Capital (General), 50.9% Federal ARRA Funds.**

#40 Authorized an Allonge to Promissory Note and Amendment of Loan Agreement with Lawrence E. Olson and Jean C. Hill, Litchfield, NH, in the amount of \$80,000, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. **50% ARRA, 40% Federal, 10% Capital (General) Funds.**

#41 Authorized a loan agreement with Northeast Community Development Group, Concord, NH, to finance water system improvements, in the amount of \$159,000. Effective upon G&C approval. **79% Federal, 21% Capital Funds.**

#42 Authorized a Supplemental Loan Agreement with Swain's Lake Village Water District, Barrington, NH, by reducing the original amount of \$250,000 by \$89,593.63 for a final amount of \$160,406.37, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

#43 Authorized a Supplemental Loan agreement with the City of Dover in the amount of \$4,000,000, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

#44 Authorized a Supplemental Loan agreement with North Conway Water Precinct, by reducing the original amount of \$2,060,000 by \$48,901.40 for a final amount of \$2,011,096.60, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

#45 Authorized a Supplemental Loan agreement with the City of Portsmouth, in the amount of \$5,000,000, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

#46 Authorized an Allonge to Promissory Note and Amendment of Loan Agreement with Francestown Village Water Company, NH, by reducing the original amount of \$207,000 by \$144,035.64 for a final amount of \$62,964.36, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. **50% ARRA, 40% Federal, 10% Capital (General) Funds.**

#47 Authorized an Allonge to Promissory Note and Amendment of Loan Agreement with Hampshire Court Condominium Owner's Association, Rindge, NH, in the amount of \$61,000, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

#48 Authorized an Allonge to Promissory Note and Amendment of Loan Agreement with Castle Trust, Lunenburg, MA, in the amount of \$250,000, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

#49 Authorized a loan agreement with Well Hill Cooperative Inc., Alstead, NH, to finance water system improvements, in the amount of \$268,000. Effective upon G&C approval. **79% Federal, 21% Capital Funds.**

#50 Authorized a loan agreement with Edward M. Houck Family Trust d/b/a Valley View Reality Trust, Hampton, NH, to finance water system improvements, in the amount of \$220,000. Effective upon G&C approval. **79% Federal, 21% Capital Funds.**

#51 Authorized to enter into a Grant Agreement with Goffstown Truck Center Inc., Goffstown, NH, to accept 38 fuel operated heaters along with their installation on school buses by W.C. Cressey and Son Inc., with a total grant value of \$88,502 which will be paid directly to W.C. Cressey and Son Inc. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#52 Authorized to enter into a **retroactive** grant agreement with the Town of Raymond to fund a Household Hazardous Waste Collection totaling \$3,399. Effective September 29, 2012 through June 30, 2013. **100% Hazardous Waste Funds.**

#53 Authorized to award a Local Source Water Protection grant to the New Hampshire Lakes Association Inc., Concord, NH, in the amount of \$18,606 to complete a project to protect public drinking water systems. Effective upon G&C approval through December 31, 2014. **100% Federal Funds.**

#54 Authorized to enter into grant agreements with the entities as detailed in letter dated February 12, 2013, totaling \$46,654, to fund exotic aquatic plant control activities. Effective upon G&C approval through December 31, 2013. **100% Lake Restoration Funds.**

#55 Authorized to award a Local Source Water Protection grant to the City of Claremont, NH, in the amount of \$5,297 to complete a project to protect public drinking water systems. Effective upon G&C approval through May 31, 2014. **100% Federal Funds.**

#56 Authorized to enter into a grant agreement with the Town of Middleton, NH, for milfoil control efforts in portions of Sunrise Lake, in the amount of \$7,116. Effective upon G&C approval through December 31, 2013. **100% Lake Restoration Funds.**

#57 Authorized to award a Local Source Water Protection grant to the Lakes Region Planning Commission, Meredith, NH, in the amount of \$12,475 to complete a project to protect public drinking water systems. Effective upon G&C approval through May 31, 2014. **100% Federal Funds.**

#58 Authorized to enter into grant agreements with the entities as detailed in letter dated February 6, 2013, totaling \$28,445 to fund exotic aquatic plant control activities. Effective upon G&C approval through December 31, 2013. **100% Lake Restoration Funds.**

#59 Authorized to enter into a Grant Agreement with Olesia A. Pacholok, Waltham, MA, the owner of the Horseshoe Pond Dam, Fitzwilliam, NH, in the amount of \$48,000 to complete the Horseshoe Pond Dam Removal and Kemp Brook Restoration Project in Fitzwilliam, New Hampshire Phase I Design, Engineering and Permitting project. Effective upon G&C approval through December 31, 2015. **100% Federal Funds.**

#60 Authorized to enter into a Cooperative Project Agreement with the University of NH, to complete the College & Reservoir Brook Watershed Management Plan Development Phase I: Salt Reduction Demonstration Project, in the amount of \$52,265. Effective upon G&C approval through December 31, 2014. **100% Federal Funds.**

#61 Authorized to enter into an agreement with Field Geology Services LLC, Farmington, ME, to conduct a fluvial erosion hazard assessment in the Souhegan River Watershed for a not to exceed value of \$103,537. Effective upon G&C approval through September 18, 2014. **100% Other (Interagency Pass-Thru Federal) Funds.**

#62 Authorized to enter into an agreement with the Green Mountain Conservation Group, Effingham, NH, to complete the Ossipee Lake Watershed Management Plan Phase 1: A Watershed Plan for Danforth Pond and the Lower Bays of Ossipee Lake Project, in the amount of \$65,000. Effective upon G&C approval through December 31, 2015. **100% Federal Funds.**

#63 Authorized to enter into an agreement with Vanasse Hangen Brustlin Inc., Bedford, NH, to conduct a fluvial erosion hazard assessment in the Sugar River Watershed for a not to exceed value of \$86,615. Effective upon G&C approval through September 18, 2014. **100% Other (Interagency Pass-Thru Federal) Funds.**

#64 Authorized to enter into a contract with Brown and Caldwell, Andover, MA, for consulting engineering services for the Winnepesaukee River Basin Program, in the amount of \$328,612. Effective upon G&C approval through June 30, 2014. **100% WRBP Funds.**

#65 Authorized to enter into a contract with Absolute Resources Associates LLC, Portsmouth, NH, for laboratory analytical services, in the amount not to exceed \$58,400. Effective upon G&C approval through June 30, 2014. **9% Federal, 12% General, 79% Other Fee Funds.**

#66 Authorized Thomas Morin's request to perform work on Lake Winnepesaukee in Alton.

NEW HAMPSHIRE VETERANS HOME

#67 The Governor and Council on motion of Councilor Sununu, seconded by Councilor Van Ostern, authorized to accept monies totaling \$55,026.40 received during the period of October 1, 2012 to December 31, 2012 as a result of fundraising drives from various organizations and from personal contributions.

DEPARTMENT OF EDUCATION

#68 The Governor and Council on motion of Councilor Pappas, seconded by Councilor Burton, authorized to enter into a **sole source** contract with Strafford Learning Center, Somersworth, NH, to develop and provide training and technical assistance to local education agencies in their region under the State Personnel Development Grant, in an amount not to exceed \$100,500. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

POLICE STANDARDS AND TRAINING COUNCIL

The Governor and Council acted as follows:

#69 Authorized to amend an agreement with Compass Group USA Inc., (originally approved by G&C on 6-20-12, item #206), on by and through its Chartwells Division, Rye Brook, NY, for the provision of meals through the NHTI – Concord’s Community College Capital Commons dining hall to recruit and in-service officers attending programs at the Arthur D. Kehas Law Enforcement Training Facility and Campus, by increasing the price in the amount of \$28,236 from \$175,035 to \$203,271. Effective upon G&C approval through June 30, 2013. **100% Penalty Assessment Funds.**

#69A Authorized to enter into an agreement with Compass Group USA Inc., by and through its Chartwells Division, Rye Brook, NY, for the provision of meals through the NHTI – Concord’s Community College Capital Commons dining hall to recruit and in-service officers attending programs at the Arthur D. Kehas Law Enforcement Training Facility and Campus, in the amount of \$263,802. Effective July 1, 2013 through June 30, 2014. **100% Penalty Assessment Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#70 Authorized the Division of State Police to accept and expend a sub-grant from the NH Department of Justice in the amount of \$129,450 to purchase software enhancements to the existing Automated Fingerprint System. Effective upon G&C approval through June 30, 2013. **100% Agency Income. Fiscal Committee approved.**

#71 Authorized the Division of Fire Standards and Training and Emergency Medical Services to accept and expend EMS Statewide CAD Integration funds in the amount of \$32,882 and EMS Statewide Field Bridge funds in the amount of \$133,530 from the NH Highway Safety Agency for a total amount of \$166,412 for the expansion of the Trauma and Emergency Medical Services Information System, which is used to collect patient care data. Effective upon G&C approval through June 30, 2013. **100% Agency Income.** (2)Further authorized to amend a **sole source** contract with Image Trend Inc., Lakeville, MN (originally approved by G&C on 2-25-05, item #70A), by increasing the amount by \$209,740 from \$1,002,656 to \$1,212,396. Effective upon G&C approval through December 31, 2017. **71% Agency Inc., 29% Fire & EMS Funds.** (3)Further authorized to make advance payment to Image Trend Inc., Lakeville, MN, in the amount of \$166,540 for the project, including a total of three years of maintenance and support for the program, in order to expend grant funds within the federal grant year ending September 30, 2013. Effective upon G&C approval. **100% Agency Income. Fiscal Committee approved.**

#72 Authorized the Division of Homeland Security and Emergency Management to enter into a memorandum of agreement with the Division of Fire Safety, for the purpose of reimbursing the cost of a vehicle for the Hazardous Material Coordinator, for a total amount of \$30,000. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.** (2)Further authorized to accept and expend \$30,000 of federal funds from the Division of Homeland Security and Emergency Management for the purpose of reimbursing the cost of a vehicle for the Hazardous Material Coordinator. Effective upon G&C approval through June 30, 2013. **100% Agency Income.**

#73 Authorized the Division of State Police to accept and expend \$34,867 of federal funds from the NH Highway Safety Agency entitled NH State Police Sobriety Checkpoints, for the purpose of combating the DWI Problem throughout the State. Effective April 1, 2013 or upon G&C approval, whichever is later, through June 30, 2013. **100% Agency Income.**

#74 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Durham for the purchase of Firehouse Software and 9 iPads for a total amount of \$14,077. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#75 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Windham School District to expand the current emergency generator infrastructure located at each of the Windham schools, which all serve as emergency shelters, for a total amount of \$43,800. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#76 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Southwest Region Planning Commission to provide technical assistance to the Town of Greenfield for the update of their hazard mitigation plan, for a total amount of \$6,000. Effective upon G&C approval through September 6, 2015. **100% Federal Funds.**

#77 Authorized to accept and place on file the Annual Report for the period of July 1, 2011 through June 30, 2012.

#77A Authorized the Division of Fire Standards & Training and Emergency Medical Services to enter into a **retroactive sole source** contract with Kidde Fire Trainers Inc., Montvale, NJ, to provide maintenance services for the Fire Trainer T2000 and A2000 Live Fire Training Systems, in the amount of \$130,167. Effective upon G&C approval. **100% Fire and EMS Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#78 Authorized the Division of Finance to transfer \$149,922 from Highway Surplus to fund increases in various accounting units. Effective upon G&C approval through June 30, 2013. **100% Highway Funds. Fiscal Committee approved.**

#79 Authorized the Bureau of Mechanical Services to transfer \$1,455,332 from Highway Surplus to fund vehicle maintenance, fuel and increased insurance costs. Effective upon G&C approval through June 30, 2013. **100% Highway Funds.**

#80 Authorized the Bureau of Traffic to accept and expend Congestion Mitigation & Air Quality federal funding, in the amount of \$19,266 to fund training for computer network related maintenance. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#81 Authorized to establish a Consultant to complete required environmental and ground survey as part of the corridor widening study. (2)Further authorized to transfer \$37,363 from Highway Surplus to fund increases in various accounting units. Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

#82 Authorized the Bureau of Rail and Transit to budget and expend prior year carry forward funds in the amount of \$346,497 from the Special Railroad Fund for maintenance and repair of active State-owned railroad lines. (2)Further authorized to expend an amount not to exceed \$346,497 for maintenance and repair of active state-owned railroad lines. Effective upon G&C approval through June 30, 2013. **100% Other (Special Railroad) Funds. Fiscal Committee approved.**

#83 Authorized the Bureau of Rail and Transit to pay an amount not to exceed \$42,243 to the City of Nashua, NH, to provide a portion of the funds required to match Federal Transit Administration grant funds for a bus acquisition. Effective upon G&C approval through June 30, 2014. **100% General Funds.**

#84 Authorized the Bureau of Right of Way to pay various owners \$152,018.66 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from January 30, 2013 through February 26, 2013. Effective upon G&C approval.

#85 Authorized the Bureau of Planning and Community Assistance to enter into an agreement with the Town of Northfield to provide funding and services under the Federal Safe Routes to School Program through a local project administration process, totaling \$13,685.70. **100% Federal Funds.**

#86 Authorized the Bureau of Construction to amend a contract with Weaver Brothers Construction Inc., Concord, NH (originally approved by G&C on 10-17-12, item #98), for the installation of a median barrier at a number of locations on Interstate 89 from the Interstate 93 interchange in Bow to the exit 5 interchange in Hopkinton, by increasing the amount by \$275,000 from \$1,915,786.72 to \$2,190,786.72. Effective upon G&C approval. **100% Federal Funds.**

#87 Authorized the Bureau of Highway Maintenance, Well Section to enter into a contract with Gap Mountain Drilling LLC, Rindge, NH, for a 6-inch drilled well and pump on the property of Michael Balcon, Gilford, NH, in the amount of \$21,187.50. Effective upon G&C approval through June 1, 2013. **100% Highway Funds.**

#88 Authorized the Bureau of Traffic to amend a contract with Transcore ITS LLC, New York, NY, (originally approved by G&C on 9-22-10, item #239), for the installation of a communications infrastructure and ITS technology along the I-95, Spaulding Turnpike, Route 101 and Route 4 corridors, by increasing the amount by \$246,859.32 from \$4,784,729.60 to \$5,031,588.92. Effective upon G&C approval through October 7, 2016. **52% Federal, 48% Turnpike Funds.**

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The Next regular Governor and Executive Council meeting is scheduled for Wednesday, April 3, 2013, at the State House, Concord, NH.

Honorable Board then Adjourned at 12:10 p.m.