

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
Hypertherm, Inc., Lebanon, New Hampshire
August 2, 2023 10:00 a.m.

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

*

Today's pre-meeting ceremonial items included:

- Diane Travis, President's office at Dartmouth led a reading of the Robert Frost poem "Birches."
- Joel Coelho led the Pledge of Allegiance
- Performance:
 - Upper Valley Music Center Suzuki Program
- Commendations:
 - League of New Hampshire Craftsman Fair – 90th anniversary of the fair
 - Friends of Mascoma Foundation – for their work to establish Friends Feeding Friends Food Pantries

*

The Governor and Executive Council on motion of Councilor Gatsas, seconded by Councilor Wheeler, voted to approve the minutes of the July 19, 2023 meeting.

*

The Governor and Executive Council, on motion of Councilor Kenney, seconded by Councilor Warmington, approved the appointment of several persons nominated for Civil Commissions from the July 19, 2023 meeting.

*

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

*

CONFIRMATIONS

The Governor and Council confirmed the following:

Advisory Board on Private Investigative Agencies, Bail Recovery Agents, & Security Services -RSA 106- F:15

(Law Enforcement Community)

Jason Bachus, Piermont

Effective: August 2, 2023

Succeeding: Vincent A. Baiocchetti III, Gilmanton

Term: January 22, 2025

Board of Optometry - RSA 327:2

(Optometrist)

Michael B. Gordon, Peterborough

Effective: August 2, 2023

Succeeding: Andrea Murphy, Grantham

Term: July 1, 2028

Commissioner, Department of Health and Human Services - RSA 126-A:5, I

Lori Weaver, Concord

Effective: August 2, 2023

Succeeding: Lori Shibinette, Northfield (resigned)

Term: February 1, 2024

Salary: LG MM \$161,791

Current Use Advisory Board - RSA 79-A

(Public Member/Agriculture)

Charles Souther, Concord

Effective: August 2, 2023

Reappointment

Term: November 16, 2024

Director, Division of the Arts, Department of Natural and Cultural Resources - RSA 12-A:3

Adele Bauman, Dover

Effective: August 2, 2023

Succeeding: Virginia Lupi, Concord

Term: March 11, 2027

Salary: LG DD \$85,514

<u>Enhanced 911 Commission</u> - RSA 106-H (Nom by N.H. Association of Chiefs of Police) James S. Valiquet, Newbury Reappointment	Effective: August 2, 2023 Term: July 8, 2025
<u>Enhanced 911 Commission</u> - RSA 106-H (Public Member) Cecily McNair, Epsom Reappointment	Effective: August 2, 2023 Term: July 22, 2026
<u>Higher Education Commission</u> - RSA 21-N:8-a (Lay Public) Michael J. Apfelberg, Dover Reappointment	Effective: August 2, 2023 Term: June 30, 2028
<u>Lakes Management Advisory Committee</u> - RSA 483-A:6 (Representing Conservation Community) Tiffany J. Grade, Moultonborough Reappointment	Effective: August 2, 2023 Term: September 19, 2025
<u>New Hampshire Land and Community Heritage Authority, Board of Directors</u> - RSA 227-M:4 (Municipal) Jeanie Forrester, Meredith Succeeding: John J. Colony, Harrisville (resigned)	Effective: September 7, 2023 Term: September 6, 2026
<u>Occupational Therapy Governing Board</u> - RSA 328-F:4 (Licensed Occupational Therapist) Kimberly M. Shurtleff, Auburn Succeeding: Olivia R. Freeman, Hudson	Effective: August 2, 2023 Term: January 8, 2026
<u>Rivers Management Advisory Committee</u> - RSA 483:8 (Rep. Business & Industry Assn.) Mitchell Thayer, Berlin Vacancy	Effective: August 2, 2023 Term: September 28, 2025
<u>Site Evaluation Committee</u> - RSA 162-H:3 (Full Committee Member) James Jalbert, Rollinsford Succeeding: George I. Kassas, Salem	Effective: August 2, 2023 Term: December 3, 2026
<u>State Veterans Council</u> - RSA 110-B:89 (Veteran) Brendan Finn, Newfields Reappointment	Effective: August 2, 2023 Term: October 2, 2026

*

NOMINATIONS

The following nominations were submitted:

<u>Chief Justice, Superior Court</u> - RSA 491:1 Mark E. Howard, Manchester Succeeding: Tina L. Nadeau, Lee (resigned)	Effective: September 30, 2023 Term: 5 years from confirmation
<u>Commissioner, Insurance Department</u> - RSA 400-A David J. Bettencourt, Salem Succeeding: Christopher R. Nicolopoulos, Bow (resigned) Salary: LG, II, \$133,648	Effective: Upon Confirmation Term: June 9, 2028

Director, Division of Administration, Department of Corrections - RSA 21-H

Lisa M. Stone, Manchester
Succeeding: Jonathan K. Hanson, Bow
Salary: LG, GG, \$121,751.00

Effective: Upon Confirmation
Term: Commissioner's Pleasure

Division Director, Department of Education - RSA 21-N:3

(Division of Program Support)
Caitlin D. Davis, Concord
Reappointment
Salary: LG GG \$121,751

Effective: Upon Confirmation
Term: November 8, 2027

Judicial Council - RSA 494:1

Dino A. Scala, Wakefield
(Lay Person)
Reappointment

Effective: Upon Confirmation
Term: January 1, 2026

Justice, New Hampshire Circuit Court - RSA 490-F

Tanya L. Spony, Brookline
Vacancy

Effective: Upon Confirmation
Term: Until 70 Years of Age

Justice, New Hampshire Circuit Court - RSA 490-F

Dorothy E. Walch, Northwood
Vacancy

Effective: Upon Confirmation
Term: Until 70 Years of Age

Personnel Appeals Board - RSA 21-I:45

(Attorney licensed in NH & experienced in the conduct of adjudicative hearings and decision writing)
Charles A. Russell, d, Concord
Succeeding: Norman J. Patenaude, d, Portsmouth

Effective: Upon Confirmation
Term: October 2, 2025

Police Commission, Nashua - RSA 105-C:3

Gwen Krailo, (r) Nashua
Succeeding: Matthew Plante, Nashua

Effective: September 2, 2023
Term: September 1, 2026

*

CONSENT CALENDAR AGENDA

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

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

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

- A. Authorized the Division of Forests and Lands to allow Director Patrick Hackley, Chief of Forest Protections Steven Sherman, NFFPC Commissioner Rick Mason and Deputy Northeastern Coordination Center Manager Daniel Redin to travel outside of a 300-mile radius of DNCR headquarters by driving a state vehicle rather than flying to Halifax, Nova Scotia, Canada, in the amount of \$3,462, to attend the Northeastern Forest Fire Protection Commission 2023 Annual Commissioner's Meeting from September 6-8, 2023. Effective upon G&C approval. **100% Federal Funds**

DEPARTMENT OF SAFETY

- B. Authorized the Division of State Police to allow Trooper Geoffrey S. Miller to travel outside of a 300-mile radius of the employee's office headquarters, by any mode other than economy class airfare on commercial airlines, in the amount of \$5,396.44, to Annville, PA to attend the Northeast Counter Drug Training Center Polygraph Program from August 15, 2023 to November 10, 2023. Effective upon G&C approval. **13% Agency Income, 87% General Funds**

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

- C. Authorized to enter Ann Dunn into an educational tuition agreement with the Southern New Hampshire University, Manchester, NH, to participate in Principles of Environmental Health, from September 18, 2023 to November 26, 2023 and to pay costs in the amount of \$1,410.75. **20% Federal Funds, 80% General Funds**

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

- D. Authorized to enter Krystie Mallory into an educational tuition agreement with the Southern New Hampshire University, Manchester, NH, to participate in Social and Behavioral Sciences, from September 18, 2023 to November 26, 2023 and to pay costs in the amount of \$1,433.25. **20% Federal Funds, 80% General Funds**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
Division of Public Health Services**

- E. Councilor Warmington requested that this item be removed from the consent calendar for discussion. Following discussion, the Governor and Council on motion of Councilor Warmington, seconded by Councilor Wheeler authorized to pay the Association of Public Health Nurses, Westerville, OH, in the amount of \$5,000, for membership dues. Effective upon G&C approval. **100% Federal Funds**

DEPARTMENT OF ENERGY

- F. Authorized to pay the National Association of State Energy Officials, in the amount of \$4,527.29, for membership dues. Effective upon G&C approval for the period October 1, 2023 through September 30, 2024. **100% Federal Funds**

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

NEW HAMPSHIRE VETERANS HOME

- A. Authorized to accept and expend monies totaling \$49,601.02, received during the period of April 1, 2023 to June 30, 2023, as a result of fundraising drives from various organizations and from personal contributions, as detailed in the letter dated July 18, 2023. The monies are placed in the Veterans Home Benefit Fund.

#3 **MOP 150, I, B (3): Reports and Findings**

DEPARTMENT OF ADMINISTRATIVE SERVICES

- A. Authorized to accept and place on file the Report and Findings of Councilor Theodore L. Gatsas with regard to a certain project in participation with the Roman Catholic Bishop of Manchester, NH. Effective upon G&C approval.

#4 **MOP 150, I, B (4): Nominations, Confirmations and Appointments**

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

- A. Authorized the nomination of Major Rudolph A. Cartier III, Center Harbor, NH, for promotion to the rank of Lieutenant Colonel, in the NH Army National Guard. This officer meets the physical, moral and professional qualifications for this grade promotion in the NH Army National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

- B. Authorized the nomination of Major Jared Davis, Lyme, NH, for promotion to the rank of Lieutenant Colonel, in the NH Army National Guard. This officer meets the physical, moral and professional qualifications for this grade promotion in the NH Army National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

- C. Authorized the nomination of Major Mark J. Fazio, Merrimack, NH, for promotion to the rank of Lieutenant Colonel, in the NH Army National Guard. This officer meets the physical, moral and professional qualifications for this grade promotion in the NH Army National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

- D. Authorized the nomination of Captain John P. Glennon, Dover, NH, for promotion to the rank of Major, in the NH Army National Guard. This officer meets the physical, moral and professional qualifications for this grade promotion in the NH Army National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

- E. Authorized the nomination of Major Craig B. Stansfield, Goffstown, NH, for promotion to the rank of Lieutenant Colonel, in the NH Army National Guard. This officer meets the physical, moral and professional qualifications for this grade promotion in the NH Army National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

- F. Authorized the confirmation of Lieutenant Colonel Christine L.B. Banks, North Waterboro, ME, for appointment to the rank of Colonel, in the NH Air National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

- G. Authorized the confirmation of Captain Beth M. Carriere, Strafford, NH, for appointment to the rank of Major, in the NH Army National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

- H. Authorized the confirmation of Lieutenant Colonel Paul M. Kell, Durham, NH, for appointment to the rank of Colonel, in the NH Air National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

- I. Authorized the confirmation of Lieutenant Colonel Toby B. Pellenz, Dover, NH, for appointment to the rank of Colonel, in the NH Air National Guard.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

- J. Authorized the confirmation of Major Andrew L. Verriotto, St. Albans, VT, for appointment to the rank of Major, in the NH Air National Guard.

DEPARTMENT OF JUSTICE

- K. Councilor Warmington requested that this item be removed from the consent calendar for discussion. The Governor and Council on motion of Councilor Warmington, seconded by Councilor Wheeler voted to adopt this item for purpose of discussion. Following discussion, with Councilor Warmington voting **no**, the Governor and Council authorized to appoint Michael P. DeGrandis, as an Attorney, at a salary level of \$90,000. Effective upon G&C approval or August 25, 2023, whichever is later.

DEPARTMENT OF JUSTICE

- L. Authorized to reappoint Dan A. Jimenez, as an Assistant Attorney General, at a salary level of \$103,000. Effective upon G&C approval or August 13, 2023, whichever is later, for a term ending August 13, 2028.

DEPARTMENT OF JUSTICE

- M. Councilor Wheeler requested that this item be removed from the consent calendar for discussion. The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Gatsas voted to adopt this item for purpose of discussion. Following discussion, Councilor Wheeler made a motion to table this item, there was no second, the Governor and Council authorized to appoint David M. Lovejoy, as an Assistant Attorney General, at a salary level of \$83,000. Effective upon G&C approval or August 28, 2023, whichever is later, for a term ending July 1, 2024.

DEPARTMENT OF JUSTICE

- N. Authorized to appoint Eric Monty, as an Assistant Attorney General, at a salary level of \$83,000. Effective upon G&C approval or August 25, 2023, whichever is later, for a term ending July 31, 2028.

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

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
Division of Public Health Services**

- A. Authorized to enter into a **sole source** amendment with New England Rural Health Association, Newfield, ME (originally approved by G&C on 4/7/21, Item #14), to provide Critical Access Hospital staff and providers with access to education and training, by exercising a contract renewal option by extending the completion date from August 31, 2023 to August 31, 2025. Effective September 1, 2023, upon G&C approval, with no change to the price limitation of \$76,182.

DEFERRED COMPENSATION COMMISSION

- B. Authorized to enter into an amendment to a contract agreement with Empower Annuity Insurance Company of America, Denver, CO (originally approved by G&C on 10/7/15, Item #74), or its approved affiliate, by extending the end date of the contract from October 31, 2023 to April 30, 2024. Effective upon G&C approval.

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

- C. Authorized the Division of Parks and Recreation, Bureau of Trails to enter into a Memorandum of Agreement with the Ammonoosuc Valley ATV Club at the Ammonoosuc Recreational Rail Trail, for the purpose of developing, maintaining, and managing public Off Highway Recreational Vehicle trails for a 5-year period. Effective upon G&C approval. No State Funding is required.

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

- D. Authorized the Division of Parks and Recreation, Bureau of Trails to enter into a Memorandum of Agreement with the Belknap Snowmobilers, Inc., and at the properties as detailed in the letter dated June 29, 2023, for the purpose of developing, maintaining, and managing public Off Highway Recreational Vehicle trails for a 5-year period. Effective upon G&C approval. No State Funding is required.

*

REGULAR AGENDA

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

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

#6 Authorized to place Jordan McCormick at Step 6 for the position of Director of Medicaid Policy and Clinical Programs, unclassified salary grade FF, earning an annual salary of \$107,451. Effective August 11, 2023, upon G&C approval. **50% General Funds, 50% Federal Funds**

#7 Authorized to place Krista Morris at Step 2 for the position of Director, Intergovernmental Affairs, unclassified salary grade HH, earning an annual salary of \$101,387. Effective September 1, 2023, upon G&C approval. **50% General Funds, 50% Federal Funds**

#8 Authorized to make a **retroactive** payment to New England States Consortium Systems Organization, Shrewsbury, MA, in the amount of \$28,500, for annual membership dues. Effective upon G&C approval for a period of July 1, 2023 through June 30, 2024. **100% General Funds**

Division of Public Health Services

The Governor and Council on motion of Councilor Warmingtton, seconded by Councilor Stevens acted as follows:

#9 Authorized, with Councilor Kenney voting **no**, to **retroactively** pay the Cannabis Regulators Association, Lexington, KY, in the amount of \$2,500, for annual membership dues. Effective upon G&C approval for the period of July 1, 2023 through June 30, 2024. **100% Other Funds**

#10 Authorized, on behalf of the Department of Administrative Services, to make a **sole source** purchase of laboratory equipment from Clear Labs, Inc., San Carlos, CA, in the amount of \$398,238. Effective upon G&C approval through June 30, 2024. **100% Federal Funds**

Division of Behavioral Health

The Governor and Council on motion of Councilor Warmington, seconded by Councilor Stevens acted as follows:

#11 Authorized to **retroactively** pay the National Association of State Mental Health Program Directors, Alexandria, VA, in the amount of \$8,979, for annual membership dues. Effective upon G&C approval. **100% General Funds**

#12 Authorized to enter into a **sole source** amendment to an existing contract with Institute for Community Alliances, Des Moines, IA (originally approved by G&C on 3/27/19, Item #11), for the continued operation and maintenance of the New Hampshire Statewide Homeless Management Information System, by exercising a contract renewal option by increasing the price limitation by \$1,110,206 from \$1,515,526 to \$2,625,732 and extending the completion date from September 30, 2024 to July 31, 2027. Effective **retroactive** to July 1, 2023, upon G&C approval. **71% Federal Funds, 29% General Funds**

Division of Long Term Supports and Services

#12A The Governor and Council on motion of Councilor Warmington, seconded by Councilor Stevens authorized to enter into a **sole source** amendment to existing contracts, which was originally competitively bid, with the vendors as detailed in the letter dated July 20, 2023, to provide comprehensive family support services to children and young adults by increasing the price limitation by \$108,335 from \$2,188,676 to \$2,297,011 and by extending the completion dates from June 30, 2023 to the dates indicated in letter. Effective **retroactive** to July 1, 2023, upon G&C approval. **100% Federal Funds**

DEPARTMENT OF TRANSPORTATION

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

#13 Authorized the Executive Office's approval of an annual salary step increase for Andre J. Briere, Deputy Commissioner, from a salary level of \$133,934 to salary level of \$140,913. Effective August 4, 2023, upon G&C approval.

#14 Authorized the Bureau of Finance & Contracts to pay small claims for the next fiscal year, July 1, 2023 through June 30, 2024. At the conclusion of the State fiscal year, the Department will submit a report identifying the small claims activity, as detailed in the letter dated June 30, 2023.

#15 Authorized the Bureau of Right-of-Way to pay property owners, tenants, and/or claimants \$160,059.08, as documented in the Contemplated Awards list, for amounts greater than \$5,000 for the period extending from May 27, 2023 through June 23, 2023. Effective upon G&C approval.

#16 Authorized the Bureau of Right-of-Way to grant a sewer easement over state-owned land on the southerly side of Harris Pond Road in the Town of Merrimack, NH. The easement will be granted directly to the Lansing Melbourne Group for \$6,100, including the \$1,100 administrative fee. Effective upon G&C approval.

#17 Authorized the Bureau of Right-of-Way to grant an access point through the Limited Access Right-of-Way on the northerly side of NH Route 4(Hoit Road) at Old Boyce Road in the City of Concord, NH. The sale will be to Robert and Mary Ann Wolfe for \$44,100, which includes the \$1,100 administrative fee. Effective upon G&C approval.

#18 Authorized the Bureau of Right-of-Way to sell a parcel of state-owned land, totaling 3.16+/- acres, located at 1 Cronin Road in the Town of Exeter, NH. The Department entered into a listing agreement with the NAI Norwood Group, with a 6% commission. NAI Norwood Group solicited interest for the property and entered into a purchase and sales agreement with an abutter, Cronin Road Realty, LLC, who has agreed to pay \$576,100, which includes the \$1,100 administrative fee. (2) Further authorized to compensate NAI Norwood Group in the amount of \$34,500, for real estate services. Effective upon G&C approval.

#19 Authorized the Bureau of Right-of-Way to sell a 0.70+/- of an acre of state-owned land on the northerly side of NH Route 25 in the Town of Effingham, NH, to Stillings Lane Revocable Trust, Erik Jones Trustee, for \$1,500, which includes an administrative fee of \$1,100. Effective upon G&C approval.

#20 Authorized the Bureau of Aeronautics to accept and execute federal grants from the Federal Aviation Administration (FAA) State Block Grant Program to fund airport maintenance of operations, airport planning and development projects at the airports as detailed in the letter date July 10, 2023. The FAA grants will also fund projects completed by the Department for statewide airport projects. Effective upon G&C approval through September 30, 2027. **100% Federal Funds (FAA)**

*[*Upon request by Councilor Gatsas, click here to view the status update from the Bureau of Right of Way, for the Derry-Londonderry 13065, Exit 4A project.*](#)*

DEFERRED COMPENSATION COMMISSION

#21 The Governor and Council on motion of Councilor Gatsas, seconded by Councilor Wheeler authorized to enter into a **sole source** amendment with NFP Retirement, Inc., Alisa Viejo, CA (originally approved by G&C on 6/15/22, Item #153), to assist the Commission in developing and publishing a request for proposals to conduct a plan recordkeeper search for the State of New Hampshire Public Employees Deferred Compensation Plan by increasing the price limitation by \$10,000 from \$25,000 to \$35,000 and extending the completion date from July 1, 2023 to April 30, 2024. Effective **retroactive** to July 2, 2023, upon G&C approval. **100% Agency Income**

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council on motion of Councilor Stevens, seconded by Councilor Warmington acted as follows:

#22 Authorized, under the Community Development Block Grant program, to award a grant to the County of Cheshire, Keene, NH, in the amount of \$562,540, for the purpose of assisting two organizations provide microenterprise technical assistance and training, direct grants and down payment assistance to micro businesses, as detailed in the letter dated August 2, 2023. Effective upon G&C approval through December 31, 2024. **100% Federal Funds**

#23 Authorized, with Councilor Wheeler voting **no**, under the Community Development Block Grant program, to award a grant to the County of Rockingham, Brentwood, NH, in the amount of \$500,000, to support the Epping Meadows Affordable Housing project situated at 35 Exeter Road, Epping, NH. Effective upon G&C approval through December 31, 2025. **100% Federal Funds**

#23A Authorized, with Councilor Wheeler voting **no**, under the Community Development Block Grant program, to award a grant to the Town of Hillsborough, NH, in the amount of \$500,000, to support the Hillsborough Heights Limited Partnership project situated at 219 West Main Street, Hillsborough, NH. Effective upon G&C approval through December 31, 2025. **100% Federal Funds**

DEPARTMENT OF REVENUE ADMINISTRATION

The Governor and Council on motion of Councilor Warmington, seconded by Councilor Wheeler acted as follows:

#24 Authorized to **retroactively** pay the Federation of Tax Administrators, Washington, D.C., in the amount of \$14,669, which includes two fees, annual organizational dues in the amount of \$11,529 and maintenance fees for the Modernized Federal-State E-File Program in the amount of \$3,140. Effective July 1, 2023, upon G&C approval through June 30, 2024. **100% General Funds**

#25 Authorized to enter into a contract with I.C. System, Inc., St. Paul, MN, to perform work with the DRA Collections Division to collect delinquent debt, as detailed in the letter dated July 12, 2023. Effective upon G&C approval through June 30, 2025, with three options to renew for one additional year each.

#26 Authorized to enter into a contract with Montagne Powers LLC, Manchester, NH, in the amount not to exceed \$40,000, to provide strategic communications and public relations services to the DRA. Effective **retroactive** July 1, 2023, upon G&C approval through June 30, 2024, with three options to renew for one additional year each.

#27 Authorized to amend a contract with Protiviti Government Services, Inc., Alexandria, VA (originally approved by G&C on 4/20/22, Item #49), for temporary data entry services by increasing the price limitation by \$40,000 from \$50,000 to \$90,000 and by extending the contract end date from June 30, 2023 to June 30, 2024. Effective **retroactive** to July 1, 2023, upon G&C approval.

NEW HAMPSHIRE EMPLOYMENT SECURITY

#28 The Governor and Council on motion of Councilor Kenney, seconded by Councilor Wheeler authorized to amend an existing **sole source** contract with Fairfax Data Systems, Inc., New Milford, CT (originally approved by G&C on 4/20/22, Item #58), in order to allow development work needed to support an upgrade of NHES's Electronic Document Management System software, by increasing the price limitation by \$35,700 from \$228,000 to \$263,700, with no change to the completion date of March 31, 2024. Effective upon G&C approval. **100% Federal Funds**

DEPARTMENT OF ENERGY

The Governor and Council on motion of Councilor Gatsas, seconded by Councilor Stevens acted as follows:

#29 Authorized to **retroactively** amend a Fiscal Committee Item (originally approved by G&C on 4/12/23, Item #67), by extending the expiration date from June 30, 2023 to June 30, 2025. (2) Further authorized to **retroactively** extend a temporary full-time Program Specialist II position (originally approved by G&C on 4/12/23, Item #67), from June 30, 2023 to June 30, 2025. Effective upon G&C approval. **100% Federal Funds. Contingent upon Fiscal Committee approval on August 11, 2023.**

#30 Authorized to accept and expend Federal Funds in the amount of \$3,581,770 from the United States Department of Energy, Bipartisan Infrastructure Law, State Energy Program, as detailed in the letter dated August 2, 2023. (2) Further authorized the Division of Policy and Programs to create one full-time Administrator II, one Program Specialist III, and one Program Specialist II positions to help manage this program. Effective upon G&C approval through June 30, 2025. **100% Federal Funds. Contingent upon Fiscal Committee approval on August 11, 2023.**

#31 Authorized, with Councilor Warmington voting **no**, the approval for an annual salary increase for Christopher Ellms, Jr., Deputy Commissioner, in the amount of \$6,264, from a current salary of \$120,120 to a new salary of \$126,384. Effective August 13, 2023, upon G&C approval. **100% Other Funds**

#32 Authorized to pay the National Energy Assistance Directors Association, in the amount of \$4,583, for membership dues. Effective **retroactive** to January 1, 2023, upon G&C approval through December 31, 2023. **100% Federal Funds**

#33 Authorized to enter into a contract with Exeter Associates, Inc. d/b/a Exeter Associates of Maryland, Columbia, MD, in the amount of \$91,115, to provide utility technical consulting services from a qualified consultant in the area of solicitation for and procurement of default energy supply in restructured electric utility markets. Effective upon G&C approval through June 30, 2024. **100% Other (Special Utility Special Assessment)**

#34 NOT USED

#35 Authorized to enter into a Memorandum of Understanding with the Department of Administrative Services, Concord, NH, in an amount not to exceed \$180,000, to support energy consumption reduction and costs in state buildings. Effective upon G&C approval through June 30, 2024. **100% Federal Funds**

OFFICE OF THE CONSUMER ADVOCATE

#36 The Governor and Council on motion of Councilor Stevens, seconded by Councilor Warmington authorized to enter into a contract with Aaron Rothschild, Ridgefield, CT, in an amount not to exceed \$140,000, to provide certain expert services in connection with rate cases at the Public Utilities Commission. Effective upon G&C approval through June 30, 2025. **100% Federal Funds. Contingent upon Fiscal Committee approval on August 11, 2023.**

FISH AND GAME DEPARTMENT

#37 The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Warmington authorized to enter into a Memorandum of Agreement with the Conservation Land Stewardship Program, Concord, NH, in the amount of \$70,000, to provide monitoring and stewardship services of the State's interest in privately owned conservation lands held by NHFG. Effective upon G&C approval through June 30, 2025. **75% Federal Funds, 25% Wildlife Habitat Account**

DEPARTMENT OF CORRECTIONS

#38 The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Gatsas authorized to enter into a **sole source** amendment to an existing contract with BioReference Health LLC, Elmwood Park, NJ (originally approved by 6/29/22, Item #88), by increasing the price limitation by \$494,387.87 from \$438,738.76 to \$933,126.63, for the provision of On-Site Clinical Laboratory Services. Effective upon G&C approval through June 30, 2024. **100% General Funds**

DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS

The Governor and Council on motion of Councilor Warmington, seconded by Councilor Stevens acted as follows:

#39 Authorized the Division of Economic Development to enter into a contract with Mission Broadband, Inc., Bangor, ME, in the amount of \$1,965,000 in Infrastructure Investment and Jobs Act of 2021 Broadband Equity, Access and Deployment Planning Grant Funds, administer by the US Department of Commerce, for consultation services to develop a five-year action plan, initial proposal, and final proposal, as required by the Notice of Funding Opportunity, for the State of NH. Effective upon G&C approval through November 30, 2027. **100% Federal Funds**

#39A Authorized the Division of Travel and Tourism Development to award grants to the organizations as detailed in the letter dated July 3, 2023, in the total amount not to exceed \$422,680.02, for marketing projects under the Joint Promotional Program for the grant period. Effective upon G&C approval through the dates indicated in the letter. **100% General Funds**

#39B Authorized the Division of Travel and Tourism Development to award a grant to Portsmouth NH 400th, Inc., Portsmouth, NH, in the amount not to exceed \$32,500, for marketing projects under the Joint Promotional Program for the grant period. Effective upon G&C approval through December 31, 2023. **100% General Funds**

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

The Governor and Council on motion of Councilor Warmington, seconded by Councilor Gatsas acted as follows:

#40 Authorized the Office of the Commissioner to continue one full-time temporary Program Specialist I, a position responsible for the nonmotorized statewide trail systems. Effective upon G&C approval through August 2, 2024. **100% Other Funds**

#41 Authorized the Division of Parks and Recreation to **retroactively** pay the New Hampshire Campground Owners Association, Epsom, NH, in the amount of \$4,603, for membership dues. Effective upon G&C approval for the period July 1, 2023 through June 30, 2024. **100% Other Funds**

#42 Authorized the Division of Historical Resources to award a Conservation Number Plate (Moose Plate) grant to the Town of Wentworth, NH, in the amount of \$20,000, for foundation stabilization of the Wentworth Town Hall. (2) Further authorized an advance payment in the amount of \$10,000 to the Town of Wentworth, NH, in accordance with the terms of the contract. Effective upon G&C approval through October 31, 2024. **100% Other Funds (Agency Income)**

#43 Authorized the NH State Library to enter into a **retroactive** amendment with Auto Graphics, Inc., Rancho Cucamonga, CA (originally approved by G&C on 6/27/19, Item #47), for an Automated Interlibrary Loan System by increasing the price limitation by \$930,564 from \$1,267,162 to \$2,197,726 and by extending the completion date from June 30, 2023 to June 30, 2026. Effective upon G&C approval. **100% Federal Funds**

#43A Authorized the Division of Parks and Recreation to enter into a **sole source** contract with Rowell's Services, LLC, Tilton, NH, in the amount of \$21,750, for emergency repair of the sewer force main line and water main at Ellacoya State Park. Effective upon G&C approval **retroactive** to June 12, 2023 through August 29, 2023. **100% Other Funds**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Stevens acted as follows:

#44 Authorized to **retroactively** pay the Coastal States Organization, Washington, DC, in the amount of \$8,801, for membership dues. Effective for the period of July 1, 2023 through June 30, 2024. **100% Federal Funds**

#45 Authorized to award a grant to the City of Berlin, NH, in the amount not to exceed \$50,000, for wastewater utility cybersecurity improvements. Effective upon G&C approval through June 1, 2024. **100% Federal Funds**

#46 Authorized to award a grant to the Woodsville Fire District, Woodsville, NH, in an amount not to exceed \$98,950, to conduct a planning study at the Wastewater Treatment Plant. Effective upon G&C approval through June 30, 2025. **100% Federal Funds**

#47 Authorized to award a grant to the Town of Colebrook, NH, in an amount not to exceed \$100,000, to perform a planning study to evaluate upgrades to the Wastewater Treatment Plant. Effective upon G&C approval through June 1, 2025. **100% Federal Funds**

#48 Authorized to award a grant to the Spruce Valley Cooperative, Inc., Danville, NH, in the amount not to exceed \$1,019,000, for water and wastewater system improvements. Effective upon G&C approval through February 28, 2026. **100% Federal Funds**

#49 Authorized to award a Lead Service Line Inventory Grant to the Town of Derry, NH, in the amount of \$50,000, to develop and implement a drinking water service line. Effective upon G&C approval through December 31, 2024. **100% Federal Funds**

#50 Authorized to award a grant to the Town of Newport, NH, in an amount not to exceed \$100,000, to conduct a planning evaluation of the Dorr Mill lagoons current status and future management. Effective upon G&C approval through November 1, 2024. **100% Federal Funds**

#51 Authorized to award a grant to the Plymouth Village Water & Sewer District, Plymouth, NH, in the amount not to exceed \$240,000, for water system improvements. Effective upon G&C approval through December 1, 2025. **100% Federal Funds** (2) Further authorized to approve a loan agreement with Plymouth Village Water & Sewer District, in the amount not to exceed \$2,160,000, to finance water system improvements under the provisions of RSA 486:14 and NH Code of Administrative Rules Env-Dw 1100 et seq. Effective upon G&C approval. **100% Drinking Water State Revolving Loan Fund BIL Funds**

#52 Authorized to award a grant to the Rollinsford Water & Sewer District, Rollinsford, NH, in the amount not to exceed \$864,000, for water system improvements. Effective upon G&C approval through September 1, 2025. **31% Federal Funds, 69% Drinking Water and Groundwater Trust Funds** (2) Further authorized to approve a loan agreement with Rollinsford Water & Sewer District, in the amount not to exceed \$756,000, to finance water system improvements under the provisions of RSA 486:14 and NH Code of Administrative Rules Env-Dw 1100 et seq. Effective upon G&C approval. **100% Drinking Water State Revolving Loan Fund BIL Funds**

#53 Authorized to enter into a contract with Pinnacle Communications Resource Company, LLC, Baltimore, MD, in the amount of \$99,899, to provide services to design and implement a state-wide messaging campaign to educate, inform and raise civic engagement among NH drinking water users. Effective upon G&C approval through December 31, 2024. **100% Federal Funds**

#54 Authorized to enter into a contract with Nobis Engineering, Inc., Concord, NH, in the amount of \$1,460,000, to perform site investigations, Brownfields assessments, cleanup planning and remediation at contaminated sites. Effective upon G&C approval through June 30, 2027. **48% Federal Funds, 44% Other Funds, 8% General Funds**

#55 Authorized to enter into a contract with Ransom Consulting, LLC, Portsmouth, NH, in the amount of \$1,940,000, to perform site investigations, Brownfields assessments, cleanup planning and remediation at contaminated sites. Effective upon G&C approval through June 30, 2027. **36% Federal Funds, 64% Other Funds**

#56 Authorized to **retroactively** enter into a contract with Weston & Sampson Engineers, Inc., Portsmouth, NH, in the amount of \$2,920,000, to perform site investigations, Brownfields assessments, cleanup planning and remediation at contaminated sites. Effective as of July 1, 2023, upon G&C approval through June 30, 2027. **57% Federal Funds, 43% Other Funds**

#57 Authorized to **retroactively** enter into a contract with Weston Solutions, Inc., Concord, NH, in the amount of \$9,681,879, to perform site investigations, cleanup planning and remediation at contaminated sites. Effective as of July 1, 2023, upon G&C approval through June 30, 2027. **68% Federal Funds, 18% General Funds, 14% Other Funds**

#58 Authorized to award a grant to Stone Gate Acres Association, Inc., Hebron, NH, in the amount not to exceed \$60,000, for water system improvements under the provisions of RSA 485:F. Effective upon G&C approval through December 31, 2024. **100% Drinking Water and Groundwater Trust Fund**

#59 Authorized to award a grant to the Soda Brook Cooperative, Inc., Northfield, NH, in the amount not to exceed \$100,000, for water system improvements. Effective upon G&C approval through October 1, 2024. **100% Federal Funds**

#60 Authorized to award a grant to the Stony Brook Cooperative, Inc., Rochester, NH, in the amount not to exceed \$1,740,000, for water system improvements. Effective upon G&C approval through June 1, 2025. **57% Federal Funds, 43% Drinking Water and Groundwater Trust Fund**

#61 Authorized to award a Strategic Planning grant to the Town of Epping, NH, totaling \$50,000, to improve public water system sustainability. Effective upon G&C approval through July 15, 2025. **100% Federal Funds**

#62 Authorized to award a Strategic Planning grant to the Hooksett Village Water Precinct, Hooksett, NH, totaling \$50,000, to improve public water system sustainability. Effective upon G&C approval through June 15, 2025. **100% Federal Funds**

#63 Authorized to award a Strategic Planning grant to the City of Keene, NH, totaling \$50,000, to improve public water system sustainability. Effective upon G&C approval through August 1, 2025. **100% Federal Funds**

#64 Authorized to award a Strategic Planning grant to the Lakeview Condominium HOA, Enfield, NH, totaling \$18,720, to improve public water system sustainability. Effective upon G&C approval through August 1, 2025. **100% Federal Funds**

#65 Authorized to award a Strategic Planning grant to the Pembroke Water Works, Pembroke, NH, totaling \$50,000, to improve public water system sustainability. Effective upon G&C approval through June 15, 2025. **100% Federal Funds**

#66 Authorized to award a Strategic Planning grant to the Town of Stratham, NH, totaling \$50,000, to improve public water system sustainability. Effective upon G&C approval through June 15, 2025. **100% Federal Funds**

#67 Authorized to award a Strategic Planning grant to the Town of Walpole, NH, totaling \$50,000, to improve public water system sustainability. Effective upon G&C approval through June 15, 2025. **100% Federal Funds**

#68 Authorized to enter into an agreement with the Big Pea Porridge Watershed Preservation Association, Madison, NH, in the amount of \$70,000, to complete the *Banfield Brook Subwatershed Management Plan Development* program. Effective upon G&C approval through December 31, 2024. **100% Federal Funds**

#69 Authorized to enter into an agreement with the Nashua Regional Planning Commission, Nashua, NH, in the amount of \$14,635, to complete the *Souhegan River Corridor Management Plan and E. coli Mitigation* project. Effective upon G&C approval through June 30, 2025. **100% Federal Funds**

#70 Authorized to enter into a grant agreement with the Merrimack Village District, Merrimack, NH, in the amount of \$80,000, to complete the *Naticook Brook Watershed/Litchfield Tributaries Watershed Management Plan*. Effective upon G&C approval through March 31, 2025. **100% Federal Funds**

#71 Authorized to enter into an agreement with the Partridge Lake Property Owners Association, Littleton, NH, in the amount of \$75,000, to complete the *Partridge Lake Watershed Restoration Plan Implementation Phase 1: Preparation for In-Lake Phosphorus Treatment and Road Best Management Practices* project. Effective upon G&C approval through September 30, 2026. **100% Federal Funds**

#72 Authorized to award a grant to the Fox Hill Cooperative, Inc., Franconia, NH, in the amount not to exceed \$100,000, for wastewater system improvements. Effective upon G&C approval through February 28, 2026. **100% Federal Funds**

#72A Authorized to award a Brownsfield Cleanup Grant to the City of Franklin, NH, in the amount of \$200,000, to perform environmental site remediation work. Effective upon G&C approval through December 31, 2024. **100% Brownsfields Repayment Funds**

NEW HAMPSHIRE VETERANS HOME

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

#73 Authorized to grant an unpaid leave of absence for a period of nine additional months, as detailed in the letter dated July 18, 2023. Effective upon G&C approval.

#74 Authorized to enter into a contract with Daniels Equipment Co., Inc., Auburn, NH, in the amount of \$50,400, for the sole purpose of providing Ozone Laundry Washing System and Preventative Maintenance. Effective upon G&C approval through June 30, 2026. **100% General Funds**

#75 Authorized to enter into new contracts with the three vendors as detailed in the letter dated July 5, 2023, for an amount of \$4,140,000, to provide Temporary Staffing Services to the Veterans Home. Effective upon G&C approval through June 30, 2026, with the option to renew for an additional two-year period. **29% General Funds, 39% Federal Funds, 32% Other Funds**

DEPARTMENT OF EDUCATION

The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Gatsas acted as follows:

#76 Authorized the Bureau of Career Development to enter into a **sole source** contract with Gallup, Inc., Washington, DC, in an amount of \$10,000, to conduct a research project that will review and provide guidance for career and technical education (CTE) teachers, school counselors, and administrators to support non-traditional students enrolled in CTE programs. Effective upon G&C approval through September 30, 2023. **100% Federal Funds**

#77 Authorized the Bureau of Career Development to enter into a **sole source** contract with Tidewater Catering Group, LLC, Manchester, NH, in the amount of \$20,327.90, to provide catering for the Career and Technical Summer Learning Series at Manchester Community College. Effective upon G&C approval through August 31, 2023. **100% Federal Funds**

#78 Authorized to enter into a **sole source** amendment to an existing contract with the New Hampshire Career and Technical Administrators, Concord, NH (originally approved by G&C on 3/9/22, Item #88), by increasing the price limitation by \$47,100 from \$45,000 to \$92,100 and by extending the completion date from August 30, 2023 to August 30, 2025, to continue providing facilitation of Professional Learning Communities and professional development of Career and Technical Education teachers. Effective upon G&C approval. **100% Federal Funds**

#78A The Governor and Council on motion of Councilor Warmington, seconded by Councilor Gatsas, voted to **table** this item, with Councilors Kenney, Stevens, and Wheeler voting **no** the motion to table failed. Following discussion, the Governor and Council on motion of Councilor Stevens, seconded by Councilor Wheeler, with Councilors Warmington and Gatsas voting **no**, authorized to enter into a **sole source** grant agreement with the Seven Hills, Greenfield, NH, in the amount of \$6,843,070, to offset costs associated with capital improvements of the Crotched Mountain School campus buildings and facilities. Effective upon G&C approval through June 30, 2025. **100% Federal Funds**

DEPARTMENT OF SAFETY

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

#79 Authorized the Division of Administration to **retroactively** pay the Federation of Tax Administrators, Washington, DC, in the amount of \$7,685, for membership dues. Effective upon G&C approval for the period of July 1, 2023 through June 30, 2024. **100% Agency Funds**

#80 Authorized to enter into an agreement with Advanced Language Services, Colorado Springs, CO, in the amount of \$31,620, to provide transcribing services for investigations and hearings. Effective upon G&C approval through June 30, 2026. **61.29% Agency Income (Fees) and 38.71% Revolving Funds**

#81 Authorized the Division of Homeland Security and Emergency Management to **retroactively** amend the grant agreement with the Town of Londonderry, NH (originally approved by G&C on 9/15/21, Item #74F), to extend the completion date from August 31, 2022 to August 31, 2023, with no change in funding sources. Effective upon G&C approval. No additional funds being requested.

#81A Authorized to enter into a purchase agreement in an amount not to exceed \$6,588,000, to purchase approximately 122 Model Year 2024 Chevrolet Tahoe Police Pursuit Vehicles. Effective upon G&C approval through June 30, 2024. **71.61% General Funds, 20.61% Highway Funds, 7.57% Turnpike Funds, .21% Agency Income.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

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

#82 Authorized a Working Capital Warrant for the month of September 2023 in the amount of \$600,000,000 to cover the payment of expenditures for the month.

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

#84 Authorized to enter into a contract with Morton Salt, Inc., Chicago, IL, in the amount up to and not to exceed \$6,385,086.29, for rock and solar salt. Effective upon G&C approval for the period September 1, 2023 through August 31, 2024.

#85 Authorized to enter into a contract with Granite State Minerals, Inc., Lowell, MA, in the amount up to and not to exceed \$10,908,835.60, for rock and solar salt. Effective upon G&C approval for the period September 1, 2023 through August 31, 2024.

#86 Authorized to enter into a contract with Marbucco Corp., Gilford, NH, in an amount up to and not to exceed \$450,223.73, for vehicle glass supply and install services. Effective upon G&C approval through June 30, 2028, with an option to extend for up to two additional years.

#87 Authorized to enter into a contract with AT New Hampshire, LLC, Manchester, NH, in the amount up to and not to exceed \$3,106,335.17, for International engine truck replacement parts and supplies. Effective upon G&C approval through June 30, 2026, with an option to extend for up to two additional years.

#88 Authorized the Division of Public Works Design and Construction to enter into a contract with Triple Construction, LLC, Hudson, NH, for a total price not to exceed \$646,573, for ARPA Fort Stark Security and Parking Improvements, New Castle, NH. (2) Further authorized a payment of \$40,000 to the Department of Administrative Services, Division of Public Works Design and Construction, for engineering services provided, bringing the total amount to \$686,573. Effective upon G&C approval through May 24, 2024. **100% Federal Funds**

#89 Authorized to enter into a contract with Smith, Alvarez, Sienkiewicz Architects, P.C., Burlington, VT for a total price not to exceed \$532,150, for Londonderry 512-Patrol and Salt Shed Replacements, Londonderry, NH. (2) Further authorized a contingency in the amount of \$45,650 for unanticipated expenses, bringing the total to \$577,800. (3) Further authorized a payment of \$30,000 to the Department of Administrative Services, Division of Public Works Design and Construction, for engineering services provided, bringing the total amount to \$607,800. Effective upon G&C approval through the completion of construction administrative services, estimated to be April 30, 2025. **100% Capital Funds**

*

ITEMS REMOVED FROM THE TABLE

On July 19, 2023:

The Governor and Council on motion of Councilor Gatsas, seconded by Councilor Wheeler, voted to **table** #31A below.

On August 2, 2023:

The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Kenney voted to remove tabled item #31A below. Then, the Governor and Council on motion of Councilor Wheeler, seconded by Councilor Gatsas voted to adopt the item, for the purpose of discussion. Following discussion, Councilors Kenney, Warmington, Stevens, Gatsas, and Wheeler voted **no**, therefore the Governor and Council **failed** to approve previously tabled item #31A below.

DEPARTMENT OF TRANSPORTATION

#31A Authorize the Bureau of Highway Maintenance to enter into a lease agreement with Caterpillar Financial Services Corporation, Nashville, TN, on the basis of a low bid of \$1,836.04, per month per unit, for sixty-seven loader backhoes, for a total lease value of \$7,380,880.80. Effective upon G&C approval for a lease term of 5 years. **100% Highway Funds**

*

On July 19, 2023:

The Governor and Council on motion of Councilor Warmington, seconded by Councilor Gatsas, voted to **table** #43A below.

On August 2, 2023:

The Governor and Council on motion of Councilor Warmington, seconded by Councilor Kenney, voted to remove tabled item #43A below. Further, the Governor and Council on motion of Councilor Warmington, seconded by Councilor Kenney voted to adopt item #43A below for the purpose of discussion. Following discussion, previously tabled item #43A was approved.

PUBLIC UTILITIES COMMISSION

#43A Authorized to enter into a contract with Bates White, LLC, Washington, DC, in an amount not to exceed \$153,750, for consulting services related to utility analysis, data collection, extraction, cleaning, and modeling to provide analysis to the PUC on an as needed basis. Effective upon G&C approval through July 31, 2025, with the option to renew for an additional term of two years. **100% Other Funds (Utilities Assessment)**

*

The next regular Governor and Executive Council meeting is scheduled for Wednesday August 23, 2023 at 10:00 a.m. at Seashell Pavilion, Hampton Beach, NH.

The Honorable Board then adjourned at 12:30 p.m.