

STATE OF NEW HAMPSHIRE  
Executive Council

DAVID K WHEELER  
EXECUTIVE COUNCILOR  
DISTRICT FIVE



STATE HOUSE ROOM 207  
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CONCORD, NH 03301  
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**TO:** All Fifth District Cities and Towns  
**FROM:** Executive Councilor David K. Wheeler  
**DATE:** October 5, 2016

The Governor and Executive Council met on Wednesday, October 5, 2016 at the Seacoast School of Technology in Exeter, NH and considered an agenda of approximately 46 items.

The next scheduled Governor and Executive Council Meeting will be held on Wednesday, October 26, 2016 at 10:00 a.m. in the Council Chamber at the State House, Concord, NH.

*The following Authorized items might be of interest to District Five constituents that are highlighted in bold and italicized.*

**CONSENT CALENDAR AGENDA**

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

**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Bureau of Contracts & Procurement**

**#A.** Authorized to enter Marianne Sylvester into an educational tuition agreement with Southern NH University, College for America, Manchester, NH, to participate in 24 Completed Projects in Communications and Business, during the period of December 1, 2016 through May 30, 2017, and to pay said costs in the amount of \$1,500. **Employee Training Funds. Vote: 3-1-1 (Van Ostern recused, Wheeler-No)**

**STATE TREASURY**

**#B.** Authorized the Comptroller to issue a warrant from funds not otherwise appropriated in the amount of \$102,372 and the State Treasurer to issue checks in the amount of \$102,372.33 to the rightful owners of abandoned or unclaimed funds. **Unanimous Vote**

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

**DEPARTMENT OF SAFETY**

**#A.** Authorized the Division of Safety to accept the donation of 200 mourning bands with a value of approximately \$100 from Neptune Uniforms to be used by the Division of State Police when the unfortunate death of an officer occurs. Effective upon G&C approval. **Unanimous Vote**

**DEPARTMENT OF SAFETY**

#B. Authorized to accept a donation of travel expenses worth an estimated \$3,000 from Donate Life America, Waltham, MA, in travel expenses for the Director of the Division of Motor Vehicles and one additional DMV employee to participate in the 2016 Donate Life America Annual Conference in Las Vegas, Nevada. **Unanimous Vote**

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

**BANKING DEPARTMENT**

#A. Authorized to accept and place on file the Annual Report for calendar year ending December 31, 2015. **Unanimous Vote**

**DEPARTMENT OF ADMINISTRATIVE SERVICES**

#B. *Authorized to accept and place on file the Report and Findings of Councilor David K. Wheeler with regard to a certain project in participate with Southern NH Medical Center in Nashua, NH. Unanimous Vote*

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

**THE ADJUTANT GENERALS DEPARTMENT**

#A. Authorized the confirmation of Major Kenneth V. Leedberg Jr, Stratham, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard. **Unanimous Vote**

**THE ADJUTANT GENERALS DEPARTMENT**

#B. Authorized the nomination of Lieutenant Colonel David M. Jaffe, Providence, RI, for appointment to the rank of Lieutenant Colonel, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified. **Unanimous Vote**

**DEPARTMENT OF JUSTICE**

#C. Authorized to reappoint Sean P. Gill as an Assistant Attorney General at a salary level of \$85,750. Effective October 9, 2016 to October 9, 2021. **Unanimous Vote**

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

**DEPARTMENT OF INFORMATION TECHNOLOGY**

#A. Authorized, for the benefit of the Department of Labor, to enter into a contract amendment with iDoxSolutions Inc., Bethesda, MD (originally approved by G&C on 4-9-14, item #18, in the amount of \$156,630.40), for support and maintenance of Electronic Document Management System, by extending the expiration date from October 30, 2016 to October 30, 2019. No Additional Funding. **100% Other (Agency Class 27) Funds: the agency class 27 used by DOL to reimburse DoIT for this contract is 96% from the Workers' Compensation Insurance Assessment fund and 4% from the Inspection Fees-Certificates-License Fund. Vote: 4-1 (Wheeler)**

## REGULAR AGENDA

### **BUSINESS FINANCE AUTHORITY**

[#6](#) Authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13 with respect to a loan from Georgetown Bank to Moonlight Meadery, LLC located in Londonderry, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act. **Vote: 4-1 (Wheeler)**

[#7](#) Authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13-a with respect to a loan from Georgetown Bank to Moonlight Meadery, LLC located in Londonderry, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act. **Vote: 4-1 (Wheeler)**

### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

#### *Division of Client Services*

[#8](#) Authorized to enter into an agreement with Jill Weyant, RN, Franklin, NH, for the provision of Long Term Supports and Services clinical determination services, in an amount not to exceed \$54,600. Effective upon G&C approval through June 30, 2018. **75% Federal, 25% General Funds. Unanimous Vote**

[#9](#) Authorized to enter into agreements with Keystone Peer Review Organization Inc., Harrisburg, PA for the provision of Pre-admission Screening and Resident Review and Nursing Facility Level of Care services in an amount not to exceed \$938,050. Effective upon G&C approval through June 30, 2017. **75% Federal, 25% General Funds. Unanimous Vote**

#### *Division for Children, Youth & Families*

[#10](#) Authorized to enter into an agreement with The Rowley Agency, Concord, NH, for the provision of general liability coverage for foster parents in an amount not to exceed \$70,407.95. Effective October 11, 2016 or upon G&C approval through October 11, 2017. **30% Federal, 70% General Funds. Unanimous Vote**

[#11](#) Authorized to enter into an agreement with Sara DeGennaro, MA LCMHC, MLADC, CS, Ascutney, VT, for the provision of Master Licensed Alcohol and Drug counseling services in the Claremont District Office, in an amount not to exceed \$87,750. Effective upon G&C approval through June 30, 2017. **75% Federal, 25% General Funds. Unanimous Vote**

[#12](#) Authorized to enter into an agreement with Tina-Marie R. Pillsbury, MLADC, Canterbury, NH, for the provision of master licensed alcohol and drug counseling services in the Laconia District Office, in an amount not to exceed \$87,750. Effective upon G&C approval through June 30, 2017. **75% Federal, 25% General Funds. Unanimous Vote**

#### *Office of Medicaid Services*

[#12A](#) Authorized to amend the existing individual agreements with the state's two managed care health plans, Granite State Health Plan d/b/a NH Healthy Families, Bedford, NH, and Boston Medical Center HealthNet Plan d/b/a Well Sense Health Plan, Boston, MA (originally approved by G&C on 5-9-12, item #54A), in order to extend the operation of these agreements for one year from June 30, 2017 to June 30, 2018. Also, this amendment makes no changes to the SFY 2017 price limitation of \$672,617,075 and adds a SFY 2018 price limitation of \$672,617,075 to the contracts for a cumulative contract value of \$2,957,756,199.08 for all Medicaid Care Management contracts. **Vote 4-1 (Wheeler)**

### **DEPARTMENT OF TRANSPORTATION**

[#13](#) Authorized to budget and expend prior year carry-forward funds in the amount of \$580,745 from the Special Railroad Fund for the maintenance and repair of State-owned railroad lines. (2)Further Authorized to expend an amount not to exceed \$580,745 from the Special Railroad Fund for

maintenance and repair of State-owned railroad lines and bridges. Effective upon G&C approval through June 30, 2017. **100% Other Funds (Special Railroad Funds). Fiscal Committee approved.**

**#14** Authorized to accept and place on file, the report of all permanent state-owned vehicle assignments. **Unanimous Vote**

**#15** Authorized the Bureau of Right of Way to sell a 0.32 +/- of an acre parcel of State owned land located on the westerly side of the Spaulding Turnpike and northeasterly side of Silver Street in the Town of Milton to Glenn Hyslop for \$3,000 which includes a \$1,100 administrative fee. Effective upon G&C approval. Originally purchased with 100% Turnpike Funds. **Unanimous Vote**

**#16** Authorized the Bureau of Right of Way to pay property owners \$35,295 as documented in the Contemplated Awards List for amounts greater than \$5,000. Effective August 23, 2016 through September 2, 2016. **Unanimous Vote**

**#17** Authorized the Bureau of Aeronautics to enter into an agreement with Jacobs Engineering Group Inc., Bedford, NH and Pasadena, CA, for on-call aviation planning, engineering, and technical support services for various aviation projects statewide, for an amount not to exceed \$500,000. Effective upon G&C approval through July 1, 2021. **90% Federal, 10% General Funds. Unanimous Vote**

**#18** Authorized the Bureau of Rail & Transit to pay an amount not to exceed \$1,118,325 to Advance Transit Inc., Wilder, VT, to procure five (5) replacement transit vehicles. Effective upon G&C approval through December 31, 2018. **92% Federal, 8% Capital General Funds. Unanimous Vote**

**#18A** Authorized the Bureau of Highway Design to amend a contract with Parsons Brinckerhoff Inc., New York, NY and Manchester, NH (originally approved by G&C on 2-20-13, item #88), to complete the final design of the roadway and bridges comprising the northern section of the Salem-Manchester I-93 improvement project beginning in the Town of Windham and ending in the City of Manchester, by increasing the price by \$521,218.03 from \$11,122,780.50 to \$11,643,998.53 for additional design services that were not anticipated in the original scope of work. Effective upon G&C approval through February 28, 2018. **100% Other Funds. Unanimous Vote**

#### **COMMUNITY DEVELOPMENT FINANCE AUTHORITY**

**#19** *Authorized to award a grant to the County of Cheshire, Keene, NH, in the amount of \$500,000 on behalf of West Swanzey Affordable Housing Limited Partnership (represented by its owner Keene Housing), to support capital improvements at the Riverbend Apartments in Swanzey, NH. Effective October 5, 2016 through June 30, 2018. 100% Federal Funds. Unanimous Vote*

#### **STATE TREASURY**

**#20** Authorized to proceed with the sale and issuance of up to \$10 million of general obligation bonds through a private placement with the NH Municipal Bond Bank should the NHMBB choose to proceed with a new money issue and/or a refunding issue. Effective upon G&C approval though March 31, 2017. **Unanimous Vote**

**#21** Authorized the State Treasurer, as Trustee of the NH Higher Education Savings Plan Trust, to amend the document as detailed in letter dated September 21, 2016, relating to the NH College Tuition Savings Plan. All compensation paid to the Investment Manager and all administrative costs incurred by the Trust are funded by means of an administrative assessment collected directly from the investment portfolios of participants in the Savings Plan. Effective October 5, 2016. **Unanimous Vote**

#### **DEPARTMENT OF CORRECTIONS**

**#22** Authorized to transfer appropriations in the amount of \$2,407 and establish new class lines in the Adult Basic Education account in support of the Corrections School District high school equivalency program. (2) Further Authorized to accept and expend funds made available through the Adult Basic

Education in the amount of \$3,697 which will be utilized for instructional materials in support of the Corrections Special School District student high school equivalency program. Effective upon G&C approval through June 30, 2017. **100% Agency Income (Federal Funds at origin). Fiscal Committee approved. Unanimous Vote**

[#23](#) Authorized to establish one temporary part-time Victim Witness Specialist, Labor Grade 26, in class 050, for the purpose of the Victim Offender Dialogue Coordinator/Trainer for the NH Department of Corrections Victim Services Division in support of the Victims of Crime Act sub grant. (2) Further Authorized to accept and expend funds made available through a Victims of Crime Act sub grant from the NH Department of Justice in the amount of \$20,935 for assistance to crime victims and their families. Effective upon G&C approval through June 30, 2017. **100% Agency Income (federal funds at origin). Fiscal Committee approved. Unanimous Vote**

#### **DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT**

[#24](#) Authorized the Division of Travel and Tourism Development to transfer funds in the amount of \$150,000 to reallocate direct Promotional and Marketing Funds in FY2017. Effective upon G&C approval through June 30, 2017. **100% General Funds. Fiscal Committee approved. Unanimous Vote**

[#25](#) Authorized the Division of Economic Development to transfer funds in the amount of \$100,000 to reallocate contracted Promotional and Marketing Funds in FY2017. Effective upon G&C approval through June 30, 2017. **100% General Funds. Unanimous Vote**

[#26](#) Authorized the Division of Forests and Lands to enter into a **retroactive** lease agreement with Northern New England Telephone Operations LLC d/b/a Fairpoint Communications – NNE of Charlotte, NC, for equipment and antenna space in designated areas at the summit of Mount Washington, Mount Washington State Park, Sargent's Purchase, NH. Effective July 1, 2016 through June 30, 2021, with the option to renew for three additional 5-year periods. (2) Further Authorized to accept an initial annual rent payment in the amount of \$25,200. The annual rent for subsequent years will be subject to the Consumer Price Index escalation. The rental payments will be deposited into the "Mt Washington Commission" account. **Unanimous Vote**

[#27](#) Authorized the Division of Forests and Lands to enter into a **retroactive** memorandum of agreement with the NH Fish and Game Department for the purpose of providing Off Highway Recreational Vehicle Enforcement Patrols. (2) Further Authorized to accept and expend payments not to exceed \$3,240 to be made by NHF&G. Effective July 1, 2016 through June 30, 2017. **100% Other Funds. Unanimous Vote**

#### **NEW HAMPSHIRE FISH AND GAME DEPARTMENT**

[#28](#) Authorized to enter into a **sole source** contract with Roger Stephenson, d/b/a Stephenson Strategic Communications, Stratham, NH, for fundraising efforts for the Nongame and Endangered Wildlife Program, in an amount not to exceed \$25,280. Effective upon G&C approval through September 30, 2018. **100% Other Funds (Nongame). Unanimous Vote**

#### **DEPARTMENT OF ENVIRONMENTAL SERVICES**

[#29](#) Authorized to enter into an agreement with Marston Industrial Service Inc., Fairfield, ME, for industrial painting services to recoat four anaerobic digester covers and associated structures, in the amount of \$52,000. Effective upon G&C approval through June 30, 2017. **100% WRBP Funds. Unanimous Vote**

#### **DEPARTMENT OF EDUCATION**

[#30](#) Authorized the Division of Program Support to contract with Community & School Partners LLC, Rye, NH, to provide technical assistance in improving the functionality of the Educator Information System, in an amount not to exceed \$89,510. Effective upon G&C approval through June 30, 2017. **100% Agency Income (Credentialing Fees). Unanimous Vote**

[#31](#) Authorized the Bureau of Vocational Rehabilitation to enter into a contract with Northeast Deaf and Hard of Hearing Services Inc., Concord, NH, to provide independent living services in an amount not to exceed \$64,222. Effective October 6, 2016 through September 30, 2017. **100% Federal Funds. Unanimous Vote**

#### **DEPARTMENT OF SAFETY**

[#32](#) Authorized the Division of State Police to accept and expend \$128,385 of federal pass-through funds from NH Department of Justice for the purpose of hiring a State Police Detective Trooper and a part-time prosecutor. (2) Further Authorized to establish one temporary full-time State Police Detective Trooper (LG 21, D416), one temporary part-time Attorney III (LG 30) to be assigned in the Division of State Police, Major Crime Unit, and to establish a class 046 in an effort to implement best practices in the investigations of adult sexual assault cases. Effective upon G&C approval through June 30, 2017. **100% Agency Income. Fiscal Committee approved. Unanimous Vote**

[#33](#) Authorized the Division of Homeland Security and Emergency Management to **retroactively** extend the end date of a subgrant from the NH Department of Education from March 31, 2016 to March 31, 2017 and to **retroactively** accept and expend \$114,661 of subgrant funds for the purpose of assisting NHDOE in completing the scope of the US Department of Education grant entitled "Developing Capacity to Improve Emergency Operations Plans in NH". (2) Further Authorized to **retroactively** amend item #67, originally approved by G&C on December 16, 2015, by extending the end date only from March 31, 2016 to March 31, 2017, to continue four temporary part-time, class 050 positions for the purpose of providing training and technical assistance directly to NH school districts and their stakeholders in support of the NH Department of Education's grant entitled "Developing Capacity to Improve Emergency Operations Plan in NH. Effective April 1, 2016 through March 31, 2017. **100% Agency Income. Fiscal Committee approved. Unanimous Vote**

[#34](#) Authorized the Division of Administration to **retroactively** pay Edwin Shannon the amount of \$5,477.95 owed him due to an incorrect labor grade entry for the period of February 20, 2015 through June 30, 2016. **100% Highway Funds. Unanimous Vote**

[#35](#) Authorized the Division of State Police to **retroactively** exercise a one-year inter-agency rental agreement with the Department of Transportation (originally approved by G&C on 2-7-07, item #119), to provide vehicle storage space located in the Stickney Avenue Facility, Concord, NH, in the amount of \$50,320. This is a fixed amount for SFY 2017. Effective July 1, 2016 through June 30, 2017. **100% Federal Funds. Unanimous Vote**

[#36](#) Authorized the Division of State Police to accept, and expend \$31,997 of federal funds from the Federal Motor Carrier Safety Administration entitled Border Enforcement Grant Program, to ensure that motor carriers and drivers operating commercial motor vehicles entering the US from a foreign country are in compliance with US CMV safety standards and regulations. Effective upon G&C approval through September 30, 2017. **100% Federal Funds. Unanimous Vote**

[#37](#) Authorized the Division of State Police to **retroactively** exercise an option to renew a contract with 2-Way Communications Service Inc., Newington, NH (originally approved by G&C on 12-2-15, item #59), for the provision of repair and certification of Kustom radar units, in an amount not to exceed \$20,000. Effective July 1, 2016 through June 30, 2017. **44% General, 33% Highway, 23% Turnpike Funds. Unanimous Vote**

[#38](#) Authorized the Division of State Police to **retroactively** exercise an option to renew a contract with TMDE Calibration Labs Inc., Richmond, ME (originally approved by G&C on 11-4-15, item #57), for the provision of repair and certification of Stalker radar units, in an amount not to exceed \$20,000. Effective July 1, 2016 through June 30, 2017. **33% Highway, 44% General, 23% Turnpike Funds. Unanimous Vote**

[#39](#) Authorized the Division of State Police to **retroactively** exercise an option to renew a contract with TMDE Calibration Labs Inc., Richmond, ME (originally approved by G&C on 12-16-15, item #79), for the

provision of repair and certification of Decatur radar units, in an amount not to exceed \$2,000. Effective July 1, 2016 through June 30, 2017. **33% Highway, 44% General, 23% Turnpike Funds. Unanimous Vote**

[#40](#) Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Chester to purchase supplies and equipment to support the operations of the community's emergency shelter for a total amount of \$65,091. Effective upon G&C approval through September 30, 2017. **100% Federal Funds. Unanimous Vote**

[#41](#) Authorized the Division of Homeland Security and Emergency Management to enter into a memorandum of agreement with the NH Department of Safety, Division of State Police, for the purpose of supporting the Information and Analysis Center with a part-time Program Assistant II, for a total amount of \$27,000. Effective upon G&C approval through September 30, 2017. **100% Federal Funds. Unanimous Vote**

[#41A](#) Authorized the Division of State Police to enter into grant agreements in substantially similar form and format to the documents as detailed in letter dated September 30, 2016, with the counties and municipalities listed for a total amount of \$1,267,901.78 for the investigation and apprehension of individuals or organizations that are involved in opioid related drug use and trafficking. Effective upon G&C approval through June 30, 2017. **100% General Funds. Unanimous Vote**

#### **DEPARTMENT OF JUSTICE**

[#42](#) Authorized to amend item #89, originally approved by G&C on December 16, 2015, by extending the current end date only **retroactively** from September 30, 2016 to December 31, 2016 for a grant of \$955,095. This funding is for the purposes of establishing a Statewide Automated Victim Information and Notification Program. (2) Further Authorized to extend the end date of the subgrant to the NH Department of Safety, in the amount of \$955,095 from September 30, 2016 to December 31, 2016. Effective upon G&C approval through December 31, 2016. No Additional Funding. **100% Federal Funds. Fiscal Committee approved. Unanimous Vote**

#### **DEPARTMENT OF ADMINISTRATIVE SERVICES**

[#43](#) Authorized the Bureau of Purchase and Property, Surplus Distribution Section to accept and expend State Administrative Expense funds in the amount of \$129,422. (2) Further Authorized to budget and expend prior year funds in the amount of \$74,000 available from State Administrative Expense grant that was not expended in SFY 2016 which will be used to pay for equipment and expenses incurred during SFY 2017. Effective upon G&C approval through June 30, 2017. **100% Federal Funds. Fiscal Committee approved. Unanimous Vote**

[#44](#) Authorized a Working Capital Warrant in the amount of \$550,000,000 to cover the payment of expenditures for the month of November 2016. **Unanimous Vote**

[#45](#) Authorized the Division of Personnel's request for waiver of classification decisions. Effective upon G&C approval. **Unanimous Vote**

[#46](#) Authorized to **retroactively** enter into a contract with Sprint Solutions Inc., Overland Park, KS, for the provision of Wireless Cellular Telephone and Data Services, for a total price limitation of \$200,000. Effective September 30, 2016 through March 31, 2019. **Unanimous Vote**

## TABLED ITEMS

### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

*(Tabled at G&C Meeting 5/18/16)*

#### **Division of Family Assistance**

#9 **TABLED** – The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Kenney, voted to **table** the request to amend an existing agreement with Good News Garage LSS Inc., a subsidiary of Ascentria Care Alliance, Worcester, MA (originally approved by G&C on 5-1-13, item #37A), to provide affordable car ownership opportunities to low income individuals, by increasing the price by \$275,000 from \$1,794,700 to \$2,069,700. Effective upon G&C approval through the original end date of June 30, 2017. **100% Federal Funds.**

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#### **CONFIRMATION TABLED** *(Tabled at G&C Meeting 6/15/16)*

The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Sununu, and with Councilors Van Ostern and Pappas voting **no**, voted to table the following confirmation:

Executive Branch Ethics Committee - RSA 21-G:29

(Nominated by the State Treasurer)

Gregory L. Silverman (d), Concord  
Reappointment

Effective: June 30, 2016  
Term: June 30, 2019

#### **New Nominations by Governor Hassan for District Five:**

Board of Acupuncture Licensing

L. Cindy Theroux-Jette, Nashua

Jeanne Ann Whittington, Dunbarton

Air Resources Council

J. Ryan Bielagus, Amherst

Family Mediator Certification Board

Peter D. Goldsmith, Mason

New Hampshire Water Well Board

Peter W. Caswell, Temple

#### **Confirmed by the Council for District Five:**

Board of Architects

Sheldon K. Pennoyer, Greenfield

Board of Licensure of Interpreters for the Deaf and Hard of Hearing

Kirk C. Simoneau, Merrimack

Director of the Division of State Police at the Department of Safety

Christopher J. Wagner, Litchfield

Volunteer New Hampshire Board of Directors

Justin Kates, Nashua

***The Executive Council welcomes public input on nominations that are brought forward by the Governor for consideration and confirmation.***

If you have interest in serving on any of the 300+ State Boards or Commissions please send a letter of interest along with a resume, to Catherine George in care of the Governor's office and a copy to Executive Councilor Sununu. Please feel free to contact me with concerns or support for any of the above individuals or any other issues you might have.

A listing of the Boards and Commissions, along with the qualifications required, can be found at

<http://www.sos.nh.gov/redbook/index.htm>.