

STATE OF NEW HAMPSHIRE  
Executive Council

JOSEPH D. KENNEY  
EXECUTIVE COUNCILOR  
DISTRICT ONE



STATE HOUSE ROOM 207  
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**To:** All Cities and Towns in District One  
**From:** Executive Councilor Kenney  
**Date:** July 13, 2016

The Governor and Executive Council met on Wednesday, July 13, 2016 at the Hooksett Library, Hooksett, NH and considered an agenda of approximately 32 items.

The next scheduled Governor and Council meeting will be held on Wednesday, August 3, 2016 at 10:00 AM in Nashua. These meetings are open to the public.

The items below in ***Bold/Italics*** are of significance to District One.

**CONSENT CALENDAR AGENDA**

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

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Division of Public Health Services**

**#A.** Authorized three staff members: one Infectious Disease Epidemiologist, one Food Safety and Defense Specialist, and one Microbiologist, to travel over 300 miles (312.77 miles) one way in a privately owned vehicle in the amount of \$337.80 to attend the New York State Department of Health Integrated Food Safety Center of Excellence Food Safety Symposium. Effective July 18-21, 2016. **100% Other Funds from the NY Center of Excellence.** Funds in the amount of \$540.69 not covered by the NY Center for Excellence are available in SFY 2017 operating budget. **100% Federal Funds. Unanimous Vote**

**INSURANCE DEPARTMENT**

**#B.** Authorized to enter Martha Mobley into an Education Tuition agreement with College for America at Southern NH University, to participate in 24 Completed Projects, during the period of August 1, 2016 through January 31, 2017, and to pay costs not to exceed \$1,500. **100% Other (Insurance Department Administrative Assessment). VOTE: 4-0** (Van Ostern recused)

## **NEW HAMPSHIRE LOTTERY COMMISSION**

[#C.](#)

Authorized to enter Sandy Goulet into an Educational Tuition Agreement with Southern NH University, Manchester, NH, to participate in an online course entitled Financial Accounting, during the period of August 22, 2016 through October 18, 2016, and to pay costs not to exceed \$864. **Lottery Funds. VOTE: 4-0** (Van Ostern recused)

## **STATE TREASURY**

[#D.](#)

Authorized the Comptroller to issue a warrant from funds not otherwise appropriated in the amount of \$65,878 and the State Treasurer to issue checks in the amount of \$65,878.41 to the rightful owners of abandoned or unclaimed funds. **Unanimous Vote**

## **OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION**

[#E.](#)

Authorized the Division of Medical Professions, Board of Nursing to pay annual dues to the National Council of State Boards of Nursing, Chicago, IL, for the Board's participation in the National Licensing Compact Administrators, in the amount of \$6,000. Effective October 1, 2016 to September 30, 2017. **100% General Funds. Unanimous Vote**

## **BANKING DEPARTMENT**

[#F.](#)

Authorized to continue membership and participation in the Conference of State Bank Advisors, for an amount not to exceed \$10,800. Effective upon G&C approval through June 30, 2017. **100% Other Funds. Bank Exams and Assessments. Unanimous Vote**

## **BANKING DEPARTMENT**

[#G.](#)

Authorized to continue membership and participation in the National Association of State Credit Union Supervisors, for an amount of \$14,419.46. Effective upon G&C approval through June 30, 2017. **100% Other Funds. Bank Exams and Assessments. Unanimous Vote**

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

### **DEPARTMENT OF INFORMATION TECHNOLOGY**

[#A.](#)

*Authorized Denis Goulet, Commissioner, to accept the donation of mileage reimbursement in the amount of \$84.24 from Dartmouth College, Hanover, NH, in order to attend the Securing the eCampus Conference to be held on July 12 at Dartmouth College. Unanimous Vote*

### **THE ADJUTANT GENERALS DEPARTMENT**

[#B.](#)

*Authorized to accept donations of computer services, monument and engraving, folding chairs, coffee and insect control services in the amount of \$11,669.75 for the NH State Veterans Cemetery to be used for the operation, maintenance, and improvements of the cemetery. Unanimous Vote*

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

### **DEPARTMENT OF TRANSPORTATION**

[#A.](#)

Authorized to accept and place on file the Bureau of Mechanical Services' Monthly Equipment Acquisition Plan status report for the period ending May 31, 2016. **Unanimous Vote**

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

**THE ADJUTANT GENERALS DEPARTMENT**

#A. Authorized the confirmation of Dr. Heidi E. MacVittie, Dover, NH, for appointment to the rank of Major, NH Air National Guard. **Unanimous Vote**

**THE ADJUTANT GENERALS DEPARTMENT**

#B. Authorized the nomination of Major James A. Hanson III, Epsom, NH, for promotion to the rank of Lieutenant Colonel, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified. **Unanimous Vote**

**THE ADJUTANT GENERALS DEPARTMENT**

#C. Authorized the nomination of Major Jeffrey G. Walz, Candia, for promotion to the rank of Lieutenant Colonel, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified. **Unanimous Vote**

**DEPARTMENT OF JUSTICE**

#D. Authorized to appoint Nicole E.A. Thorspecken as an Attorney at a salary level of \$60,000. Effective upon G&C approval or July 29, 2016, whichever is the latter. **Unanimous Vote**

**DEPARTMENT OF JUSTICE**

#E. Authorized to appoint Thomas Broderick as an Assistant Attorney General at a salary level of \$62,000. Effective upon G&C approval or July 25, 2016, whichever is the latter, through August 31, 2019. **Unanimous Vote**

**DEPARTMENT OF JUSTICE**

#F. Authorized to appoint John Harding as an Attorney at a salary level of \$76,000. Effective upon G&C approval or July 15, 2016, whichever is the latter. **Unanimous Vote**

**REGULAR AGENDA**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

***Bureau of Homeless and Housing Services***

**#5** Authorized to enter into a **sole source** agreement with Center for Life Management, Derry, NH, to provide shelter plus care, permanent housing program to homeless individuals with disabilities and their families through the Federal Continuum of Care program in an amount not to exceed \$277,860. Effective August 1, 2016 through July 31, 2017. **100% Federal Funds. Unanimous Vote**

**#6** Authorized to enter into an agreement with Harvey L. Levy, MA, Newton, MA, to provide physician consultant services on an individual, case-by-case, as needed basis to the NH Newborn Screening Program and the NH Medical Community, in an amount not to exceed \$54,000. Effective upon G&C approval through June 30, 2019. **100% Other Funds. Unanimous Vote**

***Bureau of Human Resource Management***

**#6A** Authorized the determination made by the Commissioner that on June 28, 2016 Kyle Clark, a Mental Health Worker II at the NH Hospital sustained an injury in the line of duty due to a hostile or overt act, or an act caused by another during the performance of duties which are considered dangerous in nature. Effective upon G&C approval. **Unanimous Vote**

***Bureau of Drug and Alcohol Services***

**#6B** Authorized to enter into a **sole source** agreement with Foundation for Healthy Communities, Concord, NH, for the purpose of expanding the State's capacity to provide Office-based Opiate Treatment including the use of medications to NH residents experiencing opioid addiction in an amount not to exceed \$1,800,000. Effective upon G&C approval through June 30, 2018. **75% Federal, 25% General Funds. Unanimous Vote**

**#6C** *Authorized to enter into a sole source agreement with Granite Pathways c/o Fedcap, Concord, NH, for the provision of Regional Access Point Services to assist individuals with substance use disorders obtain the help they need, in an amount not to exceed \$1,200,000. Effective upon G&C approval through June 30, 2017. 75% Federal, 25% General Funds. Unanimous Vote*

**Division of Public Health Services**

**#6D** *Authorized to enter into **sole source** agreements with the vendors as detailed in letter dated June 30, 2016, to provide analytical specialty laboratory testing services. No maximum service volume is guaranteed. The price limitation amongst all contracts is \$250,000 for SFY 2017. Effective upon G&C approval through June 30, 2017. 100% General Funds. Unanimous Vote*

**DEPARTMENT OF TRANSPORTATION**

**#7** *Authorized to accept and place on file the Bureau of Finance and Contracts' report of all paid Small Claims in the previous fourth quarter of FY 2016, totaling \$596.29, for individual amounts less than \$600. (2)Further Authorized to pay small claims for the next FY first quarter, July 1, 2016 through September 30, 2016. 100% Highway Funds. Unanimous Vote*

**#8** *Authorized the Bureau of Mechanical Services to enter into a contract with Unifirst Corporation, Nashua, NH, for providing uniforms to certain employees of the Bureau, on the basis of a low bid of \$26,432.64. Effective upon G&C approval through June 30, 2018. 92% Highway, 8% Other Funds. Unanimous Vote*

**#9** *Authorized the Bureau of Construction to enter into a contract with Railworks Track Services Inc., Westfield, MA, for reconstructing two railway-highway, at-grade crossings and approaches including protective devices at two locations on US Route 3 in Carroll, on the basis of a low bid of \$530,671. (2)Further Authorized a contingency in the amount of \$53,067.10 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through August 26, 2016. 100% Federal Funds. Unanimous Vote*

**#10** *Authorized the Bureau of Construction to enter into a contract with Hi-Way Safety Systems Inc., Rockland, MA, for addressing signing needs along the turnpike, on the basis of a low bid of \$506,245.60. (2)Further Authorized a contingency in the amount of \$25,312.28 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through May 5, 2017. 100% Turnpike Funds. Unanimous Vote*

**#11** *Authorized the Bureau of Construction to enter into a contract with Railworks Track Services Inc., Westfield, MA, for reconstructing railway-highway at-grade crossing and approaches on US 3 near Cumberland Farms and the Winnepesaukee River in Tilton, on the basis of a low bid of \$443,298. (2)Further Authorized a contingency in the amount of \$44,329.80 for payment of latent conditions, which may appear during the construction of the project. Effective upon G&C approval through September 30, 2016. 100% Federal Funds. Unanimous Vote*

**#12** *Authorized the Bureau of Construction to enter into a contract with Delucca Fence Company Inc., Methuen, MA, for replacing guardrail and end terminals along NH Route 16, from the Pinkham Notch Visitor Center in Pinkham's Grant to the intersection of US Route 2 and NH Route 16, on the basis of a low bid of \$1,566,384.45. (2) Further Authorized a contingency in the amount of \$109,646.91 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 28, 2016. 100% Federal Funds. Unanimous Vote*

[#12A](#) Authorized the Bureau of Bridge Design to enter into an Interstate Bridge agreement with the State of Vermont to allow the Department to bill Vermont for costs associated with the design and construction of a new bridge (NH Br. No. 043/044) carrying NH Route 119 over the Connecticut River between Hinsdale, NH, and Brattleboro, VT. Effective upon G&C approval, and continuing through engineering design, construction, inspection, and final acceptance of the completed project, in accordance with the Department's 10-Year Transportation Improvement Plan. **Project costs will be shared 83% by NH and 17% by VT. Unanimous Vote**

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

[#13](#) *Authorized, under the Community Development Block Grant program, to award a grant to the City of Laconia, NH, in the amount of \$482,480 to support energy improvements at the commercial condominium facility known as the Scott & Williams Building. Effective July 13, 2016 through June 30, 2018. 100% Federal Funds VOTE: 4-1 (Wheeler voted No)*

[#14](#) *Authorized, under the Community Development Block Grant program, to award a grant to the County of Grafton, Haverhill, NH, in the amount of \$500,000 for the purpose of providing funds to the Monadnock Economic Development Corporation to construct a multi-specialty clinic in Lebanon, NH. Effective July 13, 2016 through December 31, 2017. 100% Federal Funds. VOTE: 4-1 (Wheeler voted No)*

#### **DEPARTMENT OF INFORMATION TECHNOLOGY**

[#15](#) Authorized to enter into a **sole source retroactive** contract amendment with CA Inc., (formerly Computer Associates Inc.) of Islandia, NY (originally approved by G&C on 6-4-08, item #4), for software licenses, related maintenance, upgrades and technical support services to maintain mainframe computing and network resources, by increasing the amount by \$1,504,994.31 from \$5,285,707 to \$6,790,701.31. Effective July 1, 2016 through June 30, 2019. **100% Other (Agency Class 027) funds: The Class 027 used by the agencies to reimburse DoIT is 42% General, 31% Federal, 13% Highway, and 14% Other Funds. Unanimous Vote**

#### **OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION**

[#16](#) Authorized the Division of Medical Professions, Board of Pharmacy to renew the temporary 30% salary enhancement for another 2-year period for the pharmacists positions at the Board, as detailed in letter dated June 30, 2016. **Unanimous Vote**

[#17](#) Authorized the Division of Technical Professions to renew membership with the National Council of Architectural Registration Boards, Washington, DC, in the amount of \$12,000. Effective **retroactive** to July 1, 2016 through June 30, 2017. **100% General Funds. Unanimous Vote**

#### **INSURANCE DEPARTMENT**

[#18](#) Authorized to enter into a contract with Public Consulting Group Inc., Boston, MA, for consulting services, in the amount of \$49,770. Effective upon G&C approval through March 31, 2017. **100% Other Funds. Unanimous Vote**

#### **NEW HAMPSHIRE EMPLOYMENT SECURITY**

[#19](#) Authorized to enter into a **retroactive** contract amendment with East Coast Security Services Inc., Salem, NH (originally approved by G&C on 11-20-13, item #30), to extend burglar/panic/AC Fault/DC Fault monitoring coverage, from one year to seventeen months **retroactive** to July 1, 2016 through November 30, 2016. No Additional Funding. **Unanimous Vote**

#### **DEPARTMENT OF CORRECTIONS**

[#20](#) Authorized to accept and expend funds from the NH Department of Education for the Title I, Part-D, Federal Assistance to Meet the Special Educational Needs of Children in State Institutions for Neglected or Delinquent Children grant, in the amount of \$40,513, to enhance educational services and provide the adult learners of the special school district of the NH Department of Corrections educational

system the entry level academic skills needed to participate in high school equivalency, diploma and Career and Technical Center programs. Effective upon G&C approval through September 30, 2016. **100% Agency Income. Unanimous Vote**

[#21](#) Authorized to pay a **sole source retroactive** unencumbered invoice in the amount of \$57,338.35 to Utility Services & Assistance Inc., Hooksett, NH, for emergency utility services. Effective upon G&C approval. **100% General Funds. Unanimous Vote**

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

[#22](#) Authorized the Division of Parks and Recreation, Cannon Mountain, to enter into a retroactive contract amendment with Lakes Region Environmental Contractors Inc., Belmont, NH (originally approved by G&C on 9-16-15, item #52), for the Cannon Mountain Maintenance Garage Fuel Tank Piping and Pump(s) Upgrades at Cannon Mountain and Franconia Notch State Park, by extending the completion date to September 30, 2016 from June 30, 2016. **100% Cannon Mountain Capital Improvement Funds. Unanimous Vote**

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

[#23](#) Authorized to enter into a **sole source** agreement with the University of NH, Sponsored Programs Administration, Durham, NH, to provide technical planning assistance to coastal communities, in the amount of \$12,500. Effective upon G&C approval through December 31, 2017. **100% Federal Funds. Unanimous Vote**

[#24](#) Authorized to **retroactively** amend a **sole source** contract with ESS Group Inc., Waltham, MA (originally approved by G&C on 3-25-15, item #38), for the purpose of processing wetland macroinvertebrate samples and taxonomic identification of macroinvertebrates, by increasing the amount by \$5,880 from \$17,640 to \$23,520, and by extending the end date from June 30, 2016 to September 30, 2017. **100% Federal Funds Unanimous Vote**

[#25](#) Authorized to enter into an agreement with Franklin Pierce University, Rindge, NH, to complete the Pearly Pond Watershed Management Plan Implementation Phase I project, in the amount of \$60,000. Effective upon G&C approval through December 31, 2018. **100% Federal Funds. Unanimous Vote**

[#26](#) Authorized Steve and Janet Boucher's request to perform work on Lake Winnepesaukee in Alton. **Unanimous Vote**

[#26A](#) Authorized Woof Woof Real Estate LLC's request to perform work on Squam Lake in Center Harbor. **Unanimous Vote**

#### **DEPARTMENT OF EDUCATION**

[#27](#) Authorized to accept and expend the Network for Transforming Educator Preparation funds in the amount of \$55,000 from the Council for Chief State School Officers. Effective upon G&C approval through June 30, 2017. **100% Private Local Funds. Unanimous Vote**

#### **DEPARTMENT OF SAFETY**

[#28](#) Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Plymouth, for implementation of projects identified through the evaluation of natural hazards, for a total amount of \$221,445. Effective upon G&C approval through March 24, 2019. **100% Federal Funds. Unanimous Vote**

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

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

[#30](#) Authorized the State Suggestion and Extraordinary Service Award Evaluation Committee to award a net sum of \$1,000 each to Jeffrey Silver, Michelle Jeglinski and Amy Lauzon from the Department of Health and Human Services. Effective upon G&C approval. **Unanimous Vote**

[#31](#) Authorized the State Suggestion and Extraordinary Service Award Evaluation Committee to award a net sum of \$500 to Brian Armstrong from the Department of Information Technology. Effective upon G&C approval. **Unanimous Vote**

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

### **TABLED ITEMS**

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#### **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  
2016

Effective: June 30,

Reappointment

Term: June 30, 2019 \*

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

*(Tabled at G&C Meeting 6/29/16)*

[#70](#) **REMOVED FROM THE TABLE AND PASSED** **TABLED ITEM** – *The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Pappas, voted to table the request of the State Treasurer, acting on behalf of the Department of Resources and Economic Development, to enter into a Master Lease/Purchase agreement with Pinnacle Public Finance, in an amount not to exceed total construction costs financed of \$4,986,637 plus interest of \$920,875 for a total of \$5,907,512 and to enter into an Escrow agreement dated as of June 30, 2016 by and among the State, Pinnacle Public Finance, and Bank of New York Mellon, as escrow agent, with such authorization effective upon G&C approval. (2)Further Authorized to encumber funds for*

**repayment to Pinnacle Public Finance for the payment of construction financing of a contract with Ameresco Inc., to install energy and fossil fuel energy conservation measures at Cannon Mountain Ski Area. VOTE: 3-1-1- (Sununu recused, Wheeler voted No)**

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**DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT**

*(Tabled at G&C Meeting 6/29/16)*

**#71 REMOVED FROM THE TABLE AND PASSED TABLED ITEM– *The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Pappas, voted to table the request of the Division of Parks and Recreation, Cannon Mountain Aerial Tramway & Ski Area to enter into a contract with Ameresco Inc., Framingham, MA, to install an enact energy efficiency and conservation measures which include snowmaking efficiency equipment, new efficiency power usage infrastructure measures at Cannon Mountain and an energy savings guarantee agreement, in an amount not to exceed \$5,101,477. Effective upon G&C approval through November 30, 2017. An energy savings guarantee agreement is included and shall commence on the first day of the calendar month following the project acceptance date. The agreement will be put in place to ensure that the estimated savings are met in order to offset the annual bonding costs (allowing for a net zero project cost). The initial agreement period will be 5 years with the option to extend for 3 more 5-year period up to 20 years. 100% Agency Income. VOTE: 3-1-1- (Sununu recused, Wheeler voted No)***

**The following individuals from District One were nominated by Governor Hassan to serve on State Boards and Commissions.**

Mr. John Higgins, Enfield, NH to the Respiratory Care Practitioners Governing Board

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

***If you have any 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 Kenney. A list of Boards and Commissions can be found at [Http://www.sos.nh.gov/redbook/index.htm](http://www.sos.nh.gov/redbook/index.htm).***

***Please feel free to contact me with any concerns or support for any of the above individuals or any other issues you might have.***