



STATE OF NEW HAMPSHIRE

Executive Council

STATE HOUSE ROOM 207

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Executive Councilor Cinde Warmington

Governor and Executive Council Meeting Report

New Hampshire Statehouse, Concord, New Hampshire

December 08, 2021, 10:00 a.m.

I. Highlighted Issues

The full meeting agenda, quick results, and audio recordings can be found [here](#). Minutes for each meeting are approved at the following Executive Council meeting.

- The Department of Health and Human Services (DHHS) brought forth multiple contracts to help alleviate overburdened hospitals and health care workers across the state as New Hampshire overcomes record COVID-19 infections, hospitalizations, and deaths. At the time of the Commissioner's testimony, there are essentially no hospital beds available in our state. The items brought forth included, but were not limited to:

- [Item #6C](#) from the Office of the Commissioner was approved to help make more hospital beds available by working with nursing facilities, rehabilitation centers, mid-level residential care facilities, and ambulatory surgical centers for the purpose of paying providers for uncompensated costs associated with accepting individuals discharged from said hospitals.
- [Item #12](#) from the Division of Public Health was approved to support the 13 NH Small Rural Hospitals by implementing COVID-19 testing and chronic disease mitigation activities.
- [Late Item #A](#) from the Division of Public Health Services was approved by the Executive Council, and previously by the Joint Legislative Fiscal Committee on an expedited basis, to add temporary medical staff to medical facilities across the state to assist with the rapid increase in COVID-19 hospitalizations seen in recent weeks.

- Emelia Galdieri of Chichester was nominated by the governor to be the Commissioner of the Banking Department, following the resignation of Gerald Little. A public hearing will be held for this nominee in the coming weeks, and more information will be posted regarding the time, date, and location of this hearing online at the Executive Council hearings page [here](#).

II. Resignations, Confirmations, and Nominations

Resignations

- **Dental Hygienists Committee** - Myra Nikitas of Nashua
- **Justice, New Hampshire Circuit Court** - M. Kristin Spath of Concord
- **Volunteer New Hampshire Board of Directors** - Jennifer Eber of Deering
- **Wetlands Council** - Jeffrey Cloutier of Laconia

Confirmations

- **Commissioner, Department of Energy** - Jared Chicoine of Gilford
- **Justice, New Hampshire Superior Court** - Mark Attorri of Bow
- **Public Utilities Commission** - Pradip Chattopadhyay of Bow
- **Board of Professional Engineers** - Carmela Amato-Wierda of Durham
- **Community Development Finance Authority, Board of Directors** - Anne Duncan Cooley of Portsmouth
- **Director of Agency Services, Department of Information Technology** - Michael O'Neil of Manchester
- **Lakes Management Advisory Committee** - Meredith Smith of Enfield
- **Mechanical Licensing Board** - Robert Roy of Hudson
- **Medical Review Subcommittee** - Daniel Potenza of Kennebunkport, ME
- **New Hampshire Health and Education Facilities Authority** - Tina Naimie of Wilmot

Nominations

- **Commissioner, Banking Department** - Emelia Galdieri of Chichester
- **Adult Parole Board** - Eric Kulberg of Portsmouth
- **Air Resources Council** - J. Ryan Bielagus of Moultonborough
- **Board of Licensure of Interpreters for the Deaf, Deafblind, and Hard of Hearing** - Kristy Stellato of Hillsborough
- **Board of Medicine** - David Conway of Henniker
- **Board of Optometry** - Christine Donahue of Bedford
- **Community College System of New Hampshire, Board of Trustees** - Steven Slovenski of Lee
- **Director of the Division of Enforcement, Department of Energy** - Paul Kasper of Hooksett
- **Executive Director, New Hampshire Land and Community Heritage Authority** - Paula Bellemore of Goffstown
- **Invasive Species Committee** - Gabriel Roxby of Henniker
- **Volunteer New Hampshire Board of Directors** - Gregory Lange of Manchester
- **Wetlands Council** - Kenneth Rhodes of Auburn

Interested candidates wanting to apply for any open position on a state board or commission are encouraged to send their resume, with a letter of interest, to Director of Appointments and Liaison to the Executive Council Jonathan Melanson at the Office of the Governor (Jonathan.Melanson@nh.gov).

II. Items of Specific Interest to District 2

The following items of interest to District 2 were APPROVED:

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

NEW HAMPSHIRE VETERANS HOME

#A. Authorize to accept and expend monies totaling \$31,315.24 received during the period of July 1, 2021 to September 30, 2021, as a result of fundraising drives from various organizations and from personal contributions. These monies are placed in the Veterans Home Benefit Fund.

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

POLICE STANDARDS AND TRAINING COUNCIL

#A. Authorize to accept and place on file the annual report for FY21 July 1, 2020 to June 30, 2021.

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

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Division for Children, Youth and Families

#A. Authorize to amend an existing contract with Waypoint (originally approved by G&C on 11-18-20, item #22), to provide case management and service coordination for high-risk families to strengthen family protective factors, keep children safe, and prevent the need for subsequent involvement with the Division for Children, Youth and Families, with no change to the price of \$19,895,531 and no change to the completion date of June 30, 2024.

Division of Public Health Services

#B. Authorize to amend an existing Cooperative Project agreement with the University of NH, Durham, NH (Informational Item #H G&C 1-22-21), to continue wastewater surveillance for COVID-19 at NH Hospital, by extending the completion date from December 31, 2021 to December 31, 2022, with no change to the price of \$2,182,500.

DEPARTMENT OF TRANSPORTATION

#D. Authorize the Bureau of Rail & Transit to enter into a contract amendment with the Merrimack & Grafton Railroad Inc., Burlington, VT (originally approved by G&C on 11-14-12, item #162), for the use of state-owned Concord-Lincoln Railroad Corridor from Concord to Tilton for freight railroad service, by amending the completion date from June 30, 2022 to December 31, 2022.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

#G. Authorize, under the Community Development Block Grant program, to amend a grant agreement, in the amount of \$685,091 with the City of Keene, NH (originally approved by G&C on 3-11-20, item #29), for the completion of the three-shelter rehabilitation project in Keene, by extending the completion date to June 30, 2022 from December 31, 2021. No Additional Funding. **100% Federal Funds.**

REGULAR AGENDA ITEMS

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Medicaid Services

#6 Authorize to continue a 30% salary enhancement for position #30278, Administrator IV, which serves as Medicaid Pharmacy Director for an additional 12 months commencing December 19, 2021 through December 18, 2022. **75% Federal, 25% General Funds.**

#6-1 Authorize to enter into **retroactive** amendments to existing contracts with AmeriHealth Caritas NH Inc., Philadelphia, PA; Boston Medical Center Health Plan Inc., Charlestown, MA; and Granite State Health Plan Inc., Bedford, NH (originally approved by G&C on 3-27-19, tabled late item A), to provide health care services to eligible and enrolled Medicaid participants through NH's Medicaid managed care program known as NH Medicaid Care Management, by increasing the total price by \$107,893,151 from \$3,237,900,627 to \$3,345,793,778, with no change to the completion date of August 31, 2024.

Office of the Commissioner

#6A Authorize to transfer other funds in the amount of \$26,511,374 between class lines. Effective upon G&C approval through April 1, 2022. (2) Further authorize to accept and expend \$43,500,000 from the Federal Emergency Management Agency in support of the COVID-19 response efforts, including Executive Order 2021-012 issued on November 23 2021 as well as the December 11, 2021 Booster Blitz. Effective through June 30, 2023. **100% Inter-Agency Funds. Fiscal Committee approved.**

#6B Authorize to accept and expend federal funds from the American Rescue Plan Act, in the amount of \$20,462,940 to respond to Executive Order 2021-12 . Effective upon G&C approval through June 30, 2023. **100% Federal Funds.**

#6C Authorize to enter into agreements with an unspecified number of Nursing Facilities, Rehabilitation Centers, Mid-level Residential Care Facilities, and Ambulatory Surgical Centers for the purpose of paying providers for uncompensated costs associated with accepting individuals discharged from hospitals with the goal of increasing healthcare access, and to make unencumbered payments to Providers, not to exceed a shared price of \$14,460,894 across all participating providers. Effective upon G&C approval through April 8, 2022. **100% Federal Funds (American Rescue Plan Act (ARPA)).**

Governor's Commission on Alcohol & Other Drugs

#8 Authorize to amend an existing contract with NH Coalition of Recovery Residences, Concord, NH (originally approved by G&C on 10-23-19, item #16), for continuation of services to certify and support recovery homes in NH, and to further develop and administer a rental assistance program for residents who are entering recovery homes, by increasing the price by \$350,000

from \$1,380,000 to \$1,730,000, and by extending the completion date from June 30, 2022 to March 14, 2023. **100% Federal Funds.**

Division of Public Health Services

#9 Authorize to enter into a memorandum of agreement with National Foundation for the Centers for Disease Control and Prevention Inc., Atlanta, for temporary employees to support the COVID-19 response in NH. Effective upon G&C approval through July 31, 2022, with the option to renew for up to 3 additional years.

#10 Authorize to enter into a **retroactive** amendment to an existing contract with the City of Franklin, NH (originally approved by G&C on 9-18-19, item #8), for planning, training, and equipment for the emergency Metropolitan Medical Response System strike teams increasing the price by \$32,500 from \$40,000 to \$72,500 and by extending the completion date from August 31, 2021 to August 31, 2023. **100% Other Funds (Department of Safety).**

#12 Authorize to amend an existing contract with Foundation for Healthy Communities, Concord, NH (originally approved by G&C on 5-19-21, item #23), to support the 13 NH Small Rural Hospitals with implementing COVID-19 testing and chronic disease mitigation activities, by increasing the price by \$5,152,645 from \$231,997 to \$5,384,642, with no change to the completion date of May 31, 2023. **100% Federal Funds.**

Division of Long Term Supports and Services

#15 Authorize to enter into **retroactive** amendments to existing contracts with the Contractors listed in bold as detailed in letter dated November 16, 2021, for provision of nutrition services to prevent, prepare for, and respond to the COVID-19 pandemic to ensure older, isolated, and frail adults live as independently as possible, by increasing the total price by \$813,980 from \$63,964,168 to \$64,778,148, with no change to the completion dates of June 30, 2022. **100% Federal Funds.**

DEPARTMENT OF TRANSPORTATION

#27 Authorize the Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for pavement preservation in Wakefield and Ossipee, on the basis of a low bid of \$3,545,767.14. (2)Further authorize a contingency in the amount of \$177,288.36 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through September 9, 2022. **100% Federal Funds.**

#28 Authorize the Bureau of Construction to enter into a contract with K5 Corporation, Rockland, MA, for durable pavement marking restriping on Tier 1 roads in Districts 2 and 5, on the basis of a low bid of \$1,452,772.50. (2)Further authorize a contingency in the amount of \$72,638.63 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through August 12, 2022. **100% Federal Funds.**

#30 Authorize the Bureau of Construction to enter into a contract with Beck & Bellucci Inc., Franklin, for bridge preservation in Canaan, on the basis of a low bid of \$1,555,148.05. (2)Further authorize a contingency in the amount of \$155,514.81 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 21, 2022. **100% Federal Funds.**

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

#34 Authorize the Division of Agricultural Development to enter into a sole source agreement with NH Agriculture in the Classroom, Concord, NH, in the amount of \$30,000 to conduct agricultural education programming targeted to elementary school age children. Effective upon G&C approval through December 31, 2022. **100% General Funds.**

DEPARTMENT OF CORRECTIONS

#35 Authorize the determination made by the Commissioner that on July 28, 2021 a Lieutenant at the NH State Prison for Men, 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.

DEPARTMENT OF ENERGY

#44 Authorize to enter into a **sole source** contract with Southwestern Community Services Inc., Keene, NH, for the Fuel Assistance program, in the amount of \$3,124,986. (2)Further authorize to advance \$305,349. Effective upon G&C approval through September 30, 2023. **100% Federal Funds.**

#45 Authorize to enter into a **sole source** contract with Community Action Partnership of Strafford County, Dover, NH, for the Fuel Assistance program, in the amount of \$1,997,223. (2)Further authorize to advance \$195,153. Effective upon G&C approval through September 30, 2023. **100% Federal Funds.**

#47 Authorize to enter into a **sole source** contract with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, for the Fuel Assistance program, in the amount of \$3,681,570. (2)Further authorize to advance \$358,757. Effective upon G&C approval through September 30, 2023. **100% Federal Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

#60 Authorize to award a grant to the Southeast Land Trust of NH, Exeter, NH, in the amount of \$209,000 to protect approximately 59 acres of high priority water supply lands and direct river frontage along the Salmon Falls River, a drinking water supply for residents of Somersworth. Effective upon G&C approval through June 30, 2022. **100% Drinking Water and Groundwater Trust Fund.**

#62 Authorize to **retroactively** amend a Drinking Water and Groundwater Trust Fund grant to

Abenaki Water Co., Inc., Plainville, CT (originally approved by G&C on 11-18-20, item #96), for the Tioga River Water System in Belmont, NH, by extending the completion date from December 1, 2021 to June 1, 2023. **100% Drinking Water and Groundwater Trust Fund.**

#63 Authorize a Clean Water State Revolving Fund loan agreement with the City of Dover, in an amount not to exceed \$150,000 to finance the Cocheco River Outfall Stormwater Plan project. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

#64 Authorize a Clean Water State Revolving Fund loan agreement with the City of Rochester, in an amount not to exceed \$1,325,000 to finance the Tara Estates Pump Station Upgrade project. Effective upon G&C approval. **100% CWSRF Repayment Funds.**

DEPARTMENT OF EDUCATION

#68 Authorize to enter Katelyn Komisarek into an educational tuition agreement with Granite State College, Concord, NH, to participate online in Foundations of Organizational Behavior during the period of January 3, 2022 through March 26, 2022 and to pay said costs in the amount of \$854.40. **100% Other Agency Income.**

#69 Authorize to enter Katherine Page into an educational tuition agreement with Granite State College, Concord, NH, to participate online in Negotiation, Contracting, and Procurement during the period of January 3, 2022 through March 25, 2022 and to pay said costs in the amount of \$1,291.20. **100% General Funds.**

#71 Authorize the Bureau of Special Education Support to enter into a **retroactive** amendment to a lease agreement with HRKNSS Cowork LLC, Concord, NH (originally approved by G&C on 8-19-21, late item A), for additional conference room space, by increasing the price by \$5,000 from \$89,600 to \$94,600, and by changing the end date from December 18, 2021 to March 18, 2022 to exercise the 3 additional one month extensions. **100% Federal Funds.**

#72 Authorize to enter into an amendment to a cooperative project agreement with Granite State College, Concord, NH (originally approved by G&C on 9-15-21, item #70G), for the use of office space, by increasing the price by \$230,112.40 from \$57,324 to \$287,436.40, and by extending the end date from August 15, 2022 to December 15, 2022. **40% General, 43% Federal, 17% Other Funds.**

#73 Authorize the Division of Learner Support to amend a contract with Prenda Inc., Mesa, AZ (Informational Item EE, G&C 6-30-21), allowing District Microschools to lease space for programing, allowing Prenda to offer summer programming for learning loss, and clarifying the First Program Day of enrollment to be when the student begins in person instruction in a Microschool, by extending the end date from September 30, 2022 to September 30, 2024, and reducing the not to exceed amount by \$250,000 from \$6,000,000 to \$5,750,000. Effective upon

G&C approval. **100% Federal Funds.**

#76 Authorize 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, Part B services, in an amount not to exceed \$142,009. Effective upon G&C approval through September 30, 2023. **100% Federal Funds.**

DEPARTMENT OF SAFETY

#77 Authorize the Division of Homeland Security and Emergency Management to **retroactively** amend an existing grant agreement with Granite United Way (originally approved by G&C on 9-23-20, item #75), by extending the completion date from August 31, 2021 to August 31, 2022. **100% Federal Funds.**

LATE AGENDA ITEM

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Division of Public Health Services

#A Authorize to enter into a **sole source** contract with Foundation for Healthy Communities, Concord, New Hampshire in the amount of \$6,000,000 for the purposes of adding temporary medical staff to assist with the increase in the COVID-19 cases, with the option to renew for up to two additional years, effective upon Governor and Council approval through June 30, 2022. **100% Federal Funds.**

DEPARTMENT OF EDUCATION

#B Authorize to **retroactively** amend the Cooperative Project Agreement (CPA) with the University System of New Hampshire by exercising the renewal options to extend the end date from July 14, 2021 to July 14, 2025, and increasing the amount by \$4,038,380.00 from \$7,043,684.00 to \$11,082,064.00 to implement the iLeanNH System, effective upon Governor and Council Approval. The original CPA was approved by Governor Christopher T. Sununu on July 22, 2020, and amended on October 29, 2020 and submitted to Governor and Council as Informational Item R on February 3, 2021. **100% Federal Funds.**

The following items FAILED:

REGULAR AGENDA ITEMS

DEPARTMENT OF ADMINISTRATIVE SERVICES

#85 Authorize to accept and place on file the report of all vehicles which have non-business use exceeding 20% for Fiscal Year 2021.

The following items were REMOVED FROM THE TABLE and APPROVED:

TABLED ITEMS

GOVERNOR'S OFFICE FOR EMERGENCY RELIEF AND RECOVERY (*Tabled on 11/22/21*)

#59 TABLED - The Governor and Council on motion of Councilor Warmington, seconded by Councilor Gatsas, voted to **table** the request to accept and expend in an amount not to exceed \$17,019,503 in American Rescue Plan Act State Fiscal Recovery Funds to fund the Workforce Recruitment & Student Debt Relief Program that will help address workforce issues exacerbated by the COVID-19 pandemic and assist in expanding and retaining NH's workforce by reducing or eliminating student debt for participants that qualify. Effective upon G&C approval through June 30, 2023. **100% Federal Funds. Contingent upon Fiscal Committee approval on November 19, 2021.**

The following items were WITHDRAWN BY AGENCY:

CONSENT CALENDAR AGENDA ITEMS

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

DEPARTMENT OF TRANSPORTATION

#J. Authorize the Bureau of Right of Way's petition for a hearing on the proposed safety improvements on Lowell Road (Route 3A), roadway widening Right-of-Way as well as the Circumferential Highway on ramp in Hudson, with a suggested budget of \$777.04. A Commission of three, as listed, shall determine whether there is occasion for the laying out of the roadway widening.

IV. Next Meeting of the Executive Council

The next regularly scheduled meeting of the Governor's Executive Council will be on Wednesday, December 22, 2021 at 10 a.m. at the New Hampshire Statehouse. The agenda will be posted on the preceding Friday on the Secretary of State's website [here](#). Executive Councilor Cinde Warmington may be reached at cinde.warmington@nh.gov.