

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
April 23, 2008, 10:00 a.m.

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

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The Governor and Executive Council on motion of Councilor Shea, seconded by Councilor Burton, accepted the minutes of April 9, 2008.

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The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Shea approved the appointment of several persons nominated for Civil Commissions from the April 9, 2008 meeting.

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

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RESIGNATIONS

The Governor and Council, with regret, accepted the following resignations:

Enhanced 911 Commission

(Member of the disabled community)

Deborah McKinney, Derry

Effective: April 23, 2008

Executive Branch Ethics Committee

David L. Nixon, (d), Manchester

Effective: April 3, 2008

Board of Medicine

(Public Member)

David Micciche, Amherst

Effective: April 23, 2008

Physical Therapy Governing Board

(Public Member)

André A. Martel, Manchester

Effective: April 23, 2008

Associate Justice of the Superior Court

Patricia C. Coffey, Rye

Effective: April 21, 2008

University System of New Hampshire Board of Trustees

Joel W. Maiola, Bow

Effective: April 23, 2008

State Commission on the Status of Women

Anne B. Botteri, Goffstown

Effective: April 23, 2008

CONFIRMATIONS

The Governor and Council confirmed the following:

Alcohol and Drug Abuse Prevention, Intervention and Treatment Commission

(Drug Abuse Prevention)

Valerie Herres, Lancaster

Effective: April 23, 2008

Succeeding: Alan Robichaud, Belmont (resigned)

Term: September 20, 2008

Business Finance Authority

Pamela Diamantis, Greenland

Effective: April 23, 2008

Succeeding: Wayne Semprini, New Castle

Term: November 3, 2010

Business Finance Authority

Stephen M. Duprey, Concord

Effective: April 23, 2008

Reappointment

Term: November 3, 2010

Business Finance Authority

Karen G. Pollard, Rochester
Succeeding: Michael P. Nolin, Jr., Bow

Effective: April 23, 2008
Term: November 3, 2010

Compensation Appeals Board

(Attorney)
Christopher T. Regan, Durham
Reappointment

Effective: April 23, 2008
Term: April 14, 2011

Board of Licensed Dietitians

(Public Member)
Margaret E. Lynott, Swanzey
Vacancy

Effective: April 23, 2008
Term: March 28, 2009

Equalization Standards Board

Nominated by the School Board Association
R. Dean Michener, Durham
Reappointment

Effective: April 23, 2008
Term: October 10, 2009

Health Services Planning and Review Board - The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton, voted to remove this item - which was tabled at the April 9, 2008 Meeting. The Governor and Council on motion of Councilor Burton, seconded by Councilor Wieczorek voted to confirm the following:

(Consumer)
Constance A. Jones, Grantham
Succeeding: Elizabeth Crory, Hanover

Effective: April 23, 2008
Term: April 19, 2009

Deputy Commissioner: Department of Health and Human Services

Appointed by the Commissioner of the Department of Health and Human Services
Mary Ann Cooney, Manchester
Vacancy
Salary: KK-Maximum: \$106,977

Effective: April 23, 2008
Term: August 18, 2008

Christa McAuliffe Planetarium Commission

Byron O. Champlin, Concord
Reappointment

Effective: April 23, 2008
Term: April 17, 2011

Medical Review Subcommittee

Nominated by the Board of Medicine
Malcolm W. Mackenzie, Nelson Village
Succeeding: Diane L. Arsenault, Campton

Effective: April 23, 2008
Term: December 3, 2010

Railroad Appeals Board

(Alternate/Legal Profession)
David Woodbury, New Boston
Reappointment

Effective: April 23, 2008
Term: April 23, 2011

Recreational Therapy Governing Board

Robert C. DuPont, Penacook
Succeeding: Deborah Ann Robinson, Merrimack (resigned)

Effective: April 23, 2008
Term: October 25, 2010

Volunteer NH Board of Directors

(Local Government)
Leslie A. Nepveu, Hooksett
Succeeding: Robert J. Landman, North Hampton (resigned)

Effective: April 23, 2008
Term: October 10, 2008

NOMINATIONS

The Governor placed into nomination the following:

Compensation Appeals Board

(Attorney)

Hamilton R. Krans, Jr., Dover

Reappointment

Effective: May 26, 2008

Term: May 26, 2011

Connecticut River Valley Flood Control Commission

Robert T. Grimley, Grantham

Reappointment

Effective: Upon confirmation

Term: May 1, 2011

Medical Review Subcommittee

Nominated by the Board of Medicine

Teresa Ponn, MD, Manchester

Succeeding: Nick P. Perencevich, Concord (reached term limit)

Effective: Upon confirmation

Term: January 1, 2011

Board of Mental Health Practice

(Public Member)

Kathleen A. Sternenberg, Hopkinton

Succeeding: Julie A. Introcaso, Manchester

Effective: Upon confirmation

Term: February 17, 2011

Physical Therapy Governing Board

(Public Member)

Martha B. Aguiar, Campton

Succeeding: André A. Martel, Manchester (resigned)

Effective: Upon confirmation

Term: October 28, 2009

Railroad Appeals Board

(Expert on Railroad Matters)

Wayne M. Gagne, Nashua

Reappointment

Effective: Upon confirmation

Term: May 7, 2011

Resources and Economic Development Advisory Commission

(Manufacturing)

Michael H. Monks, (d), Nashua

Reappointment

Effective: Upon confirmation

Term: April 1, 2013

Director of Audit Division: Department of Revenue Administration

Nominated by the Commissioner of the Department of Revenue Administration

Santo M. Presti, Penacook

Succeeding: John Mintken, Concord

Salary: HH Maximum \$93,546

Effective: Upon confirmation

Term: Serves at Commissioners pleasure

Transportation Appeals Board

(Legal Profession)

Eric G. Falkenham, Hopkinton

Reappointment

Effective: Upon confirmation

Term: May 7, 2011

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#1 Authorized to amend a **sole source** contract with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, (previously amended on 3-5-08, Late item E), for the Fuel Assistance Program, by

increasing the amount by \$371,644 from \$3,938,121 to \$4,309,765. Effective upon G&C approval through September 30, 2008. **100% Federal Funds.**

#2 Authorized to amend a **sole source** contract with Rockingham Community Action Inc., Portsmouth, NH, (previously amended on 3-5-08, Late item F), for the Fuel Assistance Program, by increasing the amount by \$49,845 from \$3,290,708 to \$3,340,553. Effective upon G&C approval through September 30, 2008. **100% Federal Funds.**

#3 Authorized to amend a **sole source** contract with Southern NH Services Inc., Manchester, NH, (previously amended on 3-5-08, Late item C), for the Fuel Assistance Program, by increasing the amount by \$1,818,206 from \$6,281,173 to \$8,099,379. Effective upon G&C approval through September 30, 2008. **100% Federal Funds.**

#4 Authorized to amend a **sole source** contract with Tri-County Community Action Program Inc., Berlin, NH, (previously amended on 3-5-08, Late item A), for the Fuel Assistance Program, by increasing the amount by \$292,418 from \$4,645,563 to \$4,937,981. Effective upon G&C approval through September 30, 2008. **100% Federal Funds.**

#5 Authorized to amend a **sole source** contract with Strafford County Community Action Committee Inc., Dover, NH, (previously amended on 3-5-08, Late item D), for the Fuel Assistance Program, by increasing the amount by \$282,309 from \$2,218,324 to \$2,500,633. Effective upon G&C approval through September 30, 2008. **100% Federal Funds.**

#6 Authorized to amend a **sole source** contract with Southwestern Community Services Inc., Keene, NH, (previously amended on 3-5-08, Late item B), for the Fuel Assistance Program, by increasing the amount by \$434,804 from \$2,667,035 to \$3,101,839. Effective upon G&C approval through September 30, 2008. **100% Federal Funds.**

#7 Authorized to amend a contract with Innovative Natural Resource Solutions LLC, Antrim, NH, (previously approved by G&C on 10-3-07, item #2), for assistance with developing a 25x25 Renewable Energy Plan, by extending the completion date to January 30, 2009 from June 30, 2008. **100% Federal Funds.**

OFFICE OF THE ADJUTANT GENERAL

#8 The Governor and Council on motion of Councilor Wiczorek, seconded by Councilor Shea authorized the request of Major Darik C. Day, New Gloucester, ME, to be nominated for appointment to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#9 Authorized State Suggestion and Extraordinary Service Award Evaluation Committee to award non-monetary recognition to Paula Newton, of the Department of Resource and Economic Development. Effective upon G&C approval.

#10 Authorized to accept and place on file the list of agency transfers for Fiscal Year 2008 during the month of March 2008.

#11 Authorized a Working Capital Warrant in the amount of \$450,000,000 to cover expenditures for the Month of May 2008. (2)Further Authorized a Working Capital Warrant reporting expenditures of \$445,384,901.82 for the Month of March and recommend the balance of \$604,615,098.18 be lapsed.

#12 Authorized Bureau of Public Works Design and Construction to enter into a service contract with Microdesk Inc., Nashua, NH, for customized AutoCAD, and on-site training, for a total price not to exceed \$7,980. Effective upon G&C approval through June 30, 2008. **100% General Funds.**

#12A Authorized Bureau of Public Works Design and Construction to enter into an agreement with Dignard Architectural Services, Manchester, NH, for professional Architectural services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department in an amount not to exceed \$500,000. Effective upon G&C approval through June 30, 2011.

#12B Authorized Bureau of Public Works Design and Construction to enter into an agreement with The Louis Berger Group Inc., Manchester, NH, for professional Civil/Structural services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department in an amount not to exceed \$500,000. Effective upon G&C approval through June 30, 2011.

#12C Authorized Bureau of Public Works Design and Construction to enter into an agreement with Rist, Frost, Shumway Engineering, Laconia, NH, for professional Mechanical services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department in an amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2011.

#12D Authorized Bureau of Public Works Design and Construction to enter into an agreement with Team Design Inc., Manchester, NH, for professional Architectural services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department in an amount not to exceed \$500,000. Effective upon G&C approval through June 30, 2011.

#12E Authorized Bureau of Public Works Design and Construction to enter into an agreement with Aries Engineering Inc., Concord, NH, for professional Environmental/Geotechnical services required for planning, design and construction of various Public Works' Projects as necessary and required by the Department in an amount not to exceed \$300,000. Effective upon G&C approval through June 30, 2011.

#12F Authorized the list of Governor and Executive Council meeting dates for the period of July through December 2008.

TREASURY DEPARTMENT

#13 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of \$52,552.80 to the rightful owners of abandoned or unclaimed funds that have escheated to the general fund.

INSURANCE DEPARTMENT

#14 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to enter into a **sole source** contract with Anusuya Luckoor, to complete the fiscal year-end closing in the amount of \$7,500. Effective upon G&C approval through July 31, 2008. **100% Other (Insurance Fee) Funds.**

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

The Governor and Council acted as follows:

#15 Authorized to enter into a **retroactive** grant agreement with the Remick Country Doctor Museum and Farm, for installation of livestock fencing, watering and grazing practices, and a manure management system, in the amount of \$28,300. Effective July 1, 2007 through June 30, 2008. **100% Conservation Funds.**

#16 Authorized to enter into a grant with the Trust for Public Lands in the amount of \$40,000 for the Robb Reservoir Conservation Initiative. Effective upon G&C approval through December 31, 2009. **100% Conservation Funds.**

#16A Authorized **retroactive** pay for Douglas Cygan, Entomologist II, for the dates of December 28, 2006 through May 21, 2007 in the amount of \$1,418.27 due to payroll oversight of increment. **100% General Funds.**

#16B Authorized with Councilor Wieczorek voting **no**, to reclassify position #10313 Administrative Secretary, labor grade 14 to Program Assistant II, labor grade 15. **100% Federal Funds.**

ATTORNEY GENERAL

The Governor and Council acted as follows:

#17 **DENIED** - The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton voted to **deny** the petition of John Harold Tracey requesting a pardon hearing for the offense of DWI 4th Offense. The petitioner is not eligible for an annulment until February 5, 2016.

#18 Authorized to enter into a **retroactive** Full Service Maintenance Agreement with Xerox Corporation, Waltham, MA, for the purpose of providing services and products for the copying machines located at the DOJ in an amount not to exceed \$35,000. Effective upon G&C approval through June 30, 2009. **65% General, 7% Federal, 11% Trans. From Other Agencies, 11% Agency Income, 6% Highway Funds.**

#19 Authorized to appoint Diana E. Fenton as an Assistant Attorney General at a salary level of \$61,294.34. Effective upon G&C approval.

DEPARTMENT OF STATE

#20 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea and with Councilor Wieczorek voting **no**, authorized the request to reclassify position #11363 Administrative Secretary, labor grade 14 to Program Specialist I, labor grade 19. Effective **retroactive** to January 18, 2008.

EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#21 Authorized to enter into a **retroactive sole source** contract with Gordon T. Burke & Sons Inc., Conway, NH, for emergency roof repair services at NHE's Conway local office in the amount not to exceed \$30,000. Effective March 3, 2008 through March 31, 2008. **100% Federal Funds.**

#22 Authorized to enter into a **retroactive sole source** contract with A.W. Therrien Co., Inc., Manchester, NH, for emergency snow removal services on the roofs located at the NHES's Concord and Conway local offices in an amount not to exceed \$6,800. Effective March 3, 2008 through March 4, 2008. **100% Federal Funds.**

#23 Authorized to enter into a **retroactive sole source** contract with Manchester Roofing, Bedford, NH, for emergency snow removal services on the roof located at the NHES's Concord local offices in an amount not to exceed \$13,455. Effective March 3, 2008 through March 4, 2008. **100% Federal Funds.**

#24 Authorized to enter into a **retroactive sole source** contract with Tirey & Associates PC, Littleton, NH, for emergency structural engineering and evaluation services at NHES's Conway local offices in an amount not to exceed \$6,500. Effective March 3, 2008 through March 31, 2008. **100% Federal Funds.**

#24A Authorized to amend a **retroactive** contract with Gordon T. Burke & Sons Inc., Conway, NH, (previously approved by G&C on 12-7-05, item #34), for emergency snow plowing and removal services at NHES's Conway local office, by increasing the amount by \$1,225 from \$37,836 to \$39,061. Effective March 5, 2008 through June 30, 2008. **100% Federal Funds.**

#24B Authorized to amend a **retroactive** contract with Raymond's Landscaping LLC, Boscawen, NH (previously approved by G&C on 11-16-05, item #35), for emergency snow plowing and removal services at NHES's Concord local office, by increasing the amount by \$5,262 from \$12,700 to \$17,962. Effective March 3, 2008 through June 30, 2008. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#25 Authorized to exercise a **sole source** contract renewal option with Laboratory Corporation of America Holdings Inc., Raritan, NJ, (previously approved by G&C on 5-17-06, item #48, amended on 5-16-07, Late item D), for Clinical Laboratory Services in the amount of \$990,222. Effective May 31, 2008 through May 31, 2010. **100% General Funds.**

#26 A motion was made to table this item by Councilor Wieczorek, seconded by Councilor Shea, and with Councilor Burton, Councilor Hollingworth and Councilor Pignatelli voting no, the motion **failed**. The item was approved with Councilor Wieczorek voting **no**, to exercise a contract renewal option with Bio-Medical Applications of NH Inc., d/b/a NH Kidney Center, Concord, NH, (previously approved by G&C on 4-19-06, item #40), for Hemodialysis Services in the amount of \$1,419,600. Effective May 1, 2008 through May 1, 2010. **100% General Funds.**

#27 Authorized to exercise a contract renewal option with WR Bevans Fire Alarms Inc., Boscawen, NH (previously approved by G&C on 4-5-06, item #28), for the maintenance, testing, and repair of the fire alarm equipment of the North Correctional Facility, Berlin, NH in the amount of \$11,920. Effective April 30, 2008 through April 30, 2010. **100% General Funds.**

#27A Authorized to exercise a contract renewal option with MAS Medical Staffing Corporation, Manchester, NH, (previously approved by G&C on 8-22-07, item #86), for temporary nursing services in the amount of \$27,471. Effective June 30, 2008 through June 30, 2009. **100% General Funds.**

#27B Authorized to pay \$900,000 in overtime for permanent personnel services out of salaries for vacant positions due to pending recruitment for the period of October 27, 2007 through March 28, 2008.

STATE VETERANS COUNCIL

#28 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Shea authorized the request for a salary increment of \$3,283 to the Director of the Veterans Council, Mary E. Morin. Effective April 19, 2008. **100% General Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#29 Authorized to accept and place on file the report of the transfer of funds for Cannon Mountain ski area for the quarter ending March 31, 2008. **100% Cannon MT.**

#30 Authorized Division of Parks and Recreation to enter into a contract with the Peterborough Police Department, Peterborough, NH, for security coverage and traffic control at Miller State Park in the amount of \$2,592. Effective October 1, 2008 through October 31, 2008. **100% Park Funds.**

#31 Authorized Division of Parks and Recreation to enter into a contract with the Nottingham Police Department, Nottingham, NH, for security coverage and traffic control at Pawtuckaway State Park in the amount of \$6,400. Effective July 1, 2008 through June 30, 2009. **100% Park Funds.**

#32 Authorized Division of Parks and Recreation to enter into a contract with Dave's Septic Service Inc., Bedford, NH, for septic pumping and portable toilet services at nine state parks facilities in the amount of \$10,910. Effective July 1, 2008 through June 30, 2009. **100% Parks Funds.**

#33 Authorized Division of Parks and Recreation to enter into a service agreement with J. K. Lynch Disposal, Colebrook, NH, for rubbish removal and disposal at five state parks in the amount of \$22,104.89. Effective July 1, 2008 through June 30, 2009. **100% Parks Funds.**

#34 Authorized Division of Parks and Recreation to enter into a service agreement with Waste Management of NH, Hampton, NH, for rubbish removal and disposal at sixteen state parks in the amount of \$45,942.13. Effective July 1, 2008 through June 30, 2009. **100% Park Funds.**

#35 Authorized Division of Parks and Recreation to enter into a contract with the Town of Tamworth Police Department, Tamworth, NH, for security coverage and traffic control at White Lake State Park in the amount of \$4,200. Effective July 1, 2008 through June 30, 2009. **100% Park Funds.**

#36 Authorized to transfer a 0.04 acre portion of state-owned land known as Odiorne Point State Park located in Rye, NH to the NH DOT for bridge improvements. (2)Further Authorized to issue a permanent channel easement on a .12 acre portion of Odiorne Point State Park, Rye, NH to the NH DOT. (3)Further Authorized to issue a temporary construction easement on a .06 acre portion of Odiorne Point State Park, Rye, NH to the NH DOT.

#37 Authorized Division of Parks and Recreation to enter into a contract with Casella Waste Management Inc., Salem, NH, for rubbish removal and disposal at four state park facilities in the amount of \$53,965.99. Effective July 1, 2008 through June 30, 2009. **99% Park, 1% General Funds.**

#38 Authorized Division of Parks and Recreation to enter into a service agreement with Sebastian Septic Service, Milton, NH for septic pumping and disposal at three state park facilities in the amount of \$3,480. Effective July 1, 2008 through June 30, 2009. **83% Park, 17% General Funds.**

#39 Authorized Division of Parks and Recreation to enter into a contract with Bolen's Septic, Stewartstown, NH, for septic pumping and disposal at ten state park facilities in the amount of \$3,846. Effective July 1, 2008 through June 30, 2009. **100% Park Funds.**

#40 Authorized Division of Economic Development to amend a **sole source** contract with LandCare Associates inc., Madbury, NH, (previously approved by G&C on 6-27-07,item #93), for snow removal and landscaping services at the International Trade Resource Center, by increasing the amount by \$4,500 from \$13,210 to \$17,710. Effective upon G&C approval through June 30, 2009. **100% General Funds.**

#41 Authorized Division of Parks and Recreation to enter into a contract with Arrow Container Services LLC, Nashua, NH, for rubbish removal and disposal at one state park facility in the amount of \$5,220. Effective July 1, 2008 through June 30, 2009. **47% General, 53% Park Funds.**

#42 Authorized Division of Parks and Recreation to enter into a contract with Allied Septic d/b/a Trombly Enterprises Inc., Manchester, NH, for septic pumping and disposal at three state park facilities in the amount of \$5,620. Effective July 1, 2008 through June 30, 2009. **100% Park Funds.**

#43 Authorized Division of Parks and Recreation, Cannon Mountain Ski Area to pay a **sole source retroactive** invoice from NH Electronic Motors Inc., Laconia, NH, for emergency repairs on January 29, 2008 to an electrical motor that operates a coolant pump for the snowmaking compressors in the amount of \$2,436. **100% Cannon Mountain Funding.**

#44 Authorized Division of Forests and Lands to accept and expend an additional allotment of federal funds in the amount of \$7,162 for administration for the Federal Forest Legacy Program through June 30, 2009. **100% Federal Funds.**

#45 Authorized Division of Forests and Lands to budget and expend federal funds in the amount of \$454 from the USDA Forest Service for the Federal Urban Forestry and Community Program. Effective upon G&C approval through June 30, 2008. **100% Federal Funds.**

#46 Authorized Division of Forests and Lands to transfer \$12,515 from the Natural Heritage Bureau Fund to the Natural Heritage Bureau operating budget. **100% Agency Income.**

#46A Authorized Division of Forests and Lands to budget and expend \$11,000 from the Stone Property Trust Fund Control Account for the purpose of funding administrative and other expenses as a result of higher utility cost and a reduction in Federal Funds that are used to support temporary staff. Effective upon G&C approval through June 30, 2008. **100% Stone Trust Funds.**

NH FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#47 Authorized to enter into an Off Highway Recreational Vehicle Law Enforcement contract with the Derry Police Department to provide OHRV enforcement for a total of \$7,875. Effective upon G&C approval through June 30, 2008. **100% Other (OHRV) Funds.**

#48 Authorized to enter into a **sole source** contract with the Audubon Society of NH, Concord, NH, for implementing Wildlife Action Plan strategies in the amount of \$78,493. Effective upon G&C approval through March 31, 2009. **100% Federal Funds.**

#48A Authorized to assign a vehicle to Glenn Normandeau on a 24-hour, 7 day per week basis for the period commencing with G&C approval.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#49 NOT USED

#50 Authorized to **retroactively** amend an agreement with the Rockingham Planning Commission, Exeter, NH, (previously approved by G&C on 9-13-06, item #77), for the Exeter River Subwatershed Management Plans project, by extending the completion date from December 31, 2007 to December 31, 2008.

#51 Authorized to enter into a contract with NH Water Works Association Inc., to provide training classes for certified drinking water operators and contract services for NH's Drinking Water Week Festival in the amount of \$72,713.25. (2)Further Authorized to enter into a contract with New England Water Works Association Inc., to provide training classes for certified drinking water operators and contract services for NH's Drinking Water Week Festival in the amount of \$41,000. Effective upon G&C approval through June 30, 2009. **100% Federal Funds.**

#52 Authorized to enter into a grant agreement with the NH Lakes Association, Concord, NH, for the purpose of milfoil prevention activities in the amount of \$161,000. Effective upon G&C approval through May 31, 2009. **100% Lake Restoration Funds.** (2)Further Authorized to award an advance payment in the amount of \$75,000 to the NHLA in accordance with the terms of the grant agreement. **100% Lakes Restoration Program Funds.**

#53 Authorized to enter into an agreement with The Nature Conservancy, Concord, NH, to complete the Restoration Planning Aquatic Connectivity in High Quality Waters of the Ashuelot River Watershed Project, in the amount of \$27,136. Effective upon G&C approval through December 31, 2009. **100% Federal Funds.**

#54 Authorized to award Wastewater State Aid Grants in an aggregate amount of \$1,834,431 for water pollution control projects. Effective upon G&C approval. **100% General Funds.**

#55 Authorized to enter into a grant agreement with the NH Rivers Council, Concord, NH, for the purpose of invasive aquatic algae prevention activities in the amount of \$6,000. Effective upon G&C approval through December 31, 2008. (2)Further Authorized to award an advance payment in the amount of \$5,000 to the NHRC in accordance with the terms of the grant agreement. **100% Lakes Restoration Funds.**

#56 Authorized with Councilor Wieczorek voting **no**, to reclassify position #12072 Executive Secretary, labor grade 11 to an Environmental Technical III, labor grade 14. **100% General Funds.**

#57 Authorized a Supplemental Loan Agreement with the City of Claremont in the amount of \$4,050,000, to finance the upgrade of the existing surface water treatment facility project. Effective upon G&C approval.

#58 Authorized to enter into a Loan Agreement with Emerald Acres Cooperative Inc., to finance water system improvements to the water system serving the Cooperative in Barrington in the amount of \$117,500. Effective upon G&C approval. **100% State Revolving Funds.**

#59 Authorized a Supplemental Loan Agreement with the Town of Hanover in the amount of \$2,963,599.09, to finance Phase I of the Sewerage Improvements Program. Effective upon G&C approval.

#59A Authorized to accept and expend \$49,643 in federal funds from the US Fish and Wildlife Service to administer the Clean Vessel Act program. Effective upon G&C approval through September 30, 2008.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of the Commissioner

#60 Authorized to make a one-time payment of \$25,000 to the United Way of Merrimack County, Concord, NH, to provide support for statewide 2-1-1 information and referral service. Effective upon G&C approval through June 30, 2008. **100% General Funds.**

Bureau of Medical Services

#61 Authorized Disability Determination Unit to enter into an agreement with Patricia I. Williams, Concord, NH, to function as a Medical Disability Determination Systems Development Specialist in an amount not to exceed \$24,800. Effective upon G&C approval through June 30, 2009. **50% Federal, 50% General Funds.**

Bureau of Behavioral Health

#62 Authorized to amend a **sole source** contract with Harbor Homes Inc., Nashua, NH (previously approved by G&C on 6-27-07, item #191), to provide for two part-time benefits specialists positions to enhance access to SSA disability programs for people who are homeless, by increasing the price by \$27,820 from \$51,000 to \$78,820. Effective upon G&C approval through June 30, 2008. **100% General Funds.**

Office of Medicaid Business and Policy

#63 Authorized Dental Unit to enter into an agreement with Wilber E. Blackey, D.M.D., Salem, NH, to function as an orthodontia specialist in an amount not to exceed \$85,280. Effective July 1, 2008 through June 30, 2010. **50% Federal, 50% General Funds.**

#64 Authorized Dental Unit to enter into an agreement with David A. Gruette, D.D.S., Center Barnstead, NH, to function as dental consultant in an amount not to exceed \$127,920. Effective July 1, 2008 through June 30, 2010. **50% Federal, 50% General Funds.**

Division of Public Health Services

#65 Authorized Maternal & Child Health Section to accept and expend monetary donations in the amount of \$415 from donors to fund the NH Sudden Infant Death Syndrome Program. Effective upon G&C approval through June 30, 2008. **100% Other (Donations) Funds.**

#66 Authorized Bureau of Disease Control and Health Statistics, Health Statistics Section, Behavioral Risk Factor Surveillance System Program to amend an agreement with Macro International Inc., Burlington, VT (previously amended by G&C on 11-28-07, item #120), to provide telephone survey services, increase the sample size from 6,000 to 6,700 and to send advance notification letters, by increasing the price by \$50,442 from \$719,155 to \$769,597. Effective upon G&C approval. **100% Federal Funds.**

#67 Authorized Bureau of Disease Control and Health Statistics to accept and expend other funds (private-nonprofit) in the amount of \$6,000 from the Brain Injury Association of NH, to fund the development of a data book on Traumatic Brain Injury and Spinal Cord Injury. Effective upon G&C approval through June 30, 2009. **100% Other Funds.**

#68 Authorized Bureau of Community Health Services, Maternal and Child Health Section to amend and renew a contract with NH Minority Health Coalition, Manchester, NH, (previously approved by G&C on 4-19-06, item

#119), to provide home visiting services for at-risk, linguistically isolated and minority pregnant and parenting women in the greater Manchester community, by increasing the price by \$60,704 from \$60,704 to \$121,408, and by extending the completion date to June 30, 2010. Effective July 1, 2008. **98% Federal, 2% General Funds.**

Bureau of Elderly & Adult Services

#69 Authorized with Councilor Wieczorek voting **no**, to reclassify position #12381 Program Specialist I, salary grade 19 to Business Systems Analyst I, salary grade 28. **50% General, 50% Federal Funds.**

#70 Authorized to accept and expend additional Centers for Medicare and Medicaid Systems Transformation Grant federal funds in the amount of \$38,043.61. Effective upon G&C approval through June 30, 2008. **100% Federal Funds.**

Division of Family Assistance

#71 Authorized to accept and expend \$21,150 of US Department of Agriculture, Food and Nutrition Services, Food Stamp Program funds and Federal matching funds in the amount of \$18,850, for a total of \$40,000. Effective upon G&C approval through June 30, 2008. **47% Federal, 53% Agency Income – Food Stamp Bonus Funds.**

#72 Authorized to accept and expend \$10,000 of US Department of Agriculture, Food and Nutrition Services, Food Stamp Program funds. (2)Further Authorized to make an unencumbered payment to the NH Food Bank in the amount of \$10,000. Effective upon G&C approval through June 30, 2008. **100% Other Funds.**

#73 Authorized with Councilor Wieczorek voting **no**, to reclassify position #42431 Program Specialist IV, salary grade 25 to Business Administrator III, salary grade 27. **100% Federal Funds.**

New Hampshire Hospital

#74 Authorized to amend the Consultant List (previously amended by G&C on 1-16-08, item #159), by adding Wesley United Methodist Church, Concord, NH, to provide pastoral services for the patients of NHH. Effective upon G&C approval through June 30, 2009. **66% General, 33% Federal, 1% Other Funds.**

#75 Authorized to renew a contract with New England Emergency Response Systems Inc., (previously approved by G&C on 5-3-06, item #50), to continue to provide an emergency response system and service for Transitional Housing Services, by increasing the amount from \$11,500 to \$23,000, and by extending the end date to June 30, 2010 from June 30, 2008. **76% General, 4% Federal, 20% Other (board & care) Funds.**

#76 Authorized to amend a contract with The University of Vermont Technical Services Program, Burlington, VT, (previously approved by G&C on 7-19-06, item #112), to continue to provide clinical equipment repair and maintenance, by increasing the amount by \$6,000 from \$11,100 to \$17,100. Effective upon G&C approval. **69% General, 30% Federal, 1% Other Funds.**

DEVELOPMENTAL DISABILITIES COUNCIL

#77 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to enter into a **sole source** agreement with the University of NH, Institute on Disability, Concord, NH, to continue the Council's support of the University of NH's Leadership Series by providing partial funding for this series in the amount of \$70,000. Effective upon G&C approval through June 30, 2009. **100% General Funds.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#78 **WITHDRAWN** – The Agency **withdrew** the request to amend a contract with Judy Ullman, School Improvement Coach (previously approved by G&C on 11-28-07, item #149), to continue to provide support and technical assistance in English Languages arts to schools and districts designated as in need of improvement and provide professional development to NH educators, by increasing the amount of \$22,500 to an amount not to exceed \$32,500. Effective upon G&C approval through June 30, 2008. **100% General Funds.**

#79 **WITHDRAWN** – The Agency **withdrew** the request to enter into a contract with Sharon Mellaci, Landaff, NH, School Improvement Coach, to provide technical assistance in English Language arts and/or reading to selected

schools and districts to raise student achievement to meet state performance targets in an amount not to exceed \$5,000. Effective upon G&C approval through August 30, 2008 with a renewal option of up to two additional fiscal years. **100% General Funds.**

#80 **WITHDRAWN** – The Agency **withdrew** the request to grant funds in the amount of \$5,000 to the NH School Administrators Association, Concord, NH, to support the NHSAA June Conference and Annual Meeting being held June 29 - July 2, 2008 at the North Country Grand Hotel, North Conway, NH. Effective upon G&C approval through July 2, 2008. **50% General, 50% Transfer Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#81 Authorized Division of State Police to **retroactively** enter into a lease agreement with the City of Concord for the property located at 91 Airport Road in the amount of \$73,956.15. Effective January 1, 2008 through December 31, 2012. **81% Highway, 19% Turnpike Funds.**

#82 Authorized Division of Motor Vehicles to renew a contract with the Motorcycle Safety Foundation, Irvine, CA, (previously approved by G&C on 6-13-07, item #479), for the purpose of providing motorcycle rider training liability insurance, in an amount not to exceed \$21,999.45. Effective upon G&C approval through December 15, 2008. **100% Motorcycle Rider Training Program Funds.**

#83 Authorized with Councilor Pignatelli voting **no**, the Division of Motor Vehicles to enter into a **sole source** contract with McIntosh College, Dover, NH, to provide parking and classroom area for the Motorcycle Rider Training Program in an amount not to exceed \$27,000. Effective upon G&C approval through December 31, 2009. **100% Motorcycle Rider Training Program Funds.**

#84 Authorized the application permit of Turner's Cottages LLC located on Newfound Lake in Bristol, NH, for a congregate mooring field, for a total of 6 moorings.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#85 Authorized to accept and place on file the Bureau of Constructions quarterly summary of active projects that may require contingencies use for the period through March 31, 2008.

#86 Authorized to accept and place on file the Monthly Equipment Acquisition Plan status report for the period ending March 31, 2008.

#87 Authorized the Commissioner's Office to enter into municipal agreements with the organizations as detailed in letter dated March 25, 2008, to implement projects and plans awarded through the Scenic Byways Program through the Federal Highway Administration.

#88 Authorized Bureau of Highway Design to amend a contract with McFarland-Johnson, Incorporated, Concord, NH and Binghamton, NY, for the final design of the Manchester Airport Access Road in the Towns of Bedford, Londonderry and Merrimack and the City of Manchester, by increasing the fee by \$20,115.77 from \$8,025,261.09 to \$8,045,376.86 for additional design services that were not included in the original scope of work, and by extending the completion date to November 1, 2008 from May 1, 2008. **80% Federal, 20% Highway Funds.**

#89 Authorized Bureau of Finance & Contracts to enter into a full service Equipment Maintenance Agreement with OCE North America Inc., Chicago, IL, on the basis of a low bid of \$24,592.08. Effective **retroactive** to November 1, 2007 through October 31, 2008. (2)Further Authorized to pay overage charges if needed at a rate of \$.01435 per sq foot for usage in excess of 600,000 sq feet, the amount included in the base contract. **100% Highway Funds.**

#90 Authorized to enter into a lease agreement for a parcel of land with Raymond A. Spinosa, Woburn, MA, on the State-owned Concord to Lincoln Railroad Line in Laconia for \$1,300 per year. Effective June 13, 2008 through June 12, 2009.

#91 Authorized Bureau of Right of Way to pay various owners \$1,209,042 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from March 21, 2008 through April 1, 2008. Effective upon G&C approval.

#92 Authorized Bureau of Rail & Transit to enter into a lease agreement for land with the Grouse Point Club Community Association, Meredith, NH for \$7,000 per year. Effective May 1, 2008 through April 30, 2009.

#93 Authorized Bureau of Construction to enter into a contract with Weaver Bros., Construction Co., Inc., Concord, NH, on the basis of a low bid of \$1,642,938.90 for the widening and overlay of NH 101 and signaling the intersection of NH 101/Hardy Road/Jenkins Road. Effective upon G&C approval through June 26, 2009. (2)Further Authorized a contingency in the amount of \$164,293.89 for payment of latent conditions which may appear during the construction of the project. **80% Federal, 20% State and Local Funds.**

#94 Authorized to enter into a contract with L.A. Brochu Inc., Concord, NH, on the basis of a low bid of \$128,664 for establishment of lilac beds along highways throughout the State. Effective upon G&C approval through October 30, 2009. **100% Wildflower Funds.**

#95 Authorized Bureau of Right of Ways Contemplated Award List for amounts less than \$5,000 for the sum total of \$32,180.73 for the period extending from January 1, 2008 through March 31, 2008.

#96 Authorized Bureau of Finance & Contracts to enter into a **sole source** agreement with HSM Security, Palantine, IL, for alarm monitoring services in the amount of \$15,502.80. Effective **retroactive** to July 1, 2007 through June 30, 2010. **100% Highway Funds.**

#97

TUITION REQUESTS

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Shea, authorized the requests:

- A. EDUCATION** – Request permission to pay New England College, Henniker, NH, the sum of \$1,263.00 for the sole purpose of enrolling Lillian Emerson, Grants & Contracts Technician, in the course entitled “Public Policy and Implementation”.
- B. EMPLOYMENT SECURITY** – Request permission to pay Gonzaga University, Spokane, WA, the sum of \$2,130.00 for the sole purpose of enrolling Marcie L. Nolet, Program Specialist III, in the on-line course entitled “Organizational Ethics”.
- C. HEALTH & HUMAN SERVICES – Children, Youth & Families** – Request permission to pay Springfield College, Manchester, NH, the sum of \$950.00 for the sole purpose of enrolling Michael Donati, Supervisor IV, in the course entitled “Economics of Change”.
- D. HEALTH & HUMAN SERVICES – Children, Youth & Families** – Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$1,476.00 for the sole purpose of enrolling Rebekah Dougherty, Fiscal Specialist, in the courses entitled “Forensic Psychology” and “Human Growth and Development”.
- E. HEALTH & HUMAN SERVICES – Children, Youth & Families** – Request permission to pay Springfield College, Manchester, NH, the sum of \$950.00 for the sole purpose of enrolling John Harrington, Program Planner III, in the course entitled “Economics of Change”.

- F. HEALTH & HUMAN SERVICES – Children, Youth & Families** – Request permission to pay Springfield College, Manchester, NH, the sum of \$950.00 for the sole purpose of enrolling AnnMarie McCarron, Supervisor IV, in the course entitled “Economics of Change”.
 - G. HEALTH & HUMAN SERVICES – Community Based Care** – Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$1,317.00 for the sole purpose of enrolling Karen M. Kimball, Administrator III, in the on-line course entitled “Health Care Payment Systems”.
 - H. HEALTH & HUMAN SERVICES – Family Assistance** – Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$798.00 for the sole purpose of enrolling Barbara Barney, Family Services Specialist II, in the on-line course entitled “Statistics”.
 - I. HEALTH & HUMAN SERVICES – Family Assistance** – Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$639.00 for the sole purpose of enrolling Laura LeMien, Family Services Specialist II, in the course entitled “Business Systems Analysis and Design”.
 - J. HEALTH & HUMAN SERVICES – Family Assistance** – Request permission to pay Springfield College, Springfield, MA, the sum of \$950.00 for the sole purpose of enrolling M. Patrick McGowan, Program Specialist II, in the course entitled “Strategic Planning”.
 - K. HEALTH & HUMAN SERVICES – Glencliff Home** – Request permission to pay Slippery Rock University, Slippery Rock, PA, the sum of \$813.06 for the sole purpose of enrolling Sarah F. Lester, Nursing Coordinator, in the on-line course entitled “Medical/Health Care Ethics”.
 - L. HEALTH & HUMAN SERVICES – Improvement & Integrity** – Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$1,476.00 for the sole purpose of enrolling Stephanie E. Ondus, Fraud Investigator, in the courses entitled “Financial Accounting” and “Introduction to Sociology”.
 - M. TRANSPORTATION** – Request permission to pay Hesser College, Concord, NH, the sum of \$385.50 for the sole purpose of enrolling Karla Kemp, Program Assistant II, in the course entitled “Probability and Statistics”.
- Requested Tuition Total: \$14,097.56**

#98

TRAVEL REQUESTS

The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton, authorized the requests:

- A. FISH & GAME** - Request permission for (3) employees, Major Timothy J. Acerno, Captain Martin S. Garabedian and Samuel S. Sprague, Conservation Officer, or designees, to travel to Galloway, NJ from April 27, 2008 to April 30, 2008 to attend the Northeast Fish and Wildlife Conference. Permission is also requested for a waiver to exceed the 300-mile radius by State vehicle. Total Cost: \$2,401.00. Source of Funds: 100% OHRV. Registration fees: \$795.00

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton, voted to remove item #91- which was tabled at the April 9, 2008 Meeting

NEW HAMPSHIRE LOTTERY COMMISSION

#91 The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton and voted to approve the request to reclassify position #19665 Lottery Representative I, labor grade 17 (\$30,556) to Administrator IV, labor grade 33 (\$60,216). **100% Sweepstakes Funds.**

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Shea, seconded by Councilor Wieczorek, voted to remove item #92- which was tabled at the April 9, 2008 Meeting

NEW HAMPSHIRE LOTTERY COMMISSION

#92 The Governor and Council on motion of Councilor Shea, seconded by Councilor Burton and with voted to approve the request to reclassify position #14411 Lottery Representative I, labor grade 17 (\$30,556) to Supervisor V, labor grade 26 (\$44,284). **100% Sweepstakes Funds.**

Next Governor and Executive Council meeting is scheduled for Wednesday, May 7, 2008 at 10:00 a.m. at Plymouth State University, Plymouth, New Hampshire.

The Honorable Board then Adjourned