

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
February 13, 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 Hollingworth, seconded by Councilor Shea, accepted the minutes of January 30, 2008.

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The Governor and Executive Council, on motion of Councilor Shea, seconded by Councilor Burton approved the appointment of several persons nominated for Civil Commissions from the January 30, 2008 meeting.

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

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The Governor and Executive Council swore into office the following Representative-elect:

Rockingham District 15 (Hampton)
Christopher Nevins, r, Hampton (36 Ashbrook Drive) 03842

RESIGNATIONS

The Governor and Council, with regret, accepted the following resignation

Traffic Safety Committee
Mark Hounsell, Conway

Effective: February 13, 2008

CONFIRMATIONS

The Governor and Council confirmed the following:

Athletic Trainers Governing Board
Kerri A. Lafond, Keene
Succeeding: Maren C. McElwee, Gilmanton (reached term limit)

Effective: February 13, 2008
Term: January 8, 2011

Community College System Board of Trustees
(High School Vocational Director)
Stephen Guyer, Gilford
Reappointment

Effective: February 17, 2008
Term: June 30, 2010

Compensation Appeals Board
(Labor)
Anne C. Eaton, Concord
Reappointment

Effective: February 13, 2008
Term: February 13, 2011

Compensation Appeals Board
(Employer/Insurer)
David F. Foster, Northfield
Reappointment

Effective: February 13, 2008
Term: February 9, 2011

Compensation Appeals Board
(Labor)
Robert J. Kirby, Manchester
Reappointment

Effective: February 13, 2008
Term: February 13, 2011

Compensation Appeals Board

(Labor)

Mark S. MacKenzie, Manchester

Reappointment

Effective: February 13, 2008

Term: February 9, 2011

Compensation Appeals Board

(Labor)

Denis W. Parker, Hooksett

Reappointment

Effective: February 13, 2008

Term: February 9, 2011

Compensation Appeals Board

(Employer/Insurer)

Dennis Teravainen, Hooksett

Reappointment

Effective: February 13, 2008

February 13, 2011

Compensation Appeals Board

(Employers/Insurers)

George T. Wells, Derry

Reappointment

Effective: February 13, 2008

Term: February 9, 2011

State Conservation Committee

(Coos/Grafton)

Calvin J. Perkins, Rumney

Reappointment

Effective: February 13, 2008

Term: August 1, 2011

Fire Standards and Training Commission

(Chief of a Volunteer Fire Department)

Francis X. Fraitzl III, Bedford

Succeeding: Carl F. Roediger, New Castle (no longer volunteer fire chief) Term: November 12, 2009

Effective: February 13, 2008

Fire Standards and Training Commission

(Fire Prevention Society)

Mark W. Tetreault, Epsom

Succeeding: George E. Sykes, Lebanon

Effective: February 14, 2008

Term: February 14, 2011

Chairman: State Liquor Commission

Mark Bodi, Portsmouth

Succeeding: Anthony C. Maiola, Newport

Effective: February 13, 2008

Term: January 6, 2009

Marital Master

Thomas G. Cooper

Effective: February 13, 2008

Term: February 13, 2011

Medical Review Subcommittee

Nominated by the Board of Medicine

Bruce J. Friedman, Etna

Succeeding: Robert P. Cervenka, Manchester

Effective: February 13, 2008

Term: January 1, 2011

Occupational Therapy Governing Board

(Licensed Occupational Therapist)

Eileen Thayer Bartlett, Epsom

Reappointment

Effective: February 13, 2008

Term: January 8, 2011

Pesticides Control Board

(Ecologist)

Susan L. Whittemore, Keene

Reappointment

Effective: February 13, 2008

Term: November 6, 2010

Postsecondary Education Commission

(Represents a college not a member of the College & University Council)

John D. Hutson, Bow

Succeeding: Ronald P. Murro, Littleton (resigned)

Effective: February 13, 2008

Term: June 30, 2010

Associate Justice of the Superior Court

Peter H. Bornstein, Berlin

Succeeding: Jean Burling, Cornish (resigned)

Effective: February 13, 2008

Term: Until 70 years of age

Advisory Committee on Travel and Tourism

(Represents statewide trade association)

Nominated by the Commissioner of the Department of Resources and Economic Development

Nancy C. Kyle, Pembroke

Succeeding: Eileen Freedman, Nashua

Effective: February 13, 2008

Term: December 1, 2010

Advisory Committee on Travel and Tourism

(Member at large)

Nominated by the Commissioner of the Department of Resources and Economic Development

Judi Window, Manchester

Reappointment

Effective: February 13, 2008

Term: December 1, 2010

Advisory Committee on Travel and Tourism

(Culture, Arts & History)

Nominated by the Commissioner of the Department of Resources and Economic Development

Lawrence Yerdon, Portsmouth

Reappointment

Effective: February 13, 2008

Term: December 1, 2010

NOMINATIONS

The Governor placed into nomination the following:

Commissioner: Department of Administrative Services

Linda M. Hodgdon, Epsom

Succeeding: Donald S. Hill, Pembroke (resigned)

Salary: LL - \$110,114.00

Effective: Upon confirmation

Term: July 1, 2008

Board of Licensing for Alcohol and Other Drug Abuse Professionals

(Member of National Association of Alcohol and Drug Abuse Counselors)

William T. Kohut, Sr., Dover

Succeeding: Tom Jordan, Manchester

Effective: Upon confirmation

Term: January 28, 2011

State Board of Auctioneers

Frank L. Eaton, Epsom

Succeeding: Charles H. Clougherty, Claremont

Effective: Upon confirmation

Term: March 1, 2013

Chief Operations Officer: Department of Environmental Services

Nominated by the Commissioner of the Department of Environmental Services

Susan A. Carlson, Bow

Reappointment

Salary: GG Maximum \$85,882.00

Effective: March 10, 2008

Term: March 10, 2012

Equalization Standards Board

Nominated by the Association of Counties
 George Maglaras, Dover
 Reappointment

Effective: Upon confirmation
 Term: October 24, 2009

Fire Standards and Training Commission

(Fire Instructors and Officers Association of NH)
 Stephen M. Carrier, Gilford
 Reappointment

Effective: Upon confirmation
 Term: February 15, 2011

Executive Director: Fish and Game Department

Glenn D. Normandeau, Portsmouth
 Succeeding: Lee Perry, Strafford (resigned)
 Salary: HH Maximum \$90,382.00

Effective: Upon confirmation
 Term: August 13, 2011

Senior Division Director: Department of Health and Human Services

Nominated by the Commissioner of the Department of Health and Human Services
 Mary P. Castelli, Chichester
 Reappointment
 Salary: JJ Maximum \$104,300.00

Effective: Upon confirmation
 Term: 4 yrs from confirmation

Judicial Council

(Lay person)
 Richard F. Winters, Meriden
 Reappointment

Effective: Upon confirmation
 Term: January 1, 2011

New Hampshire Health and Education Facilities Authority

Bruce R. Burns, Hopkinton
 Succeeding: Major W. Wheelock, Harrisville (resigned)

Effective: Upon confirmation
 Term: June 30, 2009

New Hampshire Motor Vehicle Industry Board

Walter F. McCarthy, Manchester
 Reappointment

Effective: Upon confirmation
 Term: January 9, 2012

Board of Nursing

(LNA)
 Cynthia Smith, Meredith
 Succeeding: Linda M. Morel, Nottingham

Effective: Upon confirmation
 Term: October 24, 2010

Public Water Access Advisory Board

(Non-power boating)
 R. Andrew Robertson, Deerfield
 Succeeding: Patricia Goodrich, Atkinson

Effective: Upon confirmation
 Term: October 27, 2010

Director of the Division of Travel and Tourism Development: Department of Resources and Economic Development

Nominated by the Commissioner of the Department of Resources and Economic Development
 Alice L. DeSouza, Bedford
 Reappointment
 Salary: GG Maximum \$85,882.00

Effective: March 8, 2008
 Term: March 8, 2012

Advisory Committee on Travel and Tourism

(Camping)
 Nominated by the Commissioner of the Department of Resources and Economic Development
 Crosby S. Peck, Lancaster
 Reappointment

Effective: Upon confirmation
 Term: December 1, 2010

Board of Managers of New Hampshire Veterans' Home
(Veteran of Foreign Wars)

Donald R. Caron, Goffstown
Reappointment

Effective: Upon confirmation
Term: March 1, 2013

Board of Managers of New Hampshire Veterans' Home
(VFW Auxiliary)

Elizabeth Castricone, Windham
Succeeding: Sandra Jenkins, Manchester

Effective: Upon confirmation
Term: March 1, 2010

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#1 Authorized to enter into an agreement with the City of Laconia, NH, to conduct a market and design study of the PEMACO Garden Theater Building in the amount of \$8,750. Effective upon G&C approval through December 31, 2009. **100% Federal Funds.**

#2 Authorized to enter into an agreement with the Town of Belmont, NH, to conduct a study to develop cost estimates for improvements to the water, drainage, and roadway system of the Pleasant Valley neighborhood in order to bring these systems up to compliance with DES regulations in the amount of \$12,000. Effective upon G&C approval through December 31, 2009. **100% Federal Funds.**

#3 Authorized to **retroactively** amend an agreement with the County of Merrimack, Concord, NH, (previously approved by G&C on 2-22-06, item #5), for the purpose of rehabilitating the McKenna House emergency living facility to bring it into full ADA Compliance and repair and upgrade some of the buildings systems, in the amount of \$86,500, by extending the completion date to December 31, 2008 from December 31, 2007. **100% Federal Funds.**

OFFICE OF ENERGY AND PLANNING

#4 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to amend a **sole source** contract with Rockingham Community Action Inc., Portsmouth, NH, (previously approved by G&C On 9-19-07, item #4), for the Fuel Assistance Program, by increasing the amount by \$500,111 from \$1,840,597 to \$2,340,708. Effective upon G&C approval through September 30, 2008. **100% Federal Funds.**

OFFICE OF INFORMATION TECHNOLOGY

#5 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to accept the assignment of a contract with SSA Global Technologies Inc., Chicago, IL, (previously approved by G&C on 1-15-03, item #10, amended on 6-7-06, item #8), to Infor Global Solutions, Alpharetta, GA, for maintenance and support of the agency's financial operations software. Effective upon G&C approval.

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#6 Authorized Major Daniel P. Desautels, Raymond, NH, be confirmed to the rank of Lieutenant Colonel, NH Air National Guard.

#7 Authorized Commander Alan M. Bridgham, Kingston, NH, be nominated for appointment 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.

#8 NOT USED

#8A Authorized to accept and expend funds in the amount of \$1,384.31 from the Fish and Game Department for expenses incurred during the December 2007 Aerial SAR Support in NH. **100% Other/Transfer Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#9 Authorized to accept and place on file the Report and Findings of Councilor John Shea with regard to the financing of certain routine capital equipment in connection with Measured Progress Inc., Dover, NH.

#10 Authorized Bureau of Facilities and Assets Management to enter into a contract with G & K Services, Manchester, NH, for Uniform Rental Services in an amount not to exceed \$30,000. Effective upon G&C approval through June 30, 2011. **100% Transfer Funds.**

#11 Authorized to accept and place on file the list of vendors that agencies have contracted with for the period of October 1, 2007 through December 31, 2007.

#12 Authorized to accept and place on file the quarterly allotments for the period through December 31, 2007.

#13 Authorized Bureau of Court Facilities to amend a current contract with Capital City Paving Inc., Concord, NH, to provide parking lot repair and striping services at five state owned court facilities, by extending the end date from November 5, 2007 to June 30, 2008. Effective upon G&C approval.

#14 Authorized Bureau of Public Works Design and Construction to enter into a contract with Northern Peabody LLC, Manchester, NH, for the State Laboratory HVAC Enhancements, Concord, NH, for a total price not to exceed \$109,875. Effective upon G&C approval through May 16, 2008. (2)Further Authorized a contingency in the amount of \$16,000 for unanticipated expense for the State Laboratory HVAC Enhancements bringing the total to \$125,875. **100% General Funds.**

#14A Authorized Bureau of Public Works Design and Construction to amend a contract with North Branch Construction Inc., Henniker, NH (previously approved by G&C on 8-22-07, late item A), to increase the contingency amount by \$278,054.83 from \$329,700 to \$607,754.38 for work on the Exit 5 Bus Terminal – Maintenance and Storage Facility in Londonderry, NH. **98.02% Federal, 1.98% Private Local Funds.**

#14B Authorized Bureau of Court Facilities to enter into a **retroactive** lease agreement with the County of Coos for state owned property located in the Coos County Courthouse, Lancaster, NH. Effective September 1, 2007 through August 31, 2010.

#14C Authorized a Working Capital Warrant in the amount of \$1,050,000,000 to cover expenditures for the Month of March 2008. (2)Further Authorized a Working Capital Warrant reporting expenditures of \$383,412,821.63 for the Month of January and recommends the balance of \$16,587,178.37 be lapsed.

TREASURY DEPARTMENT

#15 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of \$17,000.46 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#16 Authorized to award a Conservation Number Plate Grant in the amount of \$5,284 to the Town of Barrington, for the Preservation of Vital Records and Town Records for Town of Barrington. **100% Other Funds.**

#17 Authorized Division of Libraries to accept and expend grants totaling \$6,500 from the Jack and Dorothy Byrne Foundation, Etna, and the Cogswell Benevolent Trust, Manchester, for the Summer Reading Experience. Effective through September 30, 2008. **100% Other Funds.**

ATTORNEY GENERAL

The Governor and Council acted as follows:

#18 Authorized to enter into a subgrant with the Somersworth Housing Authority to be used to support the continued operation of the Youth Safe Havens program in Somersworth in the amount of \$20,000. Effective upon G&C approval through June 30, 2009. **100% Federal Funds.**

#19 Authorized to grant an annual salary increment to Orville B. Fitch, Deputy Attorney General from Group JJ, step 4 (\$99,136.96) to Group JJ, Maximum (\$104,300). Effective upon G&C approval.

#19A Authorized to amend a contract with National Medical Services, Willow Grove, PA, (previously amended by G&C on 7-18-07, item #65), for toxicology testing services to the State Medical Examiner, by increasing the amount by \$70,000 for a new total of \$385,000. Effective upon G&C approval through June 30, 2008. **100% General Funds.**

BANKING DEPARTMENT

#19B The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to enter into a lease agreement with Sennen LP c/o Altid Enterprises LLC, Cambridge, MA, for 10,980 square feet of office space including janitorial services and utilities in Concord, NH totaling \$1,037,610. Effective March 1, 2008 through May 31, 2013. (2) Further Authorized a one-time payment of \$40,000 upon successful completion of premise improvements and renovations. **100% Banking Assessment Funds.**

EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#20 Authorized to enter into a **retroactive** contract with Edmonds Landscaping Company Inc., Merrimack, NH, for snow plowing and removal services at NHES's Local office, Nashua, NH, in an amount not to exceed \$12,880. Effective February 1, 2008 through June 30, 2010. **100% Federal Funds.**

#21 Authorized to enter into a **retroactive** contract with Creative Labor Systems Inc., Keene, NH, for janitorial services at NHES's Keene Local office in an amount not to exceed \$21,750. Effective February 1, 2008 through June 30, 2010. **100% Federal Funds.**

#22 Authorized to enter into a **retroactive** contract with ACONVAK LLC, Raymond, NH, for snow plowing and removal services at NHES's Local and Administrative offices, Manchester, NH, in the amount not to exceed \$23,700. Effective February 1, 2008 through June 30, 2010. **100% Federal Funds.**

#23 Authorized to enter into a **retroactive** contract with JSL Outdoor Services LLC d/b/a Giant Landscaping, Manchester, NH, for snow plowing and removal services at NHES's Local Office in the amount not to exceed \$16,737.50. Effective February 1, 2008 through June 30, 2010. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#24 Authorized to reclassify position #12984 Occupational Therapist II, labor grade 21 (\$35,880) to Clinical Mental Health Counselor, labor grade 21 (35,880).

#25 Authorized to reclassify position #40185 Corrections Officer, labor grade 14 (\$31,740.80) to Human Resource Coordinator I, labor grade 21 (\$35,880). **100% General Funds.**

#26 Authorized to reclassify position #42241 Corrections Counselor/Case Manager, labor grade 20 (\$36,691.20) to Program Coordinator, labor grade 26 (\$44,284.50).

#27 Authorized to **retroactively** reclassify position #41472 Corrections Counselor/Case Manager, labor grade 20 to a Systems Development Specialist IV, labor grade 26. **100% General Funds.**

#28 Authorized with Councilor Pignatelli voting **no**, to **retroactively** exercise a renewal option of a contract with Correctional Eyecare Network Services Inc., East Greenbush, NY, (previously approved by G&C on 10-5-05, item #45), for the provision of on-site optometrist services for the Northern NH Correctional Facility, Berlin, NH. Effective August 31, 2007 through August 31, 2009. **100% General Funds.**

#29 Authorized with Councilor Pignatelli voting **no**, to **retroactively** exercise a renewal option of a contract with Correctional Eyecare Network Services Inc., East Greenbush, NY, (previously approved by G&C on 10-5-05, item #46), for the provision of on-site optometrist services for the southern area facilities in the amount of \$90,450. Effective August 31, 2007 through August 31, 2009. **100% General Funds.**

#30 Authorized to exercise a renewal option to a lease agreement with Strafford County Commissioners, Dover, NH, for the purpose of office space for the probation/parole office in an amount not to exceed \$32,602.56. Effective April 1, 2008 through March 31, 2009. **100% General Funds.**

LIQUOR COMMISSION

#31 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to accept and place on file the Annual Report and Statistical Appendix for the period ending June 30, 2007.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#32 Authorized Division of Economic Development to reclassify position #18114 Advertising Specialist, labor grade 25 to Administrator III, labor grade 31. **100% General Funds.**

#33 Authorized with Councilor Pignatelli voting **no**, Division of Parks and Recreation to enter into a **retroactive** contract with N&H Orestis Enterprises LLC, Rye Beach, NH, for sanding and salting services at the Seacoast Region in the amount of \$6,480. Effective December 1, 2007 through April 30, 2008. **90% Park, 10% General Funds.**

#34 Authorized to accept and place on file the report of season passes issued for Cannon Mountain during fiscal year 2008.

#35 Authorized Trails Bureau to enter into a **retroactive** contract with Conway Scenic Railroad Inc., North Conway, NH, to provide snowmobile access on their property in the amount of \$9,740. Effective December 25, 2007 through March 31, 2010. **100% Trails Funds.**

#36 Authorized Division of Parks and Recreation, Cannon Mountain to enter into a membership with NH Ski Group USA, in the amount of \$15,000. Effective March 1, 2008 through October 31, 2008. **100% Cannon Mountain Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#37 Authorized to enter into a contract with Aquatic Control Technology Inc., Sutton, MA for the purpose of milfoil control activities in Glen Lake, Goffstown, NH, in the amount of \$6,020. Effective upon G&C approval through December 31, 2008. **100% Other Funds.**

#38 Authorized to enter into a grant agreement with Lee's Pond Association, Moultonborough, NH, for the purpose of milfoil control activities in the amount of \$5,042.50. Effective upon G&C approval through December 31, 2008. **100% Other Funds.**

#39 Authorized to enter into a grant agreement with the Cobbetts Pond Improvement Association Inc., Windham, NH, for the purpose of milfoil control activities in the amount of \$8,640. Effective upon G&C approval through December 31, 2008. **100% Other Funds.**

#40 Authorized to enter into a grant agreement with the Lake Winnisquam Association Inc., Laconia, NH, for the purpose of milfoil control activities in the amount of \$8,700. Effective upon G&C approval through December 31, 2008. **100% Other Funds.**

#41 Authorized to award Wastewater State Aid Grants in an aggregate amount of \$140,705 for water pollution control projects. Effective upon G&C approval. **100% General Funds.**

#42 Authorized to accept and expend \$59,000 in Federal funds from the US Environmental Protection Agency for public water system mutual aid development and assistance. Effective upon G&C approval through June 30, 2009. (2)Further Authorized to enter into a contract with SEA Consultants Inc., Concord, NH, to promote water system mutual aid in the amount of \$50,000. Effective upon G&C approval through June 30, 2008. **100% Federal Funds. Fiscal Committee approved.**

#43 Authorized to enter into a **sole source** agreement with Southern NH Planning Commission, Manchester, NH, for coordination and planning services in the amount of \$24,000. Effective upon G&C approval through June 30, 2010. **100% Other Funds.**

#44 Authorized to accept and place on file the 2007 annual report.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Bureau of Facilities and Assets Management

#45 Authorized to **retroactively** amend a contract with Stebbins Spectacular Painting LLC, (previously approved by G&C on 11-28-07, item #98), for interior surface repair, priming and painting at the Thayer Building, Concord, NH, by extending the end date from January 31, 2008 to March 31, 2008.

#46 NOT USED

Division for Children, Youth & Families

#47 Authorized to conduct two organized meetings for a Train the Trainer curriculum titled "Preventing Child Abuse and Neglect: Parent-Provider Partnership in Child Care" for Early Childhood Professionals to be held from March 10, 2008 through March 12, 2008 and on a required Follow-up Day to be Announced in the Winter of 2008/2009. (2)Further Authorized to make payments for Lunch and Refreshments to NH Hospital Food & Nutrition Service. Effective March 10, 2008 or upon G&C approval, whichever is later, through June 30, 2009. (3)Further Authorized to make reimbursement payments for hotel room accommodations to those attendees that are employees of the Department of HHS, DCYF, or are working for a Child Care Resource & Referral agency and are required by contract to attend this training and whose regular place of business is more than 50 miles from Concord, NH. **100% General Funds.**

#48 Authorized to provide Licensed Plus quality child care awards in the amount of \$40,735.50 to six Licensed Plus child care providers throughout the State of NH, as detailed in letter dated January 23, 2008. Effective upon G&C approval through June 30, 2008. **100% Federal Funds.**

Division for Juvenile Justice Services

#49 Authorized to **retroactively** enter into a memorandum of Understanding with the Department of Corrections, Concord, NH, for prescriptions and pharmaceutical consulting services in the amount of \$150,000. Effective July 1, 2007 through January 31, 2008. **80% General, 20% Other (County) Funds.**

#50 Authorized to enter into a contract with Crawford Polygraph Services, Center Harbor, NH, to provide training in interview and interrogation techniques and statement analysis for Division staff in an amount not to exceed \$6,000. Effective upon G&C approval through June 30, 2008. **100% Federal Funds.**

#51 Authorized to enter into a contract with Hampshire Fire Protection Co Inc., Londonderry, NH, to provide semi-annual testing of fire systems for the John H. Sununu Youth Services Center in Manchester in an amount not to exceed \$20,270. Effective upon G&C approval through June 30, 2009. **81% General, 19% Other (County) Funds.**

Bureau of Elderly & Adult Services

#52 Authorized to amend an existing **sole source** memorandum of understanding with the Office of Energy and Planning, Concord, NH, (previously approved by G&C on 6-13-07, item #336), to provide energy assistance, by increasing the amount by \$4,596.46 from \$60,565.12 to \$65,161.58. Effective upon G&C approval through June 30, 2009. **67% Federal, 33% General Funds.**

#53 Authorized to amend a **sole source** an existing agreement with NH Legal Assistance, Manchester, NH, (previously approved by G&C on 6-13-07, item #326), to increase access to Legal Services by increasing the amount by \$89,152 from \$397,261.42 to \$486,413.42, effective **retroactive** to September 30, 2007 through September 30, 2008. **100% Federal Funds.**

Division of Family Assistance

#54 Authorized to renew agency membership in the American Public Human Services Association, Washington, DC in the amount of \$12,102. Effective **retroactive** to January 1, 2008 through December 31, 2008. **64% General, 36% Federal Funds.**

New Hampshire Hospital

#55 Authorized Transitional Housing Services to reclassify position #19023 from Senior Psychiatric Social Worker, salary grade 24 to Assistant Administrator, salary grade 29. **67% General, 33% Federal, 1% Other Funds.**

#56 Authorized to reclassify position #16535 from Administrative Secretary, salary grade 14 to Program Assistant III, salary grade 17. **67% General, 33% Federal, 1% Other Funds.**

#57 Authorized to accept nonmonetary donations received from October 1, 2007 through December 31, 2007.

#58 Authorized to accept donations from October 1, 2007 through December 31, 2007, from contributors in the amount of \$1,900.

NEW HAMPSHIRE VETERANS HOME

The Governor and Council acted as follows:

#59 Authorized to **retroactively** pay Robert Comeau, Licensed Nursing Assistant III, prior year increments wages that were not processed from December 28, 2006 to June 7, 2007 in the amount of \$1,188.97, for fiscal year 2007, which includes holiday pay. Effective upon G&C approval. **43% Agency, 30% Federal, 27% General Funds.**

#60 Authorized to accept monies totaling \$48,343.91 received during the period of October 1, 2007 to December 31, 2007 as a result of fundraising drives from various organizations and from personal contributions.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#61 Authorized Division of Career Technology and Adult Learning to approve a contract with the Holiday Inn-Concord and to conduct a one-day conference focusing on program and financial planning to be held at the Holiday Inn-Concord at a cost not to exceed \$2,993.01. **100% Federal Funds.**

#62 Authorized to enter into a contract with NH Project Learning Tree to provide technical assistance to improve the content knowledge of NH science teachers and to improve science instruction and learning in an amount not to exceed \$64,130. Effective upon G&C approval through June 30, 2008. (2)Further Authorized payment for services rendered and approved on the basis of invoices which are supported by a summary of activities that have taken place in accordance with the terms of the contract, along with a detailed listing of expenses incurred in lieu of withholding 25% of the total value of the contract. (3)Further Authorized to exercise a renewal option on this contract for up to two additional fiscal years, subject to the contractor's acceptable performance of the terms therein and pending legislative approval. **100% Federal Funds.**

NEW HAMPSHIRE LOTTERY COMMISSION

#63 The Governor and Council on motion of Councilor Burton, seconded by Councilor Shea authorized the request to enter into a lease agreement with Bert R. Whittemore Revocable Trust, for 24,300 square feet of office and warehouse space, Concord, NH, in the total amount of \$1,968,300. Effective May 1, 2008 through April 30, 2013. **100% Other Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#64 Authorized Division of Motor Vehicles to accept and expend the second year funding of a five year cooperative agreement in the amount of \$43,674.44 from the US Department of Transportation National Highway Traffic Safety Agency for the purpose of collecting and reporting fatal accident information in the state. Effective upon G&C approval through January 31, 2009. **100% Federal Funds. Fiscal Committee approved.**

#65 Authorized Division of Safety Services to transfer funds in the amount of \$150,000 within Watercraft Safety to increase part-time personnel salary and benefit appropriations to meet expected requirements. Effective upon G&C approval. **100% Navigation Safety Fund. Fiscal Committee approved.**

#66 Authorized Division of Fire Safety to accept and expend a \$106,013 grant known as "Hazardous Materials Emergency Preparedness" from the US Department of Transportation, Pipeline and Hazardous Materials Safety Administration for the purpose of hazardous materials planning and training for local communities and first responders. (2)Further Authorized Division of Fire Safety to enter into a memorandum of agreement with the Division of Fire Standards and Training and EMS in the amount of \$48,643.37. Effective upon G&C approval through September 30, 2008. **100% Federal Funds. Fiscal Committee approved.**

#67 Authorized the application permit of the Patrician Shores Association located on Lake Winnepesaukee in Meredith, NH, for a congregate mooring field renewal of 16 moorings.

#68 Authorized the application permit of the Colonel Tufton Borough Estates Association located on Lake Winnepesaukee in Tuftonboro, NH, for a congregate mooring field renewal of 8 moorings.

#69 Authorized the application permit of Loch Haven Realty Trust located on Ossipee Lake in Ossipee, NH, for a congregate mooring field renewal of 7 moorings.

#70 Authorized the application permit of Hillside Inn Condominium Association located on Newfound Lake in Hebron, NH, for a congregate mooring field renewal of 26 moorings.

#71 Authorized Division of Fire Safety to accept the donation of a Chemical Protection Kit from the US Department of Homeland Security, Federal Emergency Management Agency, Commercial Equipment Direct Assistance Program, with a value of \$41,000, which includes training, and shall be used by the State Fire Marshal's Office to enhance their in-field capabilities relative to hazardous materials. Effective upon G&C approval.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#72 Authorized Commissioners Office to amend a contract with the Upper Valley-Lake Sunapee Regional Planning Commission, Lebanon, NH (previously approved by G&C on 6-27-07, item #379), for certain transportation related planning activities, by increasing the amount by \$27,900 from \$317,500 to \$345,400. Effective upon G&C approval through June 30, 2009.

#73 **TABLED** – The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Pignatelli voted to **table** the request to reclassify position #20603 Highway Maintainer II, labor grade 9 to Supervisor VII, labor grade 28 and position #21366 Highway Maintainer II, labor grade 9 to Supervisor VII, labor grade 28.

#74 Authorized to amend a contract with Upper Valley Lake Sunapee Regional Planning Commission, Lebanon, NH, (previously approved by G&C on 6-22-05, item #519, amended on 10-11-06, item #80), by extending the end date from January 31, 2008 to September 30, 2008.

#75 **AMENDED** – The Governor and Council on motion of Councilor Burton, seconded by Councilor Hollingworth voted to amend the item by removing the request for funds, and authorized to accept on behalf of the State of NH a Topographic Terrain Model with a supporting wood case depicting the White Mountains Region as furnished by the Town of Conway via a grant from the Connie Davis Watson Foundation for the purpose of placement and viewing at Scenic Vista Visitors Center in Intervale, NH.

#76 Authorized to **retroactively** amend a contract with Wilbur Smith Associates Inc., Portland, ME, and New Haven, CT (previously amended by G&C on 6-27-07, item #384), for the Strategic Direction/Transportation Plan, by extending the completion date from December 31, 2007 to June 30, 2008. **80% Federal Aid, 20% State Funds.**

#77 Authorized Bureau of Right of Way to pay various owners \$220,900 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from January 17, 2008 through January 25, 2008. Effective upon G&C approval.

#78 Authorized Bureau of Right of Way to sell a 1.5 acre parcel of State owned land in Littleton to Houston Littleton LTD for \$36,100 including an administrative fee of \$1,000. Effective upon G&C approval.

#79 Authorized Bureau of Right of Ways Contemplated Awards List for amounts less than \$5,000 for the sum total of \$64,530.16 for the period extending from October 1, 2007 through December 31, 2007.

#80 Authorized Bureau of Bridge Design to enter into two qualifications-based contracts with: 1)Greenman-Pedersen Inc., Nashua, NH for an amount not to exceed \$500,000; and 2)KTA-Tator Inc., Pittsburgh, PA, for an amount not to exceed \$500,000, for bridge painting, consulting, and inspection services. Effective upon G&C approval through January 31, 2011.

#81 Authorized Bureau of Highway Design to amend a contract with Clough Harbour & Associates LLP, Keene, NH (previously approved by G&C on 8-21-01m item #323), for the final design of the expansion of the Spaulding Turnpike from Exit 11 to Exit 16 in the City of Rochester, by increasing the amount by \$670,392.58 from \$6,664,656.95 to \$7,335,049.53. Effective upon G&C approval through August 27, 2008. **100% Turnpike Funds.**

#82 Authorized Bureau of Construction to amend a contract with Park Construction Corp., Fitzwilliam, NH (previously approved by G&C on 11-15-06, item #176), for the reconstruction of the NH 101/Winchester Street intersection and other improvements in the City of Keene, by increasing the contract amount by \$50,000 from \$6,816,989.80 to \$6,866,989.80. Effective upon G&C approval. **80% Federal, 20% State Highway Funds.**

#82A Authorized to negotiate and enter into **sole source** design-build contracts with Harrington & Cortelyou Inc., an engineering bridge consultant, Kansas City, MO and Yates Electric Service Inc., Durham, NH, on the basis of negotiated RFP in an amount not to exceed \$1,300,000 for design-build services to perform a permanent fix of the bridge electrical lift system and appurtenances caused by a underwater electrical cable failure at the Sarah Long Bridge, Portsmouth, NH. Effective upon G&C approval through December 31, 2008. **100% Betterment Funds.**

#83 Authorized Bureau of Construction to enter into a contract with E.D. Swett Inc., Concord, NH, on the basis of a low bid of \$12,661,218 for road and bridge construction at the Manchester Airport. Effective upon G&C approval through November 13, 2009. (2) Further Authorized a contingency in the amount of \$633,060.90 for payment of latent conditions which may appear during the construction of the project. **80% Federal, 20% Highway Funds.**

#84 Authorized Bureau of Construction to enter into a contract with CWS Fence & Guardrail Co., Inc., of Andover, NH on the basis of a low bid of \$769,679.10 for guardrail replacement along US 302/NH 10 from the Littleton/Bethlehem town line, east of the Carroll/Harts Location town line. Effective upon G&C approval through August 29, 2008. (2) Further Authorized a contingency in the amount of \$76,967.91 for payment of latent conditions which may appear during the construction of the project. **80% Federal, 20% Highway Funds.**

DEPARTMENT OF REVENUE ADMINISTRATION

The Governor and Council acted as follows:

#85 Authorized to reclassify position #14496 Supervisor VII, labor grade 28, to Assistant Director of the Property Appraisal Division, labor grade 29.

#86 Authorized to reclassify position #14455 Director of Property Appraisal Division, labor grade 31 to Administrator IV, labor grade 33.

#87

TUITION REQUESTS

The Governor and Executive Council on motion of Councilor Shea, seconded by Councilor Burton, authorized the requests A-G & I-N, H was withdrawn by the Agency:

A. ADMINISTRATIVE SERVICES - Request permission to pay Franklin Pierce University, Concord, NH, the sum of \$1,312.00 for the sole purpose of enrolling Loretta M. Head, Purchasing Agent, in the courses entitled "College Writing II" and "The Global Economy".

B. EMPLOYMENT SECURITY - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$693.90 for the sole purpose of enrolling Jill Revels, Business Administrator III, in the course entitled "Investment Analysis".

C. 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 "College Composition II" and "Introduction to Humanities II".

D. HEALTH & HUMAN SERVICES, Children, Youth & Families - Request permission to pay Plymouth State University, Plymouth, NH, the sum of \$1,207.00 for the sole purpose of enrolling Linda Pivin, Child Protective Services Worker, in the course entitled "Counseling Skills".

E. HEALTH & HUMAN SERVICES, Children, Youth & Families - Request permission to pay Plymouth State University, Plymouth, NH, the sum of \$394.00 for the sole purpose of enrolling Deborah Taylor, Supervisor III, in the course entitled "Disease and the Environment".

F. HEALTH & HUMAN SERVICES, New Hampshire Hospital - Request permission to pay New England College, Henniker, NH, the sum of \$1,263.00 for the sole purpose of enrolling Victoria Shouldis, Social Worker III/Complaint Investigator, in the course entitled "Managing Projects".

G. HEALTH & HUMAN SERVICES, Operations Support - Request permission to pay Plymouth State University, Plymouth, NH, the sum of \$1,207.00 for the sole purpose of enrolling Michael Fleming, License & Evaluation Coordinator, in the course entitled "Operations Management".

H. WITHDRAWN – The Agency withdrew the request for **HEALTH & HUMAN SERVICES, Public Health Services** - Request permission to pay Plymouth State University, Plymouth, NH, the sum of \$1,182.00 for the sole purpose of enrolling Cynthia Capodestria, Administrative Secretary, in the course entitled "Foundations of the Counseling Profession".

I. HEALTH & HUMAN SERVICES, Public Health Services - Request permission to pay University of New Hampshire, Durham, NH, the sum of \$1,518.00 for the sole purpose of enrolling Mary Ann Cooney, Director, Division of Public Health Services, in the course entitled "Public Health Policy Analysis".

J. LIQUOR - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$798.00 for the sole purpose of enrolling Cherie L. Sirrianna, Accounting Technician, in the course entitled "Introduction to Marketing".

K. TRANSPORTATION - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$1,476.00 for the sole purpose of enrolling Renee Dupuis, Human Resources Technician, in the courses entitled "Human Resources Strategy/Development" and "Strategic Management and Policy".

L. TRANSPORTATION - Request permission to pay Hesser College, Concord, NH, the sum of \$771.00 for the sole purpose of enrolling Karla Kemp, Program Assistant II, in the course entitled "Management of Information Systems".

M. TRANSPORTATION - Request permission to pay Colorado Technical University, Colorado Springs, CO, the sum of \$2,288.90 for the sole purpose of enrolling Mitchell LaChapelle, Highway Maintainer II, in the on-line courses entitled "Marketing" and "Art Appreciation".

N. TREASURY - Request permission to pay Franklin Pierce University, Concord, NH, the sum of \$655.35 for the sole purpose of enrolling Sylvia Yeaton, Accountant IV, in the course entitled "Statistics".

Requested Tuition Total: \$ 16,242.15

LATE ITEMS

DEPARTMENT OF ADMINISTRATIVE SERVICES

- A.** Authorized to amend a contract with Paymentech LLC, Dallas, TX, (previously approved by G&C on 12/2002, item #29A, amended on 3/10/06, item #7F), to provide financial card processing services, and enable State Agencies to accept credit cards, debit cards or stored value cards or the purchase or payment of registrations, fees, fines, goods and services as required, by extending the end date from March 1, 2008 through June 30, 2008.

Next Governor and Executive Council meeting is scheduled for Wednesday, March 5, 2008 at 9:00 a.m. at the State House, Concord, New Hampshire.

The Honorable Board then Adjourned