

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
October 25, 2006, 10:00 a.m.

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

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wieczorek, accepted the minutes of October 11, 2006.

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Wieczorek approved the appointment of several persons nominated for Civil Commissions from the October 11, 2006 meeting.

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

RESIGNATIONS

NH Land and Community Heritage Authority

(Cultural and Historic Resources)

Thomas S. Burack, Hopkinton

Effective: October 31, 2006

Rockingham County Probate Judge

John R. Maher, Portsmouth

Effective: January 1, 2007

CONFIRMATIONS

The Governor and Council confirmed the following:

State Committee on Aging – Councilor Burton and Councilor Wieczorek voted **no**.

(Sullivan County)

Jack Liberman, (i), Newport

Effective: October 25, 2006

Succeeding: Mendon MacDonald, Gilford

Term: June 24, 2009

Department of Employment Security: Appellate Board

(Business Management)

Joanne Dobson, Laconia

Effective: October 25, 2006

Reappointment

Term: October 14, 2010

Department of Employment Security: Appellate Board

(Public Member)

Margaret Ives, Derry

Effective: October 25, 2006

Reappointment

Term: October 14, 2010

Board of Architects

Richard M. Monahan, Jr., Peterborough

Effective: October 25, 2006

Succeeding: Donald R. Lavalley, Hampton (reached term limit)

Term: September 9, 2011

Emergency Shelter and Homeless Coordination Commission

Roger R. Beauchamp, Manchester

Effective: October 25, 2006

Succeeding: Helen C. Cohen, Kensington

Term: August 26, 2008

Emergency Shelter and Homeless Coordination Commission

Lance dePlante, New Ipswich

Effective: October 25, 2006

Succeeding: Patricia E. Howe, Franklin

Term: August 26, 2008

Executive Branch Ethics Committee

Nominated by the Secretary of State
Dale S. Kuehne, (r), Manchester
Vacancy

Effective: October 25, 2006
Term: June 30, 2009

Executive Branch Ethics Committee

Nominated by the Secretary of State
David L. Nixon, (d), Manchester
Vacancy

Effective: October 25, 2006
Term: June 30, 2008

Executive Branch Ethics Committee

Nominated by the State Treasurer
L. Douglas O'Brien (r), Bow
Vacancy

Effective: October 25, 2006
Term: June 30, 2008

Executive Branch Ethics Committee

Nominated by the State Treasurer
Patricia B. Quigley, (d), Concord
Vacancy

Effective: October 25, 2006
Term: June 30, 2007

Judicial Council

(NH Bar Association Member)
Joseph M. McDonough, Manchester
Reappointment

Effective: October 25, 2006
Term: October 18, 2009

NH Land and Community Heritage Authority

(Natural Resources)
Jack Bronnenberg, Strafford
Vacancy

Effective: October 25, 2006
Term: September 6, 2007

NH Land and Community Heritage Authority

(Local Planning)
William Norton, Concord
Succeeding: A. Bradford Wyman, West Dummer

Effective: October 25, 2006
Term: September 6, 2010

NH Land and Community Heritage Authority

(Municipal)
H. Charles Royce, Jaffrey
Succeeding: Elizabeth D. Hengen, Concord

Effective: October 25, 2006
Term: September 6, 2010

Marital Mediator Certification Board

(Attorney)
Karen J. Borgstrom, Lyme
Reappointment

Effective: October 25, 2006
Term: October 11, 2007

Marital Mediator Certification Board

Nominated by the NH Conflict Resolution Association
Honey Hastings, Temple
Reappointment

Effective: October 25, 2006
Term: November 21, 2008

New Motor Vehicle Arbitration Board

(Representing Consumers)
Clarence E. Bourassa, Bow
Reappointment

Effective: October 25, 2006
Term: August 28, 2009

Pharmacy Board

(Public Member)

Sandra B. Keans, Rochester

Reappointment

Effective: October 25, 2006

Term: October 14, 2011

State Board of Licensing & Regulation of Plumbers

Richard J. Zannini, Hampton

Succeeding: James Varotsis, Portsmouth (reached term limit)

Effective: October 28, 2006

Term: October 28, 2011

Public Water Access Advisory Board

Allen K. MacNeil, Plymouth

Reappointment

Effective: October 27, 2006

Term: October 27, 2009

Recreational Therapy Governing Board

Sharon Nichols, Portsmouth

Vacancy

Effective: October 25, 2006

Term: October 25, 2009

Recreational Therapy Governing Board

(Public Member)

Michael Pagan, Sanbornville

Vacancy

Effective: October 25, 2006

Term: October 25, 2009

Recreational Therapy Governing Board

Lou G. Powell, Strafford

Vacancy

Effective: October 25, 2006

Term: October 25, 2008

Recreational Therapy Governing Board

Deborah Ann Robinson, Merrimack

Vacancy

Effective: October 25, 2006

Term: October 25, 2007

Board of Managers of the NH Veterans' Home

(Member of a recognized and chartered Veterans Service Organization)

Anthony J. Romano, Jr., New Hampton

Reappointment

Effective: October 25, 2006

Term: August 26, 2009

Board of Veterinary Medicine

(Public Member)

Susan C. Flint, Henniker

Succeeding: Elaine S. Forst, Henniker (reached term limit)

Effective: October 25, 2006

Term: October 14, 2011

NH Water Well Board

(Water Well Contractor)

Jeffrey M. Tasker, Northwood

Reappointment

Effective: October 25, 2006

Term: September 15, 2009

NOMINATIONS

The Governor placed into nomination the following:

Agricultural Lands Preservation Committee

Ruth I. Clough, Elkins

Reappointment

Effective: Upon confirmation

Term: October 10, 2009

Department of Employment Security Appellate Board

(Attorney - Vice Chair)

Heather E. Krans, Exeter

Succeeding: Scott McGuffin, Northfield (reached term limit)

Effective: Upon confirmation

Term: November 21, 2008

Department of Employment Security Appellate Board

(Attorney – Chair)

Thomas P. Mullins, Greenfield
ReappointmentEffective: November 21, 2006
Term: November 21, 2010NH State Council on the ArtsRichard Ayers, Sanbornton
ReappointmentEffective: Upon confirmation
Term: November 10, 2011NH State Council on the ArtsJacqueline R. Kahle, Wilton
ReappointmentEffective: November 23, 2006
Term: November 23, 2011NH State Council on the ArtsPeter J. McLaughlin, Hanover
ReappointmentEffective: Upon confirmation
Term: October 28, 2011NH State Council on the ArtsEdra Toth, Farmington
VacancyEffective: Upon confirmation
Term: October 28, 2011Compensation Appeals Board

(Attorney)

Thomas G. Cooper, Concord
VacancyEffective: Upon confirmation
Term: August 18, 2007Electricians' Board

Dennis S. Hager, Concord

Succeeding: Joan M. Delorie, Pembroke (reached term limit)

Effective: Upon confirmation
Term: August 26, 2011Emergency Shelter and Homeless Coordination Commission

(Business and Industry)

Ruth E. Franks, Grantham
Succeeding: Harold Acres, NashuaEffective: Upon confirmation
Term: August 26, 2008Fire Standards and Training Commission

Nominated by the Associated Firefighters of NH-International Association

David R. Duquette, Somersworth
ReappointmentEffective: Upon confirmation
Term: November 12, 2009Board of Licensure of Interpreters for the Deaf and Hard of Hearing

Nominated by the NH Association of the Deaf

Michael Schock, Rollinsford
Succeeding: Joan E. Case, WeareEffective: Upon confirmation
Term: October 10, 2009NH Land and Community Heritage Authority

(Cultural and Historic Resources)

Edward J. McLear, Meredith
Succeeding: Thomas S. Burack, Hopkinton (resigned)Effective: Upon confirmation
Term: September 6, 2008Board of Mental Health Practice

(Psychologist)

Karen Jennings, Hudson
ReappointmentEffective: Upon confirmation
Term: October 31, 2009

Board of Nursing

(LPN)

Sharon Dyer, Greenfield

Reappointment

Effective: Upon confirmation

Term: November 16, 2009

Passenger Tramway Safety Board

(Cable Lift)

Robert Hoyt, Madison

Reappointment

Effective: Upon confirmation

Term: June 20, 2010

Pre-Engineering Technology Advisory Council

(Public Member)

Brenda K. Quinn, Manchester

Reappointment

Effective: Upon confirmation

Term: September 4, 2008

Rivers Management Advisory Committee

(Rep. Fish & Game Commission)

Walter A. Morse, Hillsborough

Reappointment

Effective: Upon confirmation

Term: September 28, 2009

Volunteer NH Board of Directors

(Community-based Organization)

Donald E. Chesnel, Rochester

Reappointment

Effective: Upon confirmation

Term: October 10, 2009

Volunteer NH Board of Directors

(Postsecondary Education)

Paula J. Gregory, Milford

Succeeding: Kathleen Moulis, Concord (resigned)

Effective: Upon confirmation

Term: October 10, 2007

Volunteer NH Board of Directors

Kyle MacDonald, Manchester

Vacancy

Effective: Upon confirmation

Term: 3 yrs from confirmation

Water Resources Council

A. Bradford Wyman, Dummer

Reappointment

Effective: Upon confirmation

Term: October 9, 2010

Wetlands Council

Nominated by the NH Association of Natural Resource Scientists

Lawrence Morse, Newmarket

Reappointment

Effective: Upon confirmation

Term: September 3, 2009

State Commission on the Status of Women

Marilyn T. Mahoney, Goffstown

Succeeding: Ronna F. Wise, Contoocook

Effective: Upon confirmation

Term: October 20, 2009

Advisory Council on Workers Compensation

(Labor)

Denis R. Beaudoin, Sr., Pittsfield

Succeeding: Richard N. Joy, Nottingham

Effective: Upon confirmation

Term: June 13, 2009

BUSINESS FINANCE AUTHORITY

#1 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton and further on a roll call vote as follows: Councilor Burton – yes, Councilor Spaulding – yes, Councilor Griffin – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing with respect to the financing of a commercial facility by the Business Finance Authority for The Mark H. Wentworth Home located in Portsmouth, New Hampshire. Action will Authorized a Resolution under RSA 162-I:9 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON OCTOBER 25, 2006
IN THE COUNCIL CHAMBER, STATE HOUSE, CONCORD**

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At 10:50 the Governor announced that the next matter to be considered would be the financing and refinancing of commercial facility projects by the Business Finance Authority for the Mark H. Wentworth Home (the “Borrower”) in Portsmouth, New Hampshire and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received the written recommendation of the Authority and other documentation and information with respect to the project. The Governor said that the meeting would then hear anyone wishing to speak on the subject. Jack Donovan, Executive Director of the Authority, briefly explained the project and emphasized that the credit of the State was not involved. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Griffin introduced a resolution entitled "A RESOLUTION UNDER RSA 162-1:9 AUTHORIZING A NOT TO EXCEED \$14,200,000 FINANCING AND REFINANCING OF COMMERCIAL FACILITIES BY THE BUSINESS FINANCE AUTHORITY FOR THE MARK H. WENTWORTH HOME IN PORTSMOUTH" and moved its adoption, which was seconded by Councilor Burton. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Spaulding, Councilor Griffin, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING
OF A COMMERCIAL FACILITY BY THE BUSINESS FINANCE
AUTHORITY FOR THE MARK H. WENTWORTH HOME
IN PORTSMOUTH**

WHEREAS, the Governor and Council have received from the Business Finance Authority (the “Authority”) its written recommendation that the Governor and Council make certain findings and a determination pursuant to RSA 162-I:9 with respect to the financing and refinancing of commercial facilities (the “Facility”) for the Mark H. Wentworth Home (also known as Wentworth Home) (the “Borrower”) in Portsmouth by the Authority’s issue of Revenue Bonds (The Mark H. Wentworth Home Issue) Series 2006 (the “Bonds”) in an aggregate amount not to exceed \$14,200,000 under RSA 162-I (the “Act”);

WHEREAS, the Governor and Council have received all the documentation and information with respect to the transaction which they have requested; and

WHEREAS, further action by the Authority with respect to the transaction is subject to the passage of this resolution and cannot be taken until after its passage;

IT IS HEREBY RESOLVED THAT:

Section 1. Findings. On the basis of the Authority's recommendation and the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special findings:

(1) The Bonds will be used to finance and refinance certain projects to be owned or leased and operated by the Mark H. Wentworth Home (also known as Wentworth Home) (the "Borrower") and located on the Borrower's approximately 1 acre campuses at 346 Pleasant Street, Portsmouth, New Hampshire consisting of three main buildings, which include 99 beds and provides services for nursing and assisted living residents. The project includes: (i) renovation and equipping of the approximately 6,450 square foot 1700s mansion; (ii) renovation, addition, equipping and construction of the approximately 13,250 square foot 1927 manor building; (iii) and renovation, addition, equipping and construction of an approximately 43,080 square feet in the 1987 building, for a total of approximately 62,780 square feet; (iv) additional site work including renovations to parking facilities and construction of an entrance for delivery and ambulatory services; (v) refinancing of an existing mortgage associated with the 1987 building; (vi) payment of related costs, including working capital and capitalized interest; and (vii) payment of certain costs of issuance, a reserve fund and credit enhancement. The projects for the commercial facilities are referred to as the "Project." The existing and proposed facilities as to be improved are referred to as the "Facility." The Project is a "commercial facility" within the meaning of RSA 162-I:2, III-a (the "Act") and may therefore be financed under the Act.

(2) The operation of the Facility will preserve employment opportunities directly and indirectly within the State of New Hampshire.

(b) General findings:

(1) The Project and the proposed financing and refinancing of the Project are feasible;

(2) The Borrower has the skills and financial resources necessary to operate the Facility successfully;

(3) The LOAN AND TRUST AGREEMENT for the Bonds (is a combined financing document and security document, hereinafter called the "Agreement") contains provisions so that under no circumstances will the Authority be obligated directly or indirectly to pay project costs, debt service or expenses of operation, maintenance and upkeep of the Facility except from Bond proceeds or from funds received under the Agreement, exclusive of funds received thereunder by the Authority for its own use;

(4) The Agreement does not purport to create any debt of the State with respect to the Facility, other than a special obligation of the Authority acting on behalf of the State under the Act; and

(5) The proposed financing of the Project by the Authority and the operation and use of the Facility will serve one or more needs and implement one or more purposes set forth in RSA 162-I: 1, will preserve or increase the social or economic prosperity of the State and one or more of its political subdivisions, and will promote the general welfare of the State's citizens.

Section 2. Ultimate Finding and Determination. The Governor and Council find that the proposed financing, operation and use of the Facility will serve a public use and provide a public benefit, and the Governor and Council determine that the Authority's financing of the Project will be within the policy of, and the authority conferred by, the Act.

Section 3. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the transaction as may be required.

Section 4. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to October 25, 2006.

#2 The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Pignatelli and further on a roll call vote as follows: Councilor Burton – yes, Councilor Spaulding – yes, Councilor Griffin – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13-a with respect to a loan from TD Banknorth and Aviation Technology, Inc. in Manchester, New Hampshire. Action will Authorized a Resolution under RSA 162-I:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON OCTOBER 25, 2006
COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE**

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At approximately 10:55 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Working Capital Line of Credit Guarantee Program of the Business Finance Authority in connection with a loan to be made by TD Banknorth to Aviation Technology, Inc. and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Jack Donovan, Executive Director of the Authority who briefly explained the project. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Wieczorek introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDED A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM TD BANKNORTH TO AVIATION TECHNOLOGY, INC." and moved its adoption, which was seconded by Councilor Pignatelli. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Spaulding, Councilor Griffin, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-A:18
AWARDING A STATE GUARANTEE UNDER RSA 162-A:13-a
WITH RESPECT TO A LOAN FROM
TD BANKNORTH TO
AVIATION TECHNOLOGY, INC.**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to seventy-five percent (75%) of the principal amount of a loan up to \$400,000 from TD Banknorth to Aviation Technology, Inc. pursuant to RSA 162-A:13-a (the Working Capital Loan Guarantee Program or the "WAG Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed seventy-five percent (75%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is authorized to approve the recommendation of the Authority and to award the recommended guarantee upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

WHEREAS, further action by the Authority with respect to the proposed transaction is subject to the passage of this resolution and cannot be taken until after its passage;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

(i) The award of the guarantee as proposed will contribute significantly to the success of the financing.

(ii) Reasonable and appropriate measures have been taken to minimize the risk of loss to the Authority and to ensure that any private benefit from the award of the guarantee will be only incidental to the public purpose served thereby.

(b) General Findings.

(i) The award of the guarantee as proposed will serve a public use and provide a public benefit.

(ii) The award of the guarantee as proposed is within the policy of, and the authority conferred by RSA Chapter 162-A.

(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(iv) The award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

3. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to October 25, 2006.

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#3 Authorized to amend a contract with Tri-County Community Action Program Inc., Berlin, NH, (previously approved by G&C on 5-17-06, item #18), for additional weatherization of low-income homes, by increasing the amount by \$22,900 from \$305,032 to \$327,932. Effective upon G&C approval through March 31, 2007. **100% Federal Funds.**

#4 Authorized to amend a contract with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, (previously approved by G&C on 5-17-06, item #14), for additional weatherization of low-income homes, by increasing the amount by \$22,900 from \$254,392 to \$277,292. Effective upon G&C approval through March 31, 2007. **100% Federal Funds.**

OFFICE OF INFORMATION TECHNOLOGY

#5 The Governor and Council on motion of Councilor Pignatelli, seconded by Councilor Burton authorized the request to enter into a **sole source** contract with Software House International, Paxton, MA, for Numara's Track-it software and peripheral services, including support services and maintenance, to sustain day-to-day operational needs of agencies within the State in the amount of \$21,750.. Effective October 31, 2006 through October 30, 2007. **100% Other Funds.**

ADJUTANT GENERAL

#6 The Governor and Council on motion of Councilor Griffin, seconded by Councilor Spaulding authorized the request of Jonathan R. Eckerman, Chester, NH, 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:

#7 Authorized a Working Capital Warrant in the amount of \$440,000,000 to cover expenditures for the Month of November 2006. (2)Further Authorized a Working Capital Warrant reporting expenditures of \$343,784,743.66 for the Month of September and recommends the balance of \$136,215,256.34 be lapsed.

#8 Authorized to accept and place on file the list of agency transfers Authorized for Fiscal Year 2007 during the month of September.

#9 Authorized Bureau of Public Works Design and Construction to enter into a contract with Control Technologies Inc., Manchester, NH, for retrofit HVAC Control System at the Supreme Court Building, Concord, NH, for a total price not to exceed \$141,700. Effective upon G&C approval through January 26, 2007. **100% Capital Funds.**

#10 Authorized Bureau of Public Works Design and Construction to enter into a contract with KPMB Enterprises, LLC – d/b/a Central Aire, Bow, NH, to Upgrade Boiler Room EPA Control and replace three smoke stacks at Department of Correction – Concord State Prison, Concord, NH, for a total price not to exceed \$130,800. Effective upon G&C approval through December 30, 2006. **91% Capital, 9% General Funds.**

#11 Authorized Bureau of Public Works Design and Construction to enter into a contract with Virgin Construction Corporation, Franklin, NH, for low bid repair and replacement of Catch Basins, Hazen Drive Complex, State Office Park East, Concord, for a total not to exceed \$84,100. Effective upon G&C approval through November 16, 2006. **100% Rental Funds.**

#12 Authorized to enter into an agreement with JGI Eastern Inc., Manchester, 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, 2009.

#13 Authorized to enter into an agreement with Foley, Buhl, Roberts & Associates 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, 2009.

#14 Authorized to enter into an agreement with Oak Point Associates, Portsmouth, 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, 2009.

#15 Authorized to enter into an agreement with E.J.C. Engineers, Nashua, 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, 2009.

#16 Authorized to enter into an agreement with Yeaton Associates Inc., Littleton, 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, 2009.

#17 Authorized to enter into an agreement with John S. Jordan Design PLLC, Canterbury, 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, 2009.

#18 Authorized to enter into an agreement with Oak Point Associates, Portsmouth, 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, 2009.

#19 Authorized Bureau of Public Works Design and Construction to amend a contract with R.S. Audley Inc., Bow, NH, (previously approved by G&C on 5-3-06, item #7), for repairs of the Hampton Beach Seawall and Rail Repair by increasing the amount by \$300,000 from \$1,594,200 to \$1,894,200. Effective upon G&C approval through May 25, 2007. (2)Further Authorized an additional amount of \$10,000 for payment to Department of Administrative services, Bureau of Public Works Design and Construction for engineering services, increasing the engineering fees from \$35,000 to \$45,000, brining the total contract from \$1,894,200 to \$1,939,200. **100% Capital Funds.**

#19A Authorized Bureau of Public Works Design and Construction to enter into a contract with J. Parker & Daughters Inc., Pittsfield, NH, for Gilson Pond Campground, Monadnock, State Park, Jaffrey, NH in an amount not to exceed \$1,160,000. Effective upon G&C approval through May 16, 2007.

#19B **FAILED** – Councilor Burton, Councilor Spaulding and Councilor Wieczorek voted **no**. The request to enter into an agreement with Anthem Life Insurance Company for the provision of group life insurance for active state employees in the amount of \$234,000 per year **failed**. Effective January 1, 2007 through December 31, 2009, with the option to renew for up to two additional years.

TREASURY DEPARTMENT

The Governor and Council acted as follows:

#20 Authorized to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of \$35,609.97 to the rightful owners of abandoned or unclaimed funds. **100% General Funds.**

#21 Authorized to accept and place on file the Annual Report for fiscal year ending June 30, 2006.

DEPARTMENT OF REVENUE ADMINISTRATION

#22 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request for a salary increment of \$3,339 to Collection Division Director Pierre "Pete" Boisvert. Effective **retroactive** from September 3, 2006. **100% General Funds.**

JOINT BOARD OF LICENSURE AND CERTIFICATION

#23 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Griffin authorized the request to enter into a **sole source** contract with the Council of Landscape Architectural Registration Boards, Vienna, VA, for the preparation and scoring of national Landscape Architect examinations in the amount of \$25,000. Effective December 1, 2006 through June 30, 2008. (2)Further Authorized unencumbered payments with internal accounting control within the Joint Board. **100% General Funds.**

NH DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

#24 The Governor and Council on motion of Councilor Burton, seconded by Councilor Wieczorek authorized the request Division of Plant Industry, to accept and expend additional grant funds from the US Department of Agriculture, Animal Plant Health Service, Cooperative Agriculture Pest Survey to be utilized for pest detection survey in the amount of \$18,820. Effective upon G&C approval through December 31, 2006. **100% Federal Funds.**

ATTORNEY GENERAL

#25 NOT USED

#26 **DENIED** – The Governor and Council on motion of Councilor Griffin, seconded by Councilor Spaulding, voted to **deny** the petition of Monica Holt requesting a pardon hearing for the offenses of Arson and Theft. The petitioner is not eligible for annulment.

HIGHWAY SAFETY AGENCY

#26A The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Spaulding authorized the request to enter into a contractual agreement with the Wayfarer Inn, Bedford, NH, to serve as the host site for the 2006 Annual Drunk and Drugged Driving Awareness Month Breakfast in the amount of \$3,580.13. Effective upon G&C approval through June 30, 2007. **100% Federal Funds.**

DEPARTMENT OF LABOR

#27 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Spaulding authorized the request of a salary increment of \$4,729 to the Commissioner of Labor, George N. Copadis, effective November 12, 2006. **90% Workers Comp, 10% General Funds.**

EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#28 Authorized to enter into a contract with The Melanson Co., Inc., Bow, NH, for roof replacement at NHES's Concord administrative office located at 32 South Main Street in the amount not to exceed \$74,100. Effective upon G&C approval through June 30, 2007. **100% Federal Funds.**

#29 NOT USED

#30 Authorized to enter into a **sole source** contract with Pitney Bowes Inc., Bedford, NH, to provide remote mail meter leasing services at NHES's offices statewide in the amount of \$8,914.72. Effective upon G&C approval through June 30, 2007. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

#31 The Governor and Council on motion of Councilor Burton, seconded by Councilor Spaulding authorized the request to pay miscellaneous invoices from past state fiscal years with state fiscal year 2007 funds in the total amount of \$7,003.25. **100% General Funds.**

LIQUOR COMMISSION

#32 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to increase the Cash-Change Revolving Fund for Store Operations by \$10,000 from \$120,000 to \$130,000.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#33 Authorized with Councilor Pignatelli voting **no**, Division of Parks and Recreation to make a **retroactive** payment for materials supplied by Hanover Hill Siding and Windows, Manchester, NH, for windows at the Magalloway Fire Tower, Pittsburg, NH, in the amount of \$3,230. **100% Federal Funds.**

#34 Authorized with Councilor Pignatelli voting **no**, Division of Parks and Recreation to make a **retroactive sole source** payment to Verizon, Worcester, MA, for service provided to Greenfield, Sunapee and White Lake State Parks in the amount of \$2,420.39 during the period of January 2003 to June 2006. **100% Other Funds.**

#35 Authorized with Councilor Pignatelli voting **no**, Division of Parks and Recreation to make a **retroactive sole source** payment to Simplex Grinnell LP, Nashua, NH, for Fire Suppression system service (labor and materials) at the Flume Visitor's Center in April 2005 in the amount of \$3,121. **100% Other Funds.**

#36 Authorized Division of Parks and Recreation to enter into a service agreement with AAA Septic d/b/a Mikem Inc., Berlin, NH, for septic pumping and disposal at Mount Washington State Park in the amount of \$9,500. Effective November 1, 2006 through June 30, 2007. **100% Other Funds.**

#37 Authorized with Councilor Pignatelli voting **no**, Division of Parks and Recreation, Cannon Mountain Ski Area to enter into a **sole source** lease agreement with Turbocristal Inc., Quebec, Canada, for three snowmaking machines in the amount of \$62,760. Effective upon G&C approval through April 30, 2009. **100% Other Funds.**

#38 Authorized with Councilor Pignatelli voting **no**, Division of Parks and Recreation, Cannon Mountain Ski Area to enter into a **sole source** contract with Dale R. Walters d/b/a Mountain Wire Rope Service, Sunbury, PA for the repair of the haul rope on the Peabody Express chairlift in the amount of \$1,550. Effective upon G&C approval through October 31, 2006. **100% Other Funds.**

#39 Authorized Division of Parks and Recreation, Cannon Mountain Ski Area to **retroactively** pay for the invoices, as detailed in letter dated October 25, 2006, from RJ. Thomas MFG.Co., Cherokee, IA in the amount of \$2,909 for purchases made at Cannon on June 15-16, 2006. **100% Other Funds.**

#40 Authorized Division of Forests and Lands to enter into a **retroactive** contract with Alan Emerson Aviation Inc., Gilford, NH, for flying the southern forest fire detection patrol route in the amount of \$6,000. Effective April 1, 2006 through June 30, 2007. **100% General Funds.**

NH FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#41 Authorized to accept and expend \$47,977 in federal funds from the USDA-APHIS Veterinary Services to pay for chronic wasting disease monitoring and surveillance efforts in NH's wild white-tailed deer. Effective upon G&C approval through July 31, 2007. **100% Federal Funds.**

#42 Authorized to pay annual dues in the amount of \$300 to the Wildlife Management Institute for membership in the Atlantic Flyway Council. **100% Other Funds.** (2)Further Authorized to pay the Wildlife Management Institute \$4,626 for the 2006 NH assessment of project costs for Atlantic Population Canada Goose banding. **65% Other, 35% Fish and Game Funds.** (3)Further Authorized to pay the Wildlife Management Institute \$7,000 for the 2006 NH assessment of project costs for Eastern Canada Cooperative Waterfowl Banding. **100% Other Funds.**

#43 Authorized to accept a donation with an estimated value of \$9,200 from John Ferreira of Rehoboth, MA, for a 2006 Yamaha Apex four-stroke snowmobile. Effective upon G&C approval.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#44 Authorized to enter into a memorandum of understanding with the Ozone Transport Commission, Washington, D.C. in the amount of \$16,000 in order to provide funding to support and coordinate regional efforts for the transport of ozone pollution. Effective upon G&C approval through June 30, 2007. **100% Other Funds.**

#45 Authorized to **retroactively** pay membership dues for October 1, 2006 through September 30, 2007 to the Northeast Waste Management Officials' Association, Boston, MA, in the amount of \$5,000. Effective upon G&C approval. **100% Federal Funds.**

#46 Authorized to amend a **sole source** contract with GeoSyntec Consultants Inc., Acton, MA, (previously approved by G&C on 5-4-05, item #38), to provide services in support of the department's watershed approach, by increasing the amount by \$125,000 from \$75,000 to \$200,000, and by extending the completion date to December 31, 2008 from December 31, 2006. **100% Federal Funds.**

#47 Authorized to budget and expend prior year carry forward funds in the amount of \$49,800 from the Dam Registration Fund. Effective upon G&C approval through June 30, 2007. **100% Other Funds.**

#48 Authorized to enter into an agreement with Advanced Pipe Inspection Inc., East Dedham, MA for return activated sludge line repairs at the Franklin Wastewater Treatment Facility in the amount of \$22,000. Effective upon G&C approval through October 31, 2007. **100% Other Funds.**

#49 Authorized to enter into an agreement with SimplexGrinnell LP, Nashua, NH, in the amount of \$57,843 for fire alarm system testing and repair for Winnepesaukee River Basin Program facilities. Effective January 1, 2007 through December 31, 2011. **100% Other Funds.**

#50 Authorized to amend a contract with ENSR Corporation, Belmont, NH, (previously approved by G&C on 7-16-03, item #83, amended on 8-18-04, item #71, amended on 7-19-06, item #88), to conduct site investigations, remediation design and remedial action implementation by increasing the contract value by \$50,000 from \$1,082,000 to \$1,132,000. Effective upon G&C approval through June 30, 2007. **100% Federal Funds.**

#51 Authorized to amend a contract with Sanborn, Head and Associates Inc., Concord, NH, (previously approved by G&C on 7-16-03, item #82, amended on 8-18-04, item #71, amended on 5-18-05, item #47, amended on 6-21-06, item #99, amended on 8-9-06, item #52), to conduct site investigations, remediation design and remedial action implementation by increasing the contract value by \$50,000 from \$1,951,400 to \$2,001,400. Effective upon G&C approval through June 30, 2007. **100% Federal Funds.**

#52 Authorized to amend a contract with Nobis Engineering Inc., Concord, NH, (previously approved by G&C on 7-28-04, item #57, amended on 5-18-05, item #47, amended on 7-19-06, item #89), to conduct site investigations, remediation design and remedial action implementation by increasing the contract value by \$85,000 from \$185,000 to \$270,000. Effective upon G&C approval through June 30, 2007. **100% Federal Funds.**

#53 Authorized to approve an Original Loan Agreement with the Ossipee Water & Sewer Commission in the amount of \$225,000 to finance a water main replacement project. Effective upon G&C approval.

#54 Authorized to enter into an agreement with the Town of Chester, NH, to complete the Wason Pond Remediation Project in the amount of \$4,355. Effective upon G&C approval through December 31, 2007. **100% Federal Funds.**

#55 Authorized to enter into an agreement with the Gundalow Company, Portsmouth, NH, to conduct an on-board environmental education series in the amount of \$20,000. Effective upon G&C approval through December 31, 2007. **100% Federal Funds.**

#56 Authorized to approve a loan agreement with the Winnepesaukee River Basin Project in the principal amount of \$486,982, to finance a regional septage dewatering system with separate solids treatment. Effective upon G&C approval. **100% Other Funds.**

#57 Authorized to approve a loan agreement with the Town of Pittsfield, in the amount of \$1,566,994 to finance a septage receiving facility. Effective upon G&C approval.

#58 Authorized to approve a loan agreement with the City of Rochester, in the amount of \$700,000 to finance sewer upgrades. Effective upon G&C approval.

#59 Authorized to enter into a memorandum of agreement with the NH Department of Transportation to perform drilling, core sampling and monitoring well installation at ten flood control dams in the amount of \$14,932.58. Effective upon G&C approval through November 30, 2006. **100% Federal Funds.**

#60 Authorized to enter into an agreement with the University of NH, Office of Sponsored Research, Durham, NH, to implement a habitat restoration grant program in the amount of \$60,000. Effective upon G&C approval through September 30, 2008. **100% Federal Funds.**

#61 Authorized Donald & Sharon Brown's name change request and to amend permit to fill to construct breakwater in a dog-leg configuration with a gap at the shoreline and a cantilevered pier, a piling pier, and a finger pier connected by a cantilevered walkway and a walkway in a "W" configuration, install a piling supported boatlift and seasonal canopy over the lakeward slip, install two seasonal PWC lifts in the landward slip and repair retaining wall and construct a perched beach with access steps on frontage on property located on Lake Winnepesaukee in Gilford.

#62 Authorized University of NH's request to permanently remove an existing boat storage facility with an existing ramp, install a seasonal dock attached to a seasonal dock, in a "T" shape, and retain wetlands fill for parking access on frontage on property located on Mendums Pond in Barrington.

#62A Authorized to enter into a loan agreement with Troy Redevelopment Group Inc., Troy, NH, to provide a loan in the amount of \$600,000 for remediation of environmental contamination. **100% Federal Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of Business Operations

#63 Authorized to enter into a lease agreement with the City of Dover, NH in the amount of \$114,571.32. Effective upon G&C approval through September 30, 2011. (2)Further Authorized to make a one-time payment not to exceed \$15,000 for a toilet room used for random drug testing of youths under the supervision of the Division of Juvenile Justice Services.

Division of Public Health Services

#64 Authorized Bureau of Prevention Services, Chronic Disease Prevention and Control Section, Comprehensive Cancer Control Program to enter into an agreement with Foundation for Healthy Communities, Concord, NH, to provide management services for the NH Comprehensive Cancer Collaboration in an amount not to exceed \$204,450. Effective November 15, 2006 or upon G&C approval, whichever is later, through June 29, 2008. **100% Federal Funds.**

#65 Authorized to reclassify position #11704 Social Worker III, salary grade 19 to the level of Program Planner III, salary grade 25. **100% Federal Funds.**

#66 Authorized to reclassify position #42846 Secretary II, salary grade 9 to the level of Statistical Assistant, salary grade 14. **100% Federal Funds.**

#67 Authorized Public Health Laboratories to enter into an agreement with Dynamics Research Corporation, Andover, MA, to develop a Food Outbreak Management Module in the existing Laboratory Information Tracking System in an amount not to exceed \$149,997. Effective upon G&C approval through October 31, 2007. **100% Federal Funds.**

Division for Children, Youth & Families

#68 Authorized to amend a contract with The Family Resource Center at Gorham, NH, (previously approved by G&C on 6-22-05, Late Item #L), for the provision of Comprehensive Family Support Services in the Berlin district office catchment area, by increasing the amount by \$2,000 from \$200,000 to \$202,000. **100% Federal Funds.**

#69 Authorized to provide Licensed Plus quality child care awards in the amount of \$5,325.79 to a total of three Licensed Plus child care programs throughout the State of NH. Effective upon G&C approval through June 30, 2007.

#70 Authorized to reimburse Kathleen Smith the amount of \$391.24 from current year funds for in-state travel expenses incurred while in performance of official state business during the last state fiscal year.

Division of Child Support Services

#71 Authorized to enter into an agreement with SymbioSys Solutions Inc., Nashua, NH for a NECSES Replacement Feasibility Study Analysis in an amount not to exceed \$408,500. Effective upon G&C approval through September 30, 2007. **66% Federal, 34% Other Funds.**

Glencliff Home for the Elderly

#72 Authorized to reclassify position #30562 Executive Secretary, salary grade 11 to the level of Teacher Assistant, salary grade 11; position #14620 Data Entry Operator III, Salary grade 8 to the level of Teacher Aide, salary grade 8. **100% General Funds.**

Bureau of Medical Services

#72A Authorized Disability Determination Section to amend an agreement with Arthur J. Walsh, MD, Fellow of the American College of Surgeons, Pembroke, NH (previously approved by G&C on 6-22-05, item #330), to function as a Medical Disability Determination Reviewer for the Disability Determination Section, by increasing the amount by \$10,507.68 from \$43,782 to \$54,289.68. Effective upon G&C approval through June 30, 2007. **50% Federal, 50% General Funds.**

NEW HAMPSHIRE VETERANS HOME

#73 Authorized to **retroactively** pay Pro Technologies of Manchester, NH for the test and inspection of the fire alarm system that was not working and caused life safety issues to the staff and residents at the Home in August of 2006, in the amount of \$2,462.50. Effective upon G&C approval.

#74 Authorized to accept and place on file the Annual Report for the Fiscal Year 2006.

NH BOARD OF NURSING

#74A The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Griffin authorized the request to enter into a contract with Richard Nusbaum, Esq., Concord, NH, for the purpose of Administrative Rules writer in the amount of \$3,000. Effective upon G&C approval through June 30, 2007. **56.2% General, 43.8% Other Funds.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#75 Authorized a salary increment for Deputy Commissioner Mary Heath from current unclassified salary grade of II, step 4 (\$89,855) to grade II step 5 (\$94,854) effective November 1, 2006. **100% General Funds.**

#76 Authorized to enter into a contract with Dr. Carol Tolman, Spofford, NH, to present at a one day workshop on November 6, 2006 for Reading First Site Coordinators and Coaches in using the Language Essentials for Teachers of Reading and Spelling and follow up sessions on January 11-12, 2007 in order to provide deeper insight and knowledge of reading instruction to teachers in their schools in an amount not to exceed \$6,222.90. (2)Further Authorized to exercise the right to reschedule this meeting from the original dates of November 6, 2006 with follow up sessions on January 11-12, 2007 in case of inclement weather and/or unforeseen circumstances, to date not to go beyond June 30, 2007. **100% Federal Funds.**

#77 Authorized to hold a workshop for Reading First Site Coordinators and Coaches in using the Language Essentials for Teachers of Reading and Spelling for professional development of teachers in their schools on November 6, 2006, with follow up sessions on January 11-12, 2007 to provide deeper insight and knowledge of reading instruction in an amount not to exceed \$6,222. (2)Further Authorized to contract with the Holiday Inn, Concord, NH, to provide appropriate meeting space and meals for the workshop for Reading First Site Coordinators and Coaches or their designee from schools and/or school districts and employees of the Department of Education in an amount not to exceed \$6,222, which is the total cost above. (3)Further Authorized to exercise the right to reschedule this meeting from the original dates of November 6, 2006 with follow up sessions on January 11-12, 2007 in case of inclement weather and/or unforeseen circumstances, to date not to go beyond June 30, 2007. **100% Federal Funds.**

NH COMMUNITY TECHNICAL COLLEGE SYSTEM

The Governor and Council acted as follows:

#78 Authorized to lease office space at the Berlin Technical College to Granite State College **retroactively** from December 13, 2005 to December 12, 2010 as detailed in memorandum of understanding dated October 4, 2006.

#79 Authorized to pay membership dues to New England Association of Schools and Colleges, Inc., Bedford, MA, in the amount of \$44,595. Effective upon G&C approval through June 30, 2007. **45% General, 55% Other Funds.**

#80 Authorized to process payment to YBP Library Services for FY2006 invoices totaling \$5,140.90 from FY2007 funds. **42% General, 58% Other Funds.**

#81 Authorized to amend a contract with Richard Gustafson, (previously approved by G&C on 7-18-06, item #142), for the purpose of continuing to examine organizational and administrative models that will achieve greater self governance for NHCTC, by extending the date through March 3, 2007.

#82 Authorized NHCTC – Manchester to enter into an agreement with Eiffel US, Inc., Waltham, MA, for the purpose of stripping and waxing 24 classroom floors in the amount of \$7,834. Effective upon G&C approval through June 30, 2007. **47% General, 53% Other Funds.**

NH LOTTERY COMMISSION

#83 The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Burton authorized the request to accept and place on file the Annual Report for the fiscal year ended June 30, 2006.

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#84 Authorized Division of State Police to **retroactively** amend a grant received from the NH Department of Justice entitled "SPOTS Training", (previously approved by G&C on 3-9-05, item #74, amended on 10-21-05, item #84), to purchase and install an on-line testing module that will meet the Federal government's retesting requirements for those law enforcement officials in NH accessing the SPOTS system, by extending the date from September 30, 2006 to June 30, 2007. **100% Other Funds.**

#85 Authorized Division of Motor Vehicles to amend a lease with One Dow Court Inc., Manchester, NH, (previously approved by G&C on 10-4-95, item #78, amended on 12-3-03, item #56, amended on 11-10-04, item #138, amended on 5-18-05, item #79, amended on 8-31-05, item #175, amended on 3-22-06, item #132), for the Manchester DMB substation, by extending the expiration date from November 1, 2006 to April 30, 2007. Effective upon G&C approval.

#86 Authorized Division of State Police to accept and expend a \$29,385.41 grant from the NH Highway Safety Agency entitled "NH State Police DWI Patrols" for the purpose of funding overtime for DWI enforcement patrols during the times when the impaired driver is felt to be most prevalent. Effective upon G&C approval through September 15, 2007. **100% Other Funds.**

#87 Authorized Division of State Police to **retroactively** amend a grant received from the US Department of Justice called "Operation Street Sweeper", for covering the costs of team efforts to address drug related problems in the State, by extending the end date from March 31, 2006 to December 31, 2006. (2)Further Authorized Division of State Police to amend the above grant by reallocating the remaining \$196,665.71 for the purpose of covering costs of team efforts to address drug related problems in the State. Effective upon G&C approval. **100% Federal Funds.**

#88 Authorized Division of Motor Vehicles to amend a contract with Grounds Care Unlimited, Portsmouth, NH, (previously approved by G&C on 12-15-04, item #114), for snow plowing and snow removal at the Dover Point office for the 2006-2007 and 2007-2008 season. Effective upon G&C approval through June 30, 2008. **100% Highway Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#89 Authorized to accept and place on file the Monthly Equipment Acquisition Plan status report for the period ending September 30, 2006.

#90 Authorized Bureau of Right of Way to grant access point through the Controlled Access Right of Way of NH Route 10A located in the City of Nashua to Jeffrey M. Hirsch for \$51,100. Effective upon G&C approval.

#91 Authorized Bureau of Right of Way to pay various owners \$347,181.49 as in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from September 23, 2006 through October 4, 2006. Effective upon G&C approval.

#92 Authorized Bureau of Construction to enter into a contract with Winterset Inc., Lyndonville, VT, on the basis of a low bid of \$8,199,225.05 for the overlay, widening and reconstruction of portions of NH Route 26 beginning west of Diamond Pond Road and continuing east to just west of the Dixville Town Line. The project also consists of the replacement of three existing bridges (two over the Mohawk River and one over Balsam Brook). Effective upon G&C approval through July 31, 2009. **80% Federal, 20% Highway Funds.**

#93 Authorized Bureau of Construction to enter into a contract with R.M. Piper Inc., Plymouth, NH, on the basis of a low bid of \$10,583,772.65 for the replacement of the bridge over the State of NH Railroad, and the bridge over the Saco River, reconstructing Route 302 with improved alignment, rehabilitating a portion of the existing road and reconstructing West Side Road. Effective upon G&C approval through October 17, 2008. **80% Federal, 20% Highway Funds.**

#94 Authorized Bureau of Highway Maintenance (Well Section) to enter into a contract with Contoocook Artesian Well Co., Henniker, NH, for the construction of a drilled well and pump on the property of Josh DiJoseph, Barrington, NH in the amount of \$21,350. Effective upon G&C approval through November 30, 2006. **100% Highway Funds.**

#95 Authorized Bureau of Highway Design to amend an agreement with The Louis Berger Group Incorporated, Manchester, NH and East Orange, NJ, (previously approved by G&C on 2-17-99, item #98), by reapportioning the distribution of specific contract funds in order to add the services of an additional subconsultant to contract for the final design for the Keene Bypass project in the City of Keene and Town of Swanzey, and extending the completion date from September 30, 2006 to June 30, 2007.

#95A Authorized Bureau of Aeronautics to amend a contract with Ossipee Valley Aviation, LLC, Center Ossipee, NH, to provide unanticipated emergency maintenance, repair services, and other emergency operations at the Skyhaven Airport, by increasing the amount by \$10,000 from \$153,250 to \$163,250. Effective upon G&C approval through February 28, 2011. **100% General Funds.**

#96

TUITION REQUESTS

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

- A. HEALTH & HUMAN SERVICES, Office of Business Operations** - Request permission to pay Hesser College, Concord, NH, the sum of \$735.00 for the sole purpose of enrolling Jeffrey F. Whitney, Accountant II, in the course entitled "Spreadsheet Management - Excel".
- B. HEALTH & HUMAN SERVICES, Division of Community Based Care Services** - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$741.00 for the sole purpose of enrolling Denise M. Kitson, Accountant I, in the course entitled "College Writing II".
- C. HEALTH & HUMAN SERVICES, Division of Community Based Care Services** - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$1,362.00 for the sole purpose of enrolling Debora E. W. Vallery, Financial Agent II, in the course entitled "Legal and Ethical Issues in Organizations".
- D. HEALTH & HUMAN SERVICES, Division of Family Assistance** - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$774.00 for the sole purpose of enrolling Monica A. Brady-DeRico, Family Service Specialist I, in the course entitled "Finite Mathematics".
- E. HEALTH & HUMAN SERVICES, Division of Family Assistance** - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of 774.00 for the sole purpose of enrolling Donna Speass, Family Services Specialist, in the course entitled "Organizational Behavior".
- F. HEALTH & HUMAN SERVICES, Bureau of Improvement and Integrity** - Request permission to pay Hesser College, Concord, NH, the sum of \$735.00 for the sole purpose of enrolling Jeanne Benjamin, Medical Service Consultant I, in the course entitled "Probability and Statistics".

- G. HEALTH & HUMAN SERVICES, Office of Medicaid Business and Policy** - Request permission to pay the University of New Hampshire, Manchester, NH, the sum of \$1,422.00 for the sole purpose of enrolling MaryGaye Grizwin, Administrator III, in the course entitled "Public Health Policy".
- H. LIQUOR** - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$774.00 for the sole purpose of enrolling Christina M. Demers, Statistician I , in the course entitled "Software Development w/Visual Basic.NET".
- I. NH HOSPITAL** - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of \$492.00 for the sole purpose of enrolling Darlene St. Laurent, Medical Coding Clerk, in the course entitled "Basic Pathophysiology".
- J. NH HOSPITAL** - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of \$492.00 for the sole purpose of enrolling Debra Tucker, Medical Secretary II, in the course entitled "Basic Pathophysiology".
- K. RESOURCES AND ECONOMIC DEVELOPMENT** - Request permission to pay the University of New Hampshire, Durham, NH, the sum of \$1,037.50 for the sole purpose of enrolling Kyle Lombard, Forest Entomologist/Pathologist, in the course entitled "Insect Pest Management".
- L. TRANSPORTATION** - Request permission to pay Hesser College, Concord, NH, the sum of \$735.00 for the sole purpose of enrolling Eric Healey, Pavement Marking Foreman, in the courses entitled "Probability and Statistics" and "Western Civilization II".

Requested Tuition Total: \$10,073.50

LATE ITEMS

DEPARTMENT OF EDUCATION

- A. Authorized to accept and expend additional federal grant funds to support the electronic exchange of data with the Department of Health and Human Services in the amount of \$322,937.00. **100% Federal Funds. Fiscal Committee approved.**

DEPARTMENT OF EDUCATION

- B. Authorized to budget and expend prior year carry forward funds in the amount of \$1,262,875.94 for the State Assessment under the "No Child Left Behind" legislation. **100% Federal Funds. Fiscal Committee approved.**

DEPARTMENT OF EDUCATION

- C. Authorized to enter into a contract with Cynthia Currier, Georges Mills, NH, in an amount not to exceed \$12,500.00 for the purpose of providing field support for the Initiative for School Empowerment and Excellence. **100% Federal Funds. Fiscal Committee approved.**

DEPARTMENT OF EDUCATION

- D. Authorized to enter into a contract with Christine Hayes, Colebrook, NH, in an amount not to exceed \$11,300.00 for the purpose of providing field support for the Initiative for School Empowerment and Excellence. **100% Federal Funds. Fiscal Committee approved.**

DEPARTMENT OF EDUCATION

- E. Authorized to budget and expend the amount of \$1,342,983.09 from the US Department of Education for professional development purposes as outlined in the item; further authorization to establish (Temporary personnel) one Education Consultant position through June 30, 2007. **100% Federal Funds. Fiscal Committee approved.**

DEPARTMENT OF CORRECTIONS

F. Authorized to enter into a contract with Sentinel Monitoring Corporation, Irvine, CA, for electronic monitoring of offenders on Administrative Home Confinement. **100% Offender Funded**

DEPARTMENT OF JUSTICE

G. Authorized to expend a sum not to exceed \$420,000.00 from funds not otherwise appropriated for the purpose of employing 2 full-time Assistant Attorney Generals, a full-time paralegal, a part-time secretary and other litigation costs in the case of State v Addison. **100% General Funds**

ITEMS REMOVED FROM TABLE

The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Burton voted to remove item #44 - which was tabled at the September 13, 2006 Meeting

INSURANCE DEPARTMENT

#44 **DENIED** - The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Burton voted to **deny** the request to enter into a **retroactive sole source** contract with Thomson-West, Eagan, MN, for on-line legal research services in the amount of \$16,501.20. Effective August 1, 2006 through July 31, 2009. **100% Other Funds.**

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton voted to remove item #46 - which was tabled at the September 27, 2006 Meeting

EMPLOYMENT SECURITY

#46 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton, voted to approve, **as amended**, the request to enter into an agreement with Deloitte Consulting LLP, Boston, MA, for consulting and software implementation services in an amount not to exceed \$11,400,000. Effective September 27, 2006 through June 30, 2010. **100% Federal Funds.**

Next Governor and Executive Council meeting is scheduled for Wednesday, November 15, 2006 at 10:00 a.m. at The State House, Concord, NH.

The Honorable Board then Adjourned