

## **Minutes May 27, 1998**

### **GOVERNOR AND EXECUTIVE COUNCIL MINUTES**

Wentworth Coolidge Mansion, Portsmouth, NH  
May 27, 1998  
10:30 a.m.  
#10

The Governor and Executive Council convened at 10:30 a.m. with all members being present.

The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Griffin, accepted the minutes of May 13, 1998.

The Governor and Executive Council, on motion of Councilor Streeter, seconded by Councilor Burton, confirmed the appointment of several persons nominated for Civil Commissions from May 13, 1998.

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

The Governor and Executive Council accepted with regret and thanks for service rendered, the following resignations:

### **ECONOMIC DEVELOPMENT MATCHING GRANTS PROGRAM**

George Bald, Somersworth  
Effective: May 14, 1998

### **NORTHEAST INTERSTATE DAIRY COMMISSION**

William Zweigbaum, Lee  
Effective: May 27, 1998

The Governor and Executive Council confirmed the following appointments:

### **AIR RESOURCES COUNCIL**

Raymond R. Donald, Exeter  
(Municipal Government)  
Reappointment  
Effective: May 27, 1998  
TERM: October 24, 2001

### **APPELLATE BOARD**

Thomas D. Noonan, Manchester  
(Labor)  
Succeeding: Leo Kelly, Goffstown (resigned)  
Effective: May 27, 1998  
TERM: October 14, 1999

### **COMPENSATION APPEALS BOARD**

James L. Kruse, Contoocook  
(Attorney - nominated by Commissioner)  
Succeeding: Andrew D. Johnstone, Hopkinton  
Effective: May 27, 1998  
TERM: April 14, 2001

### **PERSONNEL APPEALS BOARD**

Mark J. Bennett, Loudon (r)  
Reappointment  
Effective: May 27, 1998  
TERM: June 2, 2001

### **POSTSECONDARY EDUCATION COMMISSION**

(On recommendation from NH College and University Council)  
George J. Hagerty, Keene  
(Representative of Franklin Pierce College)  
Reappointment  
Effective: May 27, 1998  
TERM: June 30, 2003

### **NEW HAMPSHIRE SCHOOL BUILDING AUTHORITY**

Theresa B. Scott, Cornish  
Succeeding: Steven H. Slovinski, Lee  
Effective: May 27, 1998  
TERM: July 1, 2000

### **STATE SWEEPSTAKES COMMISSION**

Mary P. Chambers, Etna  
Succeeding: Gary Kiedaisch, Gilford  
Effective: May 27, 1998  
TERM: June 29, 2000

### **STATE VETERANS COUNCIL**

Kenneth E. Leidner, Concord  
Reappointment  
Effective: May 27, 1998  
TERM: June 30, 2001

The Governor and Executive Council nominated the following:

### **STATE COMMITTEE ON AGING**

Virginia L. Doherty, Manchester (d)  
(District 4)  
Reappointment  
Effective: Upon Confirmation  
TERM: June 24, 2001

Weston T. Gardner, Plymouth (d)  
(District 1)  
Reappointment  
Effective: Upon Confirmation  
TERM: June 24, 2001

Mary W. Ruell, Ashland (d)  
(District 1)  
Reappointment  
Effective: Upon Confirmation  
TERM: June 24, 2001

Ellen S. Sheridan, Concord (d)  
(District 2)  
Reappointment  
Effective: Upon Confirmation  
TERM: June 24, 2001

Virginia G. Sullivan, Swanzey Center (I)  
(District 5)  
Reappointment  
Effective: Upon Confirmation  
TERM: June 24, 2001

#### **STATE BOARD OF CONCILIATION AND ARBITRATION**

Brian Mitchell, Manchester  
(Alternate member representing employees)  
Succeeding: Lorraine Palmer, Claremont  
Effective: Upon Confirmation  
TERM: July 1, 1999

#### **DEPARTMENT OF CORRECTIONS: SUPERINTENDENT OF THE NEW HAMPSHIRE STATE PRISON FOR WOMEN**

Jane Coplan, Warner  
Reappointment  
Effective: June 27, 1998  
TERM: Serves at the pleasure of the Commissioner  
Salary: Group M/Step 4 \$53,455

#### **BOARD OF DENTAL EXAMINERS**

Camilla L. Paras, R.D.H., Merrimack  
(Hygienist)  
Succeeding: Leanne Sarette, Merrimack (resigned)

Effective: Upon Confirmation  
TERM: July 26, 2003

#### **BOARD OF NURSING**

Linda L. Compton, RN, Frankestown  
Succeeding: Cynthia A. Gray, Derry  
Effective: Upon Confirmation  
TERM: May 10, 2001

#### **POSTSECONDARY EDUCATION COMMISSION**

Richard P. Berry, Goffstown  
(Lay Public)  
Reappointment  
Effective: Upon Confirmation  
TERM: June 30, 2003

#### **RAILROAD APPEALS BOARD**

Donald J. Provencher, Gorham  
(General Public)  
Succeeding: Kenneth Murphy, Portsmouth  
Effective: Upon Confirmation  
TERM: April 23, 2000

#### **THE NEW HAMPSHIRE VETERANS' HOME BOARD OF MANAGERS**

Stephen C. Mcguire, Laconia  
(Member of a chartered veterans service organization)  
Vacancy  
Effective: Upon Confirmation  
TERM: June 10, 2001

#### **BUSINESS FINANCE AUTHORITY**

#1 The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, authorized to hold a Public Hearing with respect to the financing of a loan to Pease Development Authority for the benefit of Objective Communications, Inc. located in Portsmouth. Action will authorize a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act. A roll call vote as requested, the results are as follows: Councilor Burton - Yes; Councilor Spaulding - Yes; Councilor Griffin - Yes; Councilor Normand - Yes; Councilor Streeter - Yes.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD ON MAY 27, 1998 WENTWORTH-COOLIDGE MANSION, PORTSMOUTH, NEW HAMPSHIRE

At approximately 10:50 a.m., the Governor announced that the next matter to be considered would be loan made by the Business Finance Authority to The Pease Development Authority to finance leasehold improvements on a building to be leased to Objective Communications, Inc. located in Portsmouth, New Hampshire and declared that the public hearing on the subject had commenced. She

said that she and the members of the Council had received written material from the Authority with respect to the proposed loan. The Governor then said that the meeting would hear anyone wishing to speak on the subject. Jack Donovan, Executive Director of the Authority, briefly explained the project and introduced George Bald of The Pease Development Authority. 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-A:18 AWARDDING A LOAN UNDER RSA 162-A:7 FROM THE BUSINESS FINANCE AUTHORITY TO THE PEASE DEVELOPMENT AUTHORITY" 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 Normand, and Councilor Streeter; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None; The Governor declared that the resolution was passed.

A RESOLUTION UNDER RSA 162-A:18 AWARDDING A LOAN UNDER RSA 162-A:7 FROM THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE TO THE PEASE DEVELOPMENT AUTHORITY

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 a loan by the Authority to The Pease Development Authority (the "Borrower") in the original principal amount of up to \$1,575,000 to finance leasehold improvements on a 25,785 square foot building on the Borrower's property situated in Portsmouth, New Hampshire (the "Loan")

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 authorize and approve the Loan by the Authority upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council will receive all the documentation and information with respect to the proposed Loan by the Authority; 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 Determination. On the basis of the documentation and information received by the Governor and Council, after a public hearing, the Governor and Council find:

a. Special Findings.

(i) The Loan is consistent with local or regional development plans or policies.

b. General Findings. (i) The Loan that the Authority has proposed will serve a public use and provide a public benefit.

(ii) The Loan that the Authority has proposed is within the policy of, and the authority conferred, by RSA Chapter 162-A.

(iii) The Loan that the Authority has 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 Loan that the Authority has proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. Governor and Council approve the Loan by the Authority as recommended by the Authority and authorize the Authority to cause the execution and delivery of the loan documents substantially in the form submitted to Governor and Council and to take such further action as the act with respect to the transaction as may be required.

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

Passed and Agreed to May 27, 1998.

#2 The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Streeter, authorized to hold a Public Hearing with respect to the financing of an industrial facility by the Business Finance Authority for Microwave Development Company, Inc. and Forty-One Northwestern LLC located in Salem, NH. Action will authorize a Resolution under RSA 162-A:I:9 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act. A roll call vote as requested, the results are as follows: Councilor Burton - Yes; Councilor Spaulding - Yes; Councilor Griffin - Yes; Councilor Normand - Yes; Councilor Streeter - Yes.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD ON MAY 27, 1998 AT 8:30 A.M. AT THE WENTWORTH-COOLIDGE MANSION IN PORTSMOUTH, NEW HAMPSHIRE

At 10:53 a.m. the Governor announced that the next matter to be considered would be the financing of an industrial facility project by the Business Finance Authority for Forty-One Northwestern LLC (the "Borrower") in Salem, New Hampshire and declared that the public hearing on the subject had commenced. She said that she 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, emphasized that the credit of the State was not involved and introduced Chuck Tomes and John Cook of the Borrower. Mr. Donovan also reported that a public hearing with respect to the Bonds and the Project was held earlier this morning at the offices of the Authority and that no one appeared at the hearing. 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 \$3,500,000 FINANCING OF AN INDUSTRIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR FORTY-ONE NORTHWESTERN LLC IN SALEM" and moved its adoption, which was seconded by Councilor Streeter. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Burton, Councilor Spaulding, Councilor Griffin, Councilor Normand, and Councilor Streeter; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

A RESOLUTION UNDER RSA 162-1:9 WITH RESPECT TO THE FINANCING OF AN INDUSTRIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR FORTY-ONE NORTHWESTERN LLC IN SALEM

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 162-1:9 with respect to the financing of an industrial facility (the "Facility") for Forty-One Northwestern LLC (the "Borrower") to be used by Microwave Development Company, Inc. (the "Company") in Salem by the Authority's issue of Multi-Mode Industrial Development Revenue Bonds (Forty-One Northwestern LLC Project - 1998 Series) (the "Bonds") in an aggregate amount not to exceed \$3,500,000 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 Project (which when completed will constitute the "Facility") consists of the acquisition of approximately 13.7 acres of land and the construction and equipping thereon of an approximately 51,500 square foot industrial facility located at 41 Northwestern Drive in the Town of Salem which will be owned by the Borrower and used by the Company in the manufacture of custom passive waveguides and coaxial components and major subassemblies.

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

(b) General findings:

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

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

(3) The LOAN AND TRUST AGREEMENT (which is a combined financing document and security document, hereinafter called the "Agreement") contain 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 proposed 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 May 27, 1998.

#3 The Governor and Executive Council, on motion of Councilor Streeter, seconded by Councilor Burton, authorized to hold a Public Hearing with respect to the financing of an industrial facility by the Business Finance Authority for Filtrine Manufacturing Company located in Keene, NH. Action will authorize a Resolution under RSA 162-A:I:9 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act. A roll call vote as requested, the results are as follows: Councilor Burton - Yes; Councilor Spaulding - Yes; Councilor Griffin - Yes; Councilor Normand - Yes; Councilor Streeter - Yes.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD MAY 27, 1998 IN THE WENTWORTH-COOLIDGE MANSION, PORTSMOUTH

At 10:57 a.m. the Governor announced that the next matter to be considered would be the financing of an industrial facility project by the Business Finance Authority for Bantam Realty Trust and Filtrine Manufacturing Company in Keene and declared that the public hearing on the subject had commenced. She said that she 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, emphasized that the credit of the State was not involved and introduced Peter Hansel of Filtrine Manufacturing Company. Mr. Donovan also reported that a public hearing with respect to the Bonds and the Project was held earlier this morning at the offices of the Authority and that no one appeared at the hearing. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Streeter introduced a resolution entitled "A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF AN INDUSTRIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR BANTAM REALTY TRUST AND FILTRINE MANUFACTURING COMPANY IN KEENE" and moved its adoption, which was seconded by Councilor Burton. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Burton, Councilor Spaulding, Councilor Griffin, Councilor Normand, and Councilor Streeter; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF AN INDUSTRIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR BANTAM REALTY TRUST AND FILTRINE MANUFACTURING COMPANY IN KEENE

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 of an industrial facility for Bantam Realty Trust ("Bantam") and Filtrine Manufacturing Company ("Filtrine") (collectively, the "Borrowers") in Keene by the Authority's making of up to \$3,000,000 in a loan 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 Project (which when completed will constitute the "Facility") consists of the acquisition of approximately 15 acres of land and the acquisition and equipping of an approximately 108,000 square foot facility located at 15 Kit Street in the City of Keene which will be used by Filtrine in the manufacture of water cooling equipment, water chillers, drinking fountains and filters. The Project is within the definition of "Industrial facility" in RSA 162-I (the "Act") and may be financed under the Act.

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

(b) General findings:

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

(2) The Borrowers have the skills and financial resources necessary to operate the Facility successfully;

(3) The Loan Agreement and Escrow Agreement (which are combined financing documents and security document, hereinafter called the "Agreements") contain 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 Loan proceeds or from funds received under the Agreements, exclusive of funds received thereunder by the Authority for its own use;

(4) The Agreements do 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 proposed 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 industrial 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 May 27, 1998

#4 The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Spaulding, authorized to hold a Public Hearing with respect to the financing of a commercial facility by the Business Finance Authority for Foundation for Seacoast Health located in Portsmouth, NH. Action will authorize a Resolution under RSA 162-A:I:9 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act. A roll call vote as requested, the results are as follows: Councilor Burton - Yes; Councilor Spaulding - Yes; Councilor Griffin - Yes; Councilor Normand - Yes; Councilor Streeter - Yes.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD MAY 27, 1998 IN THE WENTWORTH-COOLIDGE MANSION, PORTSMOUTH

At 10:59 a.m. the Governor announced that the next matter to be considered would be the financing of a commercial facility project by the Business Finance Authority for Foundation for Seacoast Health in Portsmouth and declared that the public hearing on the subject had commenced. She said that she and the members of the Council had received 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, stated that the Authority had approved the financing and recommended that the Governor and Council make the required findings under RSA 162-I:9. He also briefly explained the project, emphasized that the credit of the State was not involved and introduced Ken Chute, Chairman, and Sue Bunting of Foundation for Seacoast Health. Mr. Donovan also reported that a public hearing with respect to the Bonds and the Project was held earlier this morning at the offices of the Authority and that no one appeared at the hearing. 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-I:9 WITH RESPECT TO THE FINANCING OF A COMMERCIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR FOUNDATION FOR SEACOAST HEALTH IN PORTSMOUTH" and moved its adoption, which was seconded by Councilor Spaulding. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Burton, Councilor Spaulding, Councilor Griffin, Councilor Normand, and Councilor Streeter; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF A COMMERCIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR FOUNDATION FOR SEACOAST HEALTH 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 of a commercial facility for Foundation for Seacoast Health (the "Borrower") in Portsmouth by the Authority's issue of up to \$16,500,000 Bonds 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 Project (which when completed will constitute the "Facility") consists of the acquisition of approximately 94 acres of land, site development and the construction of an approximately 79,000 square foot facility to be located on Lafayette Road in the City of Portsmouth which will be used by the Borrower to create a community campus by leasing to other non-profit corporations or public instrumentalities who provide family health, recreation, early childhood and family support services. The Project is within the definition of "Commercial facility" in RSA 162-I (the "Act") and may be financed under the Act.

(2) The establishment and operation of the Facility will create or preserve employment opportunities directly or indirectly within the State of New Hampshire and will likely be of general benefit to the community as a whole.

(b) General findings:

(1) The Project and the proposed financing 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 (which 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 proposed 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 commercial 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 May 27, 1998

#5 The Governor and Executive Council, on motion of Councilor Normand, seconded by Councilor Streeter, authorized to hold a Public Hearing with respect to the financing of an industrial facility by the Business Finance Authority for Wiggins Airways, Inc. located in Manchester, NH. Action will authorize a Resolution under RSA 162-A:I:9 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act. A roll call vote as requested, the results are as follows: Councilor Burton - Yes; Councilor Spaulding - Yes; Councilor Griffin - Yes; Councilor Normand - Yes; Councilor Streeter - Yes.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD MAY 27, 1998 IN THE WENTWORTH-COOLIDGE MANSION, PORTSMOUTH

At 11:05 a.m. the Governor announced that the next matter to be considered would be the financing of an industrial facility project by the Business Finance Authority for Wiggins Airways, Inc. in Manchester and declared that the public hearing on the subject had commenced. She said that she and the members of the Council had received 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, stated that the Authority had approved the financing and recommended that the Governor and Council make the required findings under RSA 162-I:9. He also briefly explained the project, emphasized that the credit of the State was not involved and introduced David Ladd of Wiggins Airways, Inc. Mr. Donovan also reported that a public hearing with respect to the Bonds and the Project was held earlier this morning at the offices of the Authority and that no one appeared at the hearing. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none,

Councilor Normand introduced a resolution entitled "A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF AN INDUSTRIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR WIGGINS AIRWAYS, INC. IN MANCHESTER" and moved its adoption, which was seconded by Councilor Spaulding. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Burton, Councilor Spaulding, Councilor Griffin, Councilor Normand, and Councilor Streeter; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

A RESOLUTION AUTHORIZING UP TO \$7,200,000 BONDS FOR A PROJECT FOR WIGGINS AIRWAYS, INC. IN MANCHESTER

WHEREAS, the Authority has been requested by Wiggins Airways, Inc. (the "Borrower") to finance the construction of an industrial facility in the City of Manchester (the "Project") by issuing up to \$7,200,000 Bonds under RSA 162-I (the "Act");

WHEREAS, the Authority took official action with respect to the Project by passing a resolution on March 31, 1998 approving the issue of up to \$7,200,000 of Bonds; and

WHEREAS, the Authority has been furnished with (a) information and materials about the Borrower, the Project and unemployment in the Manchester area, (b) evidence that BankBoston, N.A. (the "Bank") is willing to issue a letter of credit supporting the Bonds, (c) the proposed LOAN AND TRUST AGREEMENT among the Authority, the Borrower, the Bank and State Street Bank and Trust Company, as Trustee (the "Agreement") which is a combined financing and security document and which will secure the Bonds, (d) the proposed PLACEMENT AGREEMENT (the "Placement Agreement") among the Authority, the Borrower, and BankBoston, N.A., as Placement Agent (the "Placement Agent"), (e) information deemed relevant by the Authority in determining whether to allocate a portion of the state's 1998 private activity bond limit to the Bonds pursuant to RSA 162-M, and (f) other information, materials and assurances deemed relevant by the Authority;

IT IS HEREBY RESOLVED THAT:

Section 1. Findings. On the basis of the information, materials and assurances received by the Authority and considered by it at an open meeting, the Authority finds:

(a) Special Findings:

(1) The Project (which when completed will constitute the "Facility") consists of the construction and equipping of (i) three hangars which are approximately 26,136 square feet, 18,923 square feet and 22,355 square feet to be located on what is now called Kelley Avenue, Manchester, New Hampshire, (ii) an approximately 19,735 square foot office building to be used to support Manchester Airport operations to be located on what is now called Kelley Avenue, Manchester, New Hampshire, and (iii) a fuel farm facility consisting of above ground storage tanks and related piping, accommodating 400,000 gallons of fuel, to be used for servicing of the airlines, to be located at Industrial Drive, Manchester, New Hampshire, which will be used by the Borrower in its airline operations. The Project is within the definition of "Industrial facility" in the Act and may be financed under the Act; and

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

(b) General Findings:

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

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

(3) 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 proposed 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. Determination and Recommendation. The Authority finds that the proposed financing, operation and use of the Facility will serve a public use and provide a public benefit and determines that the Authority's financing of the Project will be within the policy of, and the authority conferred by, the Act. The Authority recommends to Her Excellency, the Governor, and The Honorable Council that they make findings and a determination similar to those set forth above, and for that purpose the Executive Director is directed to transmit to the Governor and Council copies of this resolution, the materials received by the Authority with respect to the Project and any other documentation and information the Governor and Council may request.

Section 3. Authorization of the Agreement and the Placement Agreement. The Authority shall be a party to the Agreement and the Placement Agreement, and the Chairman, Vice Chairman, Treasurer and Executive Director are each authorized to execute and deliver the Agreement and the Placement Agreement on behalf of the Authority substantially in the forms presented to this meeting (being the draft dated May 13, 1998 with respect to the Agreement) but subject to such changes as the person so signing may approve, his or her signature being conclusive identification of the document as the Agreement (with approved changes, if any) authorized by this resolution.

Section 4. Authorization and Sale of the Bonds. The Authority shall issue the Bonds in the aggregate amount of up to \$7,200,000 as provided in the Agreement; the Chairman, or the Vice Chairman, or the Treasurer, and any other member of the Board or the Executive Director, are authorized to execute the Bonds; and the placement of the Bonds by the Placement Agent as provided in the Placement Agreement is hereby authorized and approved. The Authority consents to the use of a Private Placement Memorandum substantially in the form of the draft Private Placement Memorandum presented at this meeting.

Section 5. Actions Not to Be Taken Until After Approval by Governor and Council. The actions authorized by Sections 3 and 4 above (meaning specifically the execution of the Agreement and the Placement Agreement and the issue of the Bonds) shall not be taken until such time as the Governor and Council have made the findings and determination required by Section 9 of the Act, it being the intent of the Authority that the various actions on its behalf which are authorized above are subject to the action of the Governor and Council as required by the Act.

Section 6. Bond Proceeds. The proceeds of the Bonds shall be deposited with the Trustee in accordance with the Agreement; and checks, if any, for such Bond proceeds may be appropriately endorsed by the Chairman, Vice Chairman, Treasurer or the Executive Director.

Section 7. Approval of Project. The establishment of the Project, all in accordance with the provisions of the Agreement, is hereby approved for the purposes of, and to the extent required by, the Act.

Section 8. Allocation of Private Activity Bond Limit. The Authority hereby allocates to the Bonds up to \$7,200,000 of the 1998 private activity bond limit pursuant to Section 146 of the Internal Revenue Code of 1986, as amended, and RSA 162-M, provided that such allocation shall automatically expire on the last day of August 1998, unless on or before such date the Bonds are issued.

Section 9. Other Actions by Officers. The Chairman, Vice Chairman, Treasurer and the Executive Director are each authorized to take all other actions and execute, deliver or receive such instruments or certificates as they determine are necessary on behalf of the Authority in connection with the whole transaction authorized by the preceding sections of this resolution, but subject in all events to Section 5 hereof. Without limiting the generality of the foregoing, such officers may execute and deliver: receipts; financing statement forms under the U.C.C.; certificates as to facts, estimates and circumstances; information returns for governmental bond issues for the purposes of federal income taxes; and certificates as to proceedings taken, incumbency of officers or any other facts for any other purposes, including the certification required by Section 149(e)(2)(F) of the Internal Revenue Code of 1986, as amended.

Section 10. Discharge of Lien. The Chairman, Vice Chairman, Treasurer or Executive Director, whenever requested by the owners of the Bonds, may join in the partial release or final discharge of the lien of the Agreement.

Section 11. Authorization of Change of Dates. Without limiting any other discretion conferred in this resolution, the date of the Agreement and the date of the Bonds as executed may be any date or dates acceptable to the Borrower, the Bank and the officers of the Authority executing the Agreement and the Bonds.

Section 12. Effective Date. This resolution shall take effect upon its passage.

Passed: May 27, 1998

#### **OFFICE OF ENERGY AND COMMUNITY SERVICES**

#6 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Streeter, authorized to disburse grants under the Institutional Conservation Program, in the amount of \$109,891, to Littleton Union School District in the amount of \$21,778, Franklin School Department in the amount of \$349.00 and Phillips Exeter Academy in the amount of \$87,764.

#### **OFFICE OF STATE PLANNING**

The Governor and Executive Council acted as follows:

#7 Authorized to provide Scenic and Cultural Byways funds to the Department of Transportation in the amount of \$110,000, through October 31, 1999 for the purpose of constructing and marking shoulders on NH 1A/1B for improved safety of pedestrians and bicycles.

#8 Authorized agreement with the Town of Durham in the amount of \$18,000.00, through June 30, 1999 to prepare an update of the 1989 Durham Master Plan that reflects the community's needs and desires.

#9 Authorized agreement with the City of Concord in the amount of \$170,000, through June 30, 1999. The funds for this contract are from the Community Development Block Grant fund which is intended to help municipalities solve development problems.

#10 Authorized agreement with the University of New Hampshire in the amount of \$96,000, through December 31, 1998 to prepare an economic development strategy plan for the State of New Hampshire. SOLE SOURCE

#10A Authorized, with Councilor Streeter voting NO, agreement with the University of New Hampshire's Cooperative Extension Sea Grant Program in the amount of \$17,105.00, through June 30, 1999 to collect and analyze water quality data for the Great Bay and tidal rivers which flow

through the communities of Dover and New Market and present the data to local decision makers in order to improve their management of coastal resources.

#11 Authorized to amend an existing Memorandum of Agreement with the Fish Game Department [initially approved on October 9, 1996 (ITEM #14)] on the Exeter River Watershed Plan Project by changing the completion date from June 30, 1998 to December 31, 1998. No additional funds are being provided.

#12 Authorized to amend an existing agreement with the University of New Hampshire Cooperative Extension Sea Grant Program [initially approved on June 25, 1997 (ITEM #7)] by changing the completion date from June 30, 1998 to September 30, 1998. No additional state or federal funds are required by this action.

#13 Authorized to amend an existing agreement with the City of Berlin [initially approved on July 31, 1996 (ITEM #12) and retroactively amended on January 8, 1998 (ITEM #11)] by extending the completion date from June 30, 1998 to December 31, 1998. No additional federal funds are required by this action.

#14 Authorized to amend an existing agreement with Cheshire County [initially approved on May 28, 1997 (ITEM #6)] by extending the completion date from June 30, 1998 to December 31, 1998. No additional state or federal funds are required by this action.

#### **OFFICE OF THE ADJUTANT GENERAL**

The Governor and Executive Council acted as follows:

#15 Authorized to accept from the federal government (National Guard Bureau) for the purpose of covering shortfall in salaries and associated benefits through the end of FY98. These shortfalls are due to initial under funding.

#16 Authorized to receive \$39,750.00, pursuant to RSA 124:15, from the federal government (National Guard Bureau) to pay for the personnel costs for one, full-time, permanent State personnel position (Accountant II, Salary Grade 17), that is currently supported with general funds, at the State Military Reservation, Concord.

#17 Authorized the nomination of Lt. Col. Gene T. Bushey, Penacook, to the rank of Colonel, New Hampshire Air National Guard.

#18 Authorized the confirmation of Major Barry K. Maddix of York, ME to the Rank of Lieutenant Colonel, New Hampshire Air National Guard.

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

The Governor and Executive Council acted as follows:

#19 Authorized Working Capital Warrant be authorized in the amount of \$270,000,000.00 to cover expenditures for the Month of June 1998.

#20 Authorized Salary and Benefit Adjustment Transfers for the month of April 1998.

#21 Authorized list of agency transfers for Fiscal Year 1998 during the month of April 1998.

#22 Authorized to accept, with thanks, a small granite bench and a Red Cherry tree from the New Hampshire Bar Association.

## **DEPARTMENT OF STATE**

#23 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Normand, authorized to transfer \$4,293.00, for the administration of special state elections incurred by the Secretary of State in FY98.

## **TREASURY DEPARTMENT**

The Governor and Executive Council acted as follows:

#24 Authorized to issue a warrant from funds not otherwise appropriated and to issue checks in the amount of \$1,754.04 to pay claims for assets which have previously escheated to the State.

#25 Authorized to approve a report relative to the average daily collected balances for the first quarter of 1998.

## **NEW HAMPSHIRE RETIREMENT SYSTEM**

#26 The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, authorized Three-year Lease Purchase Agreement with G.E. Capital Public Finance, Inc., Minneapolis, Minnesota in the amount of \$32,043 with 36 monthly payments of \$965.83, for a total expenditure of \$34,769.88 beginning June 15, 1998 for the acquisition of the Norstar Telephone System.

## **DEPARTMENT OF JUSTICE**

The Governor and Executive Council acted as follows:

#27 Authorized to accept and expend \$327,366 from the U.S. Department of Justice, through September 30, 2000, for the administration of The Residential Substance Abuse Treatment for State Prisoners Grant Program and in the continued enhancement of the existing substance abuse treatment program at the New Hampshire State Prison.

#28 FAILED - The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Griffin, voted to grant a pardon hearing. After discussion, Councilor Normand, seconded by Councilor Streeter voted to Table, with Councilors Burton, Spaulding and Griffin voting NO. On motion of Councilor Burton, seconded by Councilor Griffin voted to approve Petition for a pardon hearing, with Councilors Spaulding, Normand and Streeter voting NO. The Petition of Wayne Roger Whitcomb requesting a pardon hearing for the offenses of Knowingly in the Presence of Controlled Drug, Resisting Arrest or Detention, Disorderly Conduct (2 counts), and DWI FAILED.

## **NEW HAMPSHIRE BOARD OF ACCOUNTANCY**

#29 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Streeter, authorized to expend examination fees earned from the November 1997 and May 1998 Certified Public Accountants examinations as specified in their letter dated May 12, 1998.

## **LIQUOR COMMISSION**

#30 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, authorized the reclassification of the vacant Position Numbers and Job Titles as specified in letter dated May 8, 1998 to Liquor Licensure Specialists, Salary Grade 15.

## **PUBLIC UTILITIES COMMISSION**

The Governor and Executive Council acted as follows:

#31 Authorized to extend the Lease Agreement with Pasquale F. Alosa, in the amount of \$194,400.00, for the period of July 1, 1998 to June 30, 1999 for the continued rental of the P.U.C.'s current office space located on the first and second floors of "Bldg. #1, Pine Inn Plaza", Concord. This is an extension of lease term, as provided by section 3.3 of the original lease.

#32 Authorized approval for permanent assignment of vehicle registration #M10 to the Gas Pipeline Safety Engineer, Richard G. Marini.

#### **OFFICE OF THE CONSUMER ADVOCATE**

#33 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Griffin, authorized to extend the Lease Agreement with Pasquale F. Alosa, in the amount of \$13,500.00, for the period of July 1, 1998 to June 30, 1999 for the continued rental of office space located on the first floor of "Pine Inn Plaza", Concord. This is a Lease Extension, as provided by section 3.3 of the current contract.

#### **DEPARTMENT OF CORRECTIONS**

The Governor and Executive Council acted as follows:

#34 Authorized to establish an account as specified in their letter dated May 6, 1998, within the State's Integrated Financial System for the Vocational Training Trust Fund account for FY99.

#35 Authorized approval to enter into a Three-year Lease with 50 Bridge Street LLC, Hampton Falls, in the amount of \$3,333.33, plus 12% of any increase in Landlord's operating expenses and taxes, commencing June 1, 1998 for the Probation/Parole District Office space in Manchester.

#36 Authorized a Tenancy-at-will with David M. Gottesman & Morgan A Hollis Attorney-at-Law, Nashua, in the amount of \$3,036.02 per month, plus janitorial costs of \$234.00 per month, commencing June 1, 1998 for the Probation/Parole District Office space in Nashua.

#37 Authorized Division of Field Services to extend Lease Agreement with the City of Berlin in the amount of \$8,360.18, commencing July 1, 1998 for Berlin District Office space at the Berlin Courthouse. This is an Extension of Lease Term, as provided by section 3.3 of the current lease.

#### **EMPLOYMENT SECURITY**

The Governor and Executive Council acted as follows:

#38 Authorized Dislocated Worker Services Agreement with the New Hampshire Job Training Council in the amount of \$300,000.00, through June 30, 1999 to deliver an effective reemployment and re-training services program to dislocated workers resulting from layoffs by New Hampshire employers.

#39 Authorized Service Agreement with Central Aire, Inc., Concord in the amount of \$15,000.00, through June 30, 1999 for air conditioning maintenance at the administrative offices in Concord.

#40 Authorized Service Agreement with Central Aire, Inc., Concord in the amount of \$6,000.00, through June 30, 1999 for air HVAC maintenance at Concord local and administrative office in Concord.

#41 Authorized Service Agreement with Vertical's, Etc., Concord in the amount of \$17,178.00, through June 30, 1998 for installation of vertical blinds at the administrative offices in Concord.

#42 Authorized Partnership Agreements to establish off-site career centers throughout the State of New Hampshire with an estimated eighty-five entities including the Division of Vocational Rehabilitation, the Community Technical College System, the State Library as well as Veterans organizations, local libraries and community action agencies statewide and other community based non-profit agencies statewide in conjunction with NHES's One-Stop Career Centers Implementation Grant from the United State Department of Labor.

#43 Authorized, retroactive, Revised Agreement with the New Hampshire Community Technical College System in the amount of \$3,600.00 for the period March 1, 1998 through June 30, 1998, \$15,000 for the period July 1, 1998 through June 30, 1999, and annually thereafter at the mutual agreement of both parties at an estimated annual cost of \$15,000.00, to obtain Internet access and related technical support services.

#44 Authorized to extend current Blank Exemption to the two or more person out of state travel prior approval requirement, through June 30, 1999, for up to five staff to travel to various locations throughout the U.S. Department of Labor Region 1 (New England) area and the Washington, D.C. area.

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

The Governor and Executive Council acted as follows:

#45 Authorized to accept an allotment of Federal funds in the amount of \$15,200 in FY98 in U.S. Fish and Wildlife Service Endangered and Threatened Plan Species funds, and to further authorize agreement with The Nature Conservancy in the amount of \$8,927.00, through April 30, 1999 to initiate recover actions for Jesup's milkvetch.

#46 Authorized Division of Parks & Recreation to accept, with thanks, and expend donations from Sandra L. Scagliotti in the amount of \$150.00 and William L. Dobens in the amount of \$150.00, for the State Park Benches program.

#47 Authorized, Division of Forests and Lands to accept, with thanks, the free donation and use of four chainsaws from Public Service of New Hampshire, to be used by the forest Protection Bureau in whatever way best serves the Department of Resources and Economic Development and the State of New Hampshire.

#48 Authorized, with Councilor Streeter voting NO, agreement with Halkin Services, Inc., Aurora, Colorado, in the amount of \$4,563.00, through May 31, 1998 for the cable and connection hardware inspection on the Cannon Mountain Aerial Tramway in Franconia. SOLE SOURCE

#48A The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, authorized, with Councilor Streeter voting NO, agreement with Mark D. Adams, Contractor Services, Dover in the amount of \$10,010.00, through August 31, 1998 for consultant services for the restoration painting of the Wentworth-Coolidge Mansion. SOLE SOURCE

#49 Authorized Aerial Surveillance Contract with Sky Bright, Inc., Gilford in the amount of \$2,000.00, through December 31, 1998 for flying forest pest damaged areas during FY98-99.

#50 TABLED - The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton TABLED approval of the 20-Year Lease and Operation Agreement of the ski area at Mount Sunapee with Okemo Mountain, Inc., Ludlow, Vermont from July 1, 1998 to June 30, 2018, with Okemo Mountain having the option to extend the term for 2 additional 10-Year periods. Okemo will pay an annual base fee of \$150,000 (adjusted annually for inflation), plus 3% of gross annual revenues. Income derived from this lease is proposed to provide funding for capital improvements at Cannon Mountain.

#51 Authorized to Renew contract with Correctional Industries of Concord in the amount of \$3,000.00 for FY99 to provide mail services for the International Trade Resource Center in Portsmouth.

#52 Authorized Division of Parks and Recreation, Bureau of Trails to enter into Grant-in-Aid trail maintenance contracts in the amount of \$33,994.95, through January 1, 1999, with snowmobile/OHRV clubs specified in their letter dated April 29, 1998.

### **DEPARTMENT OF ENVIRONMENTAL SERVICES**

The Governor and Executive Council acted as follows:

#53 Authorized Waste Management Division to accept \$20,000.00, in Federal funds from the U.S. Environmental Protection Agency through February 25, 1999 to promote the idea of conducting voluntary third-party compliance inspections at regulated underground storage facilities.

#54 Authorized contract with Katahdin Analytical Services, Inc., Westbrook, ME in the amount of \$25,000.00, through June 30, 1999 to have analytical work performed on various hazardous waste samples, including soil and leachate samples.

#55 Authorized agreement with North Country Council, Inc., Bethlehem in the amount of \$3,920.00, through September 30, 1998 to provide technical assistance.

#56 Authorized agreement with Connecticut River Joint Commissions, Inc., Charlestown in the amount of \$4,980.00, through September 30, 1998 to provide a revision and publication of The Challenge of Erosion series.

#57 Authorized Air Resource Division to enter into contract with the University of New Hampshire in the amount of \$5,000 through December 31, 1998 to provide funding for one student intern from the Pollution Prevention Internship Program to assist in the development of an environmental, health and safety regulatory compliance assistance manual for spray coating operations.

#58 Authorized agreement with the City of Dover in the amount of \$11,100.00, through September 30, 1999 to analyze current conditions and develop long-term strategies to protect the Smith/Cummings wellfield.

#59 Authorized Department of Environmental Services Pollution Prevention Program to enter into a contract with the University of New Hampshire in the amount of \$5,000.00, through September 30, 1998 to provide funding for one student intern from the University of New Hampshire - Chemical Engineering Pollution Prevention Internship Program.

#60 Authorized Water Division to extend Lease with Suresh Masand in the estimated amount of \$6,000.00 for FY1999 and FY2000 commencing July 1, 1998 through June 30, 2000, for office space at the district office in Milford. This Two -year extension as provided by section 3.3 of the original lease.

#61 Authorized Water Division to extend Lease with Mark M. Michalski in the estimated amount of \$6,720.00 for FY1999 and FY2000 commencing July 1, 1998 through June 30, 2000, for office space at the district office in Laconia.

#62 Authorized Water Resources Council to extend and amend a Service Agreement with Duke Engineering & Services, Portland, ME dba in New Hampshire as NC Duke Engineering [initially approved August 20, 1997 (ITEM #57)], in the amount of \$17,500.00, by extending the existing contract for four months, through August 31, 1998 and increasing the original contract by \$17,500.00, to complete the original scope of work and a minor expansion of the original scope of work by additional hydrologic analysis.

#63 Authorized amendment to Loan Agreement with the City of Manchester by increasing amount from \$2,486,000.00 to \$3,066,000.00 an increase of \$580,000.00 in order to successfully complete the project .

#64 Authorized Loan Agreement with the City of Manchester in the amount of \$2,422,000.00 from the State Revolving Fund Program for the purpose of financing the design and construction of odor control covers for the aeration tanks at the Manchester wastewater treatment facility.

#65 Authorized Loan Agreement with the City of Manchester in the amount of \$7,533,000.00 from the State Water Pollution Control Revolving Fund Program for the purpose of financing the design and construction of Phase II of the Cohas Brook Interceptor Project. This project will extend sewer service to the southeast area

#66 Authorized Supplemental Loan Agreement with the Town of Gilford in the amount of \$135,766.57, [initially approved on June 25, 1997 (ITEM #145)], to adjust the principal loan amount of \$175,000.00 to \$135,766.57. The revised amount is based on the final eligible costs of the project and interest accrued during construction.

## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **OFFICE OF FINANCE**

#67 The Governor and Executive Council, on motion of Councilor Spaulding seconded by Councilor Streeter, authorized to amend agreement between the Secretary of the United States Department of Health and Human Services and the State of New Hampshire on behalf of the Town of Sutton, for the purpose of adopting the optional exclusion from Social Security and Medicare coverage the services performed by election officials or election workers for each calendar year in which the remuneration paid for such services is less than \$1,000.

### **OFFICE OF HEALTH MANAGEMENT**

The Governor and Executive Council acted as follows:

#68 Authorized Bureau of Emergency Medical Services to enter into a Memorandum of Agreement with the Department of Corrections, New Hampshire Correctional Industries, in the amount of \$12,000.00, through June 30, 2000 for the design, development, and implementation of a Microsoft Access 2.0 Database to replace the existing FoxPro 2.1 Database for collection and analysis of all pre-hospital emergency medical patient care in New Hampshire.

#69 Authorized Public Health Services, Bureau of Disease Control to contract with the New Hampshire Minority Health Coalition of Manchester in the amount of \$80,418.00 through June 30, 2000 to assist the Office of Health Management's efforts to prevent the transmission of communicable diseases by providing HIV/AIDS risk reduction and education programs targeted to minority populations.

#70 Authorized Public Health Services, Bureau of Disease Prevention and Control to amend an existing contract with Strafford County Prenatal and Family Planning Program, Inc., of Dover [initially approved on June 11, 1997 (ITEM #57)] by decreasing the price limitation by \$10,000.00 from \$1,133,108 to \$1,123,108 through June 30, 1999, amendment eliminates the enhanced immunization services due to a reduction in federal immunization grant.

#71 Authorized Bureau of Family and Community Health to amend an existing agreement with Strafford County Prenatal and Family Planning Program, Inc., Dover [initially approved June 11, 1997 (ITEM #57)] to award an advanced payment in the amount of \$2,500.00 of the Breast and Cervical Cancer Early Detection Program funding for SFY99.

#72 Authorized WIC Nutrition Services Bureau to amend an existing contract with Strafford County Prenatal and Family Planning, Inc., Rochester [initially approved on June 25, 1997 (ITEM #194)] by increasing the price limitation by \$996 from \$503,431.00 to \$504,427.00 through June 30, 1999 to provide Community Supplemental Food Program benefits to 450 participants each month.

#73 Authorized WIC Nutrition Services Bureau to amend an existing contract with Southwestern Community Services, Inc., Keene [initially approved on June 25, 1997 (ITEM # 192)] by increasing the price limitation by \$1,577 from \$643,701.00 to \$645,278.00, through June 30, 1999 to provide Community Supplemental Food Program benefits to 1,459 participants each month.

#74 Authorized WIC Nutrition Services bureau to amend an existing contract with Community Action Program of Belknap-Merrimack Counties, Inc., Concord [initially approved on June 25, 1997 (ITEM #189, and an amendment on September 15, 1997 (ITEM # 62)] by increasing the price limitation by \$8,505 from \$1,207,247 to \$1,215,752, through June 30, 1999 to provide Community Supplemental Food Program benefits to 2,084 participants each month.

#75 Authorized WIC Nutrition Services bureau to amend an existing contract with Southern New Hampshire Services, Inc., Manchester [initially approved on June 25, 1997 (ITEM #190)] by increasing the price limitation by \$9,926 from \$1,703,732 to \$1,713,658, through June 30, 1999 to provide Community Supplemental Food Program benefits to 3,220 participants each month.

#76 Authorized Special Medical Services Bureau to award a grant to the New Hampshire Coalition for Citizens With Disabilities, Inc., Concord in the amount of \$7,500.00, through June 30, 1999 to be utilized to support staff time (10 hours/week) to recruit families of children with special health care needs in New Hampshire to join New Hampshire Family Voices, with a target enrollment of 150 by June 30, 1999.

#77 Authorized Public Health Laboratories to enter into an Educational Leave Agreement with Jill Power, laboratory Assistant III, and to grant leave with pay for a total of 120 hours while attending a course titled Virology at the University of New Hampshire, Durham, May 26, 1998 - June 26, 1998.

#### **OFFICE OF FAMILY SERVICES**

The Governor and Executive Council acted as follows:

#78 Authorized to accept and expend federal Aid to Families with Dependent Children, Title IV-A Emergency Assistance funds in the amount of \$1,916,123, through June 30, 1998 and to allocate funds as specified in letter dated May 6, 1998.

#79 Authorized the Division of Developmental Services to accept and expend Robert Wood Johnson foundation grant funds in the amount of \$130,873.00, through June 30, 1999 and to allocate funds as specified in letter dated May 11, 1998.

#80 Authorized, with Councilor Streeter voting NO, Children, Youth and Families to accept and expend \$45,000.00, in Title I funds from the New Hampshire State Department of Education, through September 15, 1998 and to budget to agencies as specified in letter dated April 21, 1998 for the enhancement of the education programs in residential facilities and child day care centers which provide educational services to youth who are the responsibility of Children, Youth and Families, and to further authorize agreement with Southeastern Regional Education Services Center, Inc., in the amount of \$12,086.00, through September 15, 1998 to be allocated to account specified in letter dated April 21, 1998. SOLE SOURCE

#81 Authorized Children, Youth and Families to enter into agreements with The Inn at Mills Falls, Meredith, in the amount of \$15,978.00, through December 31, 1998 for Child Care Provider Training, and to enter into agreement with Susan Rohrbough, Westerville Ohio in the amount of \$5,415.00, through December 31, 1998 for Educational Expenses, and to authorize the expenditure of \$700.00

for incidental expenses and staff travel in support of a conference including staff mileage and current expenses.

#82 Authorized the Division of Behavioral Health to enter into an agreement with Southern New Hampshire Services, Inc., Manchester in the amount of \$427,100.00, through June 30, 1999 to provide shelter/intervention services, and prevention/operations/essential services for the programs specified in letter dated April 28, 1998.

#83 Authorized, with Councilor Streeeter voting NO, Division of Elderly and Adult Services to enter into a Rental Agreement with Gunstock Area Commission, Laconia in the amount of \$4,640.00, through June 30, 1998 for the use of the facilities at Gunstock Area for the Annual Senior Citizens May Day, a special annual event to be held on May 27, 1998. SOLE SOURCE

#84 Authorized Division of Elderly and Adult Services to amend an existing Agreement with Home Health and Hospice Care, Nashua [initially approved on July 18, 1997, (ITEM #153), amended on December 3, 1997 (ITEM #66)], by decreasing the contract by \$1,830.00 from \$759,844.23 to \$758,014.23, through June 30, 1999 to reduce the total Homemaker units for SFY98 to 20,293 units, and to meet the increased demand for Alzheimer's Disease and Related Disorders Respite Care services by providing services for an estimated four additional recipients for SFY98.

#85 Authorized Division of Elderly and Adult Services to amend an existing Agreement with Community Health and Hospice, Inc., Laconia [initially approved on July 18, 1997 (ITEM #172), amended December 3, 1997 (ITEM #82)], by increasing the contract by \$3,000.44 from \$689,805.43 to \$692,805.87, through June 30, 1999 to reduce the total Homemaker units for SFY98 to 10,376 units, and to meet the increased demand for Alzheimer's Disease and Related Disorders Respite Care services by providing services for an estimated seven additional recipients for SFY98.

#86 Authorized Division of Elderly and Adult Services to amend an existing Agreement with The Homemakers of Strafford County, Rochester [initially approved on July 18, 1997, (ITEM #127), amended on December 3, 1997 (ITEM #81)], by decreasing the contract by \$3,396.00 from \$1,499,792.96 to \$1,496,396.96, through June 30, 1999 to reduce the total Homemaker units for SFY98 to 47,098 units, and to meet the increased demand for Alzheimer's Disease and Related Disorders Respite Care services by providing services for an estimated four additional recipients for SFY98.

#87 Authorize Division of Elderly and Adult Services to amend an existing Agreement with Carroll County Health and Home Care Services, Ossipee [initially approved on July 18, 1997 (ITEM #174), amended December 3, 1997 (ITEM #77)], by increasing the contract by \$7,160.65 from \$484,796.47 to \$491,957.12, through June 30, 1999 to increase the number of Title XX Homemaker units for SFY98 to 20,178 units.

#88 Authorized Division of Elderly and Adult Services to amend an existing Agreement with Concord Regional Visiting Nurse Association, Concord [initially approved on July 18, 1997 (ITEM #129), amended December 3, 1997 (ITEM #68)], by increasing the contract by \$3,316.88 from \$588,897.57 to \$592,214.45, through June 30, 1999 to increase the number of Title XX Homemaker units for SFY98 to 10,696 units.

#89 Authorized Division of Elderly and Adult Services to amend an existing Agreement with Connecticut Valley Home Care, Inc., Claremont [initially approved on July 18, 1997 (ITEM #137), amended December 3, 1997 (ITEM #92)], by increasing the contract by \$5,218.36 from \$800,581.86 to \$805,800.22, through June 30, 1999 to increase the number of Title XX Homemaker units for SFY98 to 22,367 units.

#90 Authorized Division of Elderly and Adult Services to amend an existing Agreement with Home Healthcare, Hospice and Community Services, Inc., Keene [initially approved on July 18, 1997 (ITEM #144), amended December 3, 1997 (ITEM #70)], by increasing the contract by \$31,178.96 from

\$2,661,267.21 to \$2,692,446.17, through June 30, 1999 to increase the number of Title XX Homemaker units for SFY98 to 29,748 units.

#91 Authorized Children, Youth and Families to make grant awards in the amount of \$71,008, through September 15, 1998 to providers specified in letter dated May 4, 1998 for the purpose of providing short term summer programming and family support services to meet the unique needs of each community.

#92 Authorized Division of Family Assistance to continue a part time temporary Program Specialist IV, labor grade 24 position from July 1, 1998 through June 30, 1999, as specified in letter dated April 2, 1998. FISCAL COMMITTEE APPROVED

### **NEW HAMPSHIRE HOSPITAL**

#93 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Griffin, authorized to approve the New Hampshire Hospital Trust and Special Fund Budget through June 30, 1998.

### **DEPARTMENT OF YOUTH DEVELOPMENT SERVICES**

The Governor and Executive Council acted as follows:

#93A Authorized, with Councilor Streeter voting NO, to renew contract with Marcosa J. Santiago, M.D., in the amount of \$65,520.00, through June 30, 2000 to provide psychiatric services for children placed in the care of the Department of Youth Development Services. SOLE SOURCE

#93B Authorized, with Councilor Streeter voting NO, to renew contract with Gerard Skruck, DDS in the amount of \$17,852.00, through June 30, 2000 to perform necessary dental services, for children committed to the custody of the Department of Youth Development Services, Youth Development Center. SOLE SOURCE

#93C Authorized to renew contract with the Blessed Sacrament Church of Manchester in the amount of \$19,721.00, through June 30, 2000 to provide religious services for children committed to the custody of the Department of Youth Development Services.

#94 Authorized the reclassification of Remedial Teacher, labor grade 15 position to a School Psychologist, labor grade 28, salary range \$37,849.50 to \$45,142.50, to ensure that the Agency is in compliance with the James "O" Consent Decree to have a full-time school psychologist to monitor clinical needs and to supervise group and individual counseling at the Toby School.

#95 Authorized to extend the leave of absence, without pay, for Anthony Camelo, a Youth Counselor II, Youth Services Center, from June 16, 1998 through December 31, 1998.

### **DEPARTMENT OF EDUCATION**

The Governor and Executive Council acted as follows:

#96 Authorized to accept and expend additional grant funds in the amount of \$49,308.00 from the United States Department of Education under the Robert C. Byrd Honors Scholarship Program.

#97 Authorized to renew Lease Agreement with 30 Maplewood Avenue Trust, Quincy, MA [initially approved on May 31, 1995 (ITEM #103)], in the amount of \$83,467.56, for the period June 1, 1998 to May 31, 2000 for 3904 square feet of office space located at 30 Maplewood Avenue, Portsmouth.

#98 Authorized HIV/AIDS Program, Professional Development Program Management Team, to grant funds in the amount of \$7,500.00 to Headrest, Inc., Lebanon through November 30, 1998 to hold three, 3-day retreats for high school youth, including out-of-school youth, whoa are identified as engaging in or likely to engage in behaviors which put them at risk for HIV infection.

#99 Authorized to pay the FY98 participation fee for the Office of Educational Research and Improvement Comprehensive Social Studies Assessment Project to the Council of Chief State School Officers in the amount of \$8,000.00 to participate in the development of resources to support the teaching of the social studies to students from elementary through high school.

### **NH COMMUNITY TECHNICAL COLLEGE SYSTEM**

The Governor and Executive Council acted as follows:

#100 Authorized the New Hampshire Technical Institute - Concord to extend the service period of Ms. Lynne Bennett as temporary full-time Program Specialist IV, labor grade 24, for one more year, from July 1, 1998 through June 30, 1999.

#101 Authorized the Christa McAuliffe Planetarium to extend the service period of Ms. Jan Derby, as temporary full-time Supervisor I, labor grade 18, for one more year, from July 1, 1998 through June 30, 1999.

#102 Authorized the New Hampshire Community Technical College - Stratham to extend the service period of Ms. Karen Sicard, as temporary full-time Technical Support Specialist II, labor grade 20, for one more year, from July 1, 1998 through June 30, 1999.

#103 Authorized the Department of Regional Community Technical Colleges to extend the service period of Ms. Pamela Murphy as temporary full-time Systems Development Specialist III, labor grade 22, for one more year, from July 1, 1998 through June 30, 1999.

#104 Authorized the Department of Regional Community Technical Colleges to extend the service period of Ms. Virginia Tillman, as temporary full-time Secretary I, labor grade 6, for one more year, from June 16, 1998 through June 15, 1999.

#105 Authorized the Christa McAuliffe Planetarium to extend the service period of Ms. Sharon Levesque, as temporary full-time Retail Store Manager I, labor grade 12, for one more year, from July 1, 1998 through June 30, 1999.

#106 Authorized the Christa McAuliffe Planetarium to extend the service period of Mr. Robert Feer, as temporary full-time Maintenance Technician, labor grade 20, for one more year, from July 1, 1998 through June 30, 1999.

### **POLICE STANDARDS & TRAINING COUNCIL**

#107 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Streeter, authorized to accept federal funds in the amount of \$4,666.20, to be used to allow two State employees to attend the "International Association of Police Chiefs Conference on Drugs, Alcohol, and Driving", which is scheduled for June 26, 1998 through July 1, 1998 in Portland, Oregon.

### **DEPARTMENT OF TRANSPORATION**

The Governor and Executive Council acted as follows:

#108 Authorized agreement with Scott Lawson Group, Ltd., Concord in the amount of \$50,000.00, through June 30, 2000, for professional laboratory testing services for various projects as necessary and required by the Department.

#109 Authorized contract with Delucca Fence Company, Inc., Methuen, MA in the amount of \$609,410.00, through September 18, 1998 for guardrail replacement at 86 sites on Interstate 89 beginning at Exit 9 in Warner and continuing to the New London/Sunapee town line (both north and southbound).

#110 Authorized contract with Andrews Construction Co., Campton in the amount of \$186,238.00, through September 18, 1998 for construction of a wetland mitigation area adjacent to the Nottingham Community School.

#111 Authorized contract with R.D. Edmunds & Sons, Inc., Franklin in the amount of \$1,663,072.25, through June 25, 1999 for bridge removal and roadway relocation, NH Route 11 over the former Boston and Maine Railroad at the intersection of Route 11 and Plains Road.

#112 Authorized contract with F.O. Merrill Construction, Inc., Pembroke in the amount of \$2,507,707.50, through July 16, 1999 for relocation of US Route 202/NH Route 9 to align with the intersection of US Route 4 and NH Route 43 beginning at the intersection of Route 4 and Route 43 and continuing north for approximately 2800 feet to a point approximately 1000 feet east of the intersection Route 202 and NH Route 202A.

#113 Authorized contract with L.A. Brochu, Inc., Concord in the amount of \$92,600.00, through July 31, 1999 for the establishment of new wildflower fields, one acre per Maintenance District and Turnpikes.

#114 Authorized contract with Pike Industries, Inc., Belmont in the amount of \$1,092,143.30, through September 18, 1998 for pavement rehabilitation of 6.0 miles of roadway in Highway Maintenance District III (Gilmanton-Belmont-Gilford).

#115 Authorized agreement with New Hampshire State Council on the Arts, Concord in the amount of \$16,750.00 for the design and execution of the design of a weathervane, as well as interior exhibit space and exhibits, as approved.

#116 Authorized agreement with Advance Transit, Inc., Wilder, Vermont in the amount of \$403,598.00 in Federal Transit Administration Section 5311 funds for the period of July 1, 1998 through June 30, 1999, for the purpose of assisting to defray administration and operating costs.

#117 Authorized contract with UniFirst Corporation, Nashua in the amount of \$38,048.00, for the period of June 1, 1998 through June 30, 2001 for uniforms to Rest Area/Information Center Attendants with a value/lease program on a statewide basis.

#118 Authorized contract with John G.W. Finck D.B.A. Green Mountain Consultant Group, Pembroke in the amount of \$184,500.00, through November 30, 1999 for technical services to monitor compliance with Federal regulations.

#119 Authorized to increase the contingency with Hiltz Construction, Inc., Ashland by \$39,546.35, from \$93,953.65 to \$133,500.00, changing the December 23, 1996 original contract total of \$1,033,490. to a revised contract total of \$1,073,036.49.

#120 Authorized to amend existing agreement with Nashua Regional Planning Commission [initially approved on June 11, 1997], by changing the amount of the contract from \$50,040.00 to \$99,054.00.

#121 Authorized to sell a split level style house and detached building which require removal from State owned property in the Town of Windham to Edward McSweeney, Nashua for \$1,700.00.

#122 Authorized to sell a ranch style house which require removal from State owned property in the Town of Conway to Domenic Richardi, Conway for \$1,000.00.

#123 Authorized to sell a 0.03 of an acre parcel of State owned land adjacent to NH Route 25 in the Town of Warren to Albert Wilson and Patricia Wilson, Warren for \$925.00.

#124 Authorized Petition for a Hearing on alteration to N.H. Route 10 in the Town of Piermont.

#125 Authorized Petition for a Hearing on alteration to N.H. Route 145 in the Town of Stewartstown.

#126 Authorized for consideration is the Contemplated Award List for the period April 22, 1998 through May 5, 1998.

#127 Authorized reclassification of Administrator II, labor grade 28, which is located in the Commissioner's Office, to Civil Engineer VI, labor grade 31 and transferred to the Bureau of Municipal Highways.

#### **DEPARTMENT OF SAFETY**

The Governor and Executive Council acted as follows:

#128 Authorized Division of State Police to accept in the amount of \$50,000.00 in federal funds from the N.H. Department of Justice, through June 30, 1999 to provide laptop computers for State Police patrol cruisers.

#129 TABLED - The Governor and Executive Council, on motion of Councilor Normand, seconded by Councilor Streeter, TABLED the request for a One-year Agreement with Coopers & Lybrand of Manchester in the amount of \$100,000.00, for system analysis and programming services to update the motor vehicle registration system to enable Municipal Agents to be integrated with the Division of Motor Vehicles' central data base system. SOLE SOURCE

#130 TABLED - The Governor and Executive Council, on motion of Councilor Normand, seconded by Councilor Streeter, TABLED the request for a One-year Agreement with Coopers & Lybrand of Manchester in the amount of \$25,000.00, for the period from July 1, 1998 through June 30, 1999 for programming services for maintenance and upgrades on the Road Toll client server system. SOLE SOURCE

#131 TABLED - The Governor and Executive Council, on motion of Councilor Normand, seconded by Councilor Streeter, TABLED the request for a Two-year Retroactive Agreement with Computer Projects of Illinois, Inc., Westmont, Illinois, in the amount of \$76,000.00, payable in two annual installments of \$38,000.00 each, for July 1, 1997 to June 30, 1999, for preventative maintenance and system upgrade services of software provided to the Department of Safety by CPI. SOLE SOURCE

#132 TABLED - The Governor and Executive Council, on motion of Councilor Normand, seconded by Councilor Streeter, TABLED the request for a Two-year Retroactive Agreement with Wang Laboratories of Billerica, MA in the amount of \$60,000.00, for July 1, 1997 to June 30, 1999 for preventative maintenance, remedial maintenance and engineering changes to equipment and system software comprising the State Police switching and Criminal History computer systems. SOLE SOURCE

#133 Authorized to continue a Domestic Violence Advocate position through June 30, 1999, as specified in letter dated April 1, 1998. FISCAL COMMITTEE APPROVED

#134 Authorize to approve Permit Application of Blye Hill Landing Homeowners Association located on Lake Sunapee in Newbury as recommended by the Division of Safety Services and the Office of State Planning for a congregate mooring field under the authority of RSA 270:67. Blye Hill Landing Homeowners Association submitted an application for 8 moorings. It is recommended that the application be approved for 8 moorings as per their revised map dated 05/22/98.

#135 Authorized to approve Permit Application of Lakeside Village, Inc. located on Newfound Lake in Bristol as recommended by the Division of Safety Services and the Office of State Planning for a congregate mooring field under the authority of RSA 270:67. Lakeside Village had been previously issued a permit for 19 moorings in 1996. They are applying for 1 additional mooring. It is recommended that the application be approved for a total of 20 moorings.

#136 Authorized to approve Permit Application of Totem Pole Association, located on Ossipee Lake in Freedom as recommended by the Division of Safety Services and the Office of State Planning for a congregate mooring field pursuant to RSA 270:67. Totem Pole Association originally submitted an application for 55 moorings extending 198' from shore. At the public hearing, a revised map was submitted requesting 45 moorings extending 249' out from shore, eliminating 10 moorings in front of the swim area. The Office of State Planning submitted a recommendation that 27 of the 55 moorings be approved. After a site inspection by both agencies, conducted from the water and again from land, a compromise was reached and a final map was submitted by the applicant requesting 32 moorings with a maximum distance of 150' from shore. It is recommended that the application be approved for 32 moorings as per the revised map dated 5/11/98.

#137 Authorized to approve Permit Application of Freedom Village Condominiums, located on Ossipee Lake in Freedom as recommended by the Division of Safety Services and the Office of State Planning for a congregate mooring field pursuant to RSA 270:67. Freedom Village submitted an application for 50 moorings extending 242' from shore. After the public hearing, State Planning submitted a recommendation that 26 of the 50 moorings be approved. After a site inspection by both agencies conducted from the water and again from land, a compromise was reached and a final map was submitted by the applicant requesting 43 moorings with a maximum distance of 130' from shore. It is recommended that the application be approved for 43 as per the revised map dated 5/11/98.

#138 Authorized to approve Permit Application of Pine Landing Beach Club, Inc., located on Ossipee Lake in Freedom as recommended by the Division of Safety Services for a congregate mooring field pursuant to RSA 270:67. Pine Landing Beach Club, Inc., submitted an application for 60 moorings extending 193' from shore. After a site inspection by both agencies conducted by water and again from land a compromise was reached and a final map was submitted by the applicant requesting 39 moorings a maximum distance of 150' from shore. It is recommended that the application be approved for 39 moorings.

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

#139 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Griffin, authorized, with Councilor Spaulding voting NO, request of Nelson and Betsy Newcomb Jr. to amend permit to excavate area behind legal full lake elevation for the construction of a two-slip boathouse at a 37 degree angle from the shoreline. Install rip-rap to stabilize the entrance and dredge for access on shoreline on property located on Lake Winnepesaukee at Tuftonboro Neck in Tuftonboro. This project was previously approved on December 17, 1997.

#### **#140 TUITION REQUESTS**

The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, approved the following Tuition Request:

A. COMMUNITY TECHNICAL COLLEGE - Requests permission to pay the University of Massachusetts, Lowell, MA, the sum of \$1,240.00 for the sole purpose of enrolling Jessica Price, Professor, in the

course entitled "Seminar in Data Analysis" or "Managing Change and Conflict in Schools", or "Sociology of Educational Communities."

B. ENVIRONMENTAL SERVICES - Requests permission to pay the University of New Hampshire, Continuing Education, Durham, NH, the sum of \$540.00 for the sole purpose of enrolling Michael Wimsatt, Hydrogeologist, in the course entitled "Mechanics I."

C. HEALTH AND HUMAN SERVICES, Children Youth and Families - Requests permission to pay New Hampshire College, Gilford, NH, the sum of \$435.00 for the sole purpose of enrolling Cynthia Morin Gould, Program Specialist, in the course entitled "Human Relations in Administration."

D. HOSPITAL - Requests permission to pay River College, Nashua, NH, the sum of \$552.00 for the sole purpose of enrolling Suzanne Belanger, Registered Nurse, in the course entitled "Pathophysiology."

E. HOSPITAL - Requests permission to pay New Hampshire Technical Institute, Concord, NH, the sum of \$528.00 for the sole purpose of enrolling Anne Marie Durant, Licensed Practical Nurse, in the course entitled "Microbiology."

F. HOSPITAL - Requests permission to pay New Hampshire Technical Institute, Concord, NH, the sum of \$528.00 for the sole purpose of enrolling Glenda Carter, Nursing Assistant, in the course entitled "Microbiology."

G. LIQUOR - Requests permission to pay New Hampshire College, Manchester, NH, the sum of \$447.00 for the sole purpose of enrolling Carol Andersen, Accountant, in the course entitled "Computer Systems and Technology."

H. PARI-MUTUEL - Requests permission to pay New Hampshire College, Graduate School of Business, Manchester, NH, the sum of \$891.00 for the sole purpose of enrolling Michael Trombley, Deputy Director, in the course entitled "HRM 500 Human Behavior in Organizations."

I. TRANSPORTATION - Requests permission to pay Franklin Pierce College, Concord, NH, the sum of \$644.50 for the sole purpose of enrolling Charles Dusseault, Civil Engineer, in the courses entitled "Accounting" and "Communications."

#### #141 TRAVEL REQUESTS

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, approved the following Travel Request:

A. ADMINISTRATIVE SERVICES, Bureau of Emergency Communications - Requests permission for Bruce Cheney, Executive Director, Peter Denute, GIS Administrator, Doree Price, Telecommunications Supervisor, Judith Van Zant, Field Representative, and Marc Jolin, Telecommunicator, or designee, to travel to Cincinnati, OH, on June 20-25, 1998 to attend the 1998 Annual National Emergency Number Association Conference. Total Cost: \$6,804.00. Source of Funds: 100% Surcharge

B. ADMINISTRATIVE SERVICES, Bureau of Emergency Communications - Requests permission for Doree Price, and Timothy Creavin, Telecommunications Supervisors, or designee to travel to Plymouth, MA, on June 7-12, 1998 to attend the APCO Institute Communications Training Instructor Course.

C. COMMUNITY TECHNICAL COLLEGE - Requests permission for Cate Weir, Coordinator, and Cynthia Bioteau, Director, or designee, to travel to Brekinridge, CO, on June 9-14, 1998 to attend the Teaching for Change: Creating & Supporting Community Workshop. Total Cost: \$1,330.00. Source of Funds: 34% Federal, 26% General Funds and 40% Tuition.

D. COMMUNITY TECHNICAL COLLEGE - Requests permission for Lucille Jordan, President and John Fischer, Vice President, or designee, to travel to Seattle, WA, on June 6-10, 1998 to attend the First Annual presidents Academy Conference. Total Cost: \$4,167.20. Source of Funds: 100% Federal Funds.

E. CULTURAL AFFAIRS - Requests permission for Nancy Muller, Director, and Christine Fonds, Architectural Historian, or designee, to travel to New Haven, CT, on June 1-2, 1998 to attend The Northeast Regional Preservation Meeting. Total Cost: \$400.00. Source of Funds: 60% Federal & 40% General/Highway Funds.

F. EDUCATION - Requests permission for Linda Thistle-Elliott, Education Consultant, and Kim Ruion, School-to-Work Liaison, or designee, to travel to Newton, MA, on June 8-10, 1998 to attend the Northeast Injury Prevention Network Training Program. Total Cost: \$545.00. Source of Funds: 100% Federal Funds.

G. EDUCATION - Requests permission for Judith Fillion, Director, Ron Leclerc, Cecile Merrill, and Sandy Hyslop, Systems Development Specialists, or designee, to travel to Washington, DC, on July 28-31, 1998 to attend the NCES Summer Data Conference - Focusing on Achievable Coordination for Education Statistics Conference. Also permission to exceed the 300 mile radius by personal vehicle is requested for Ron LeClerc. Total Cost: \$4,985.20. Source of Funds: 100% Federal Funds.

H. EDUCATION - Requests permission for Barbara Patch, Remedial Teacher, and Rose Savino, Teacher, or designee to travel to Stockbridge, MA, on June 25-26, 1998 to attend the Regional Migrant Directors Meeting. Total Cost: \$165.73. Source of Funds: 100% Federal Funds.

I. EMPLOYMENT SECURITY - Requests permission for Joseph Weisenburger, Deputy Commissioner, Judy Young, Certifying Officer, Dan Day, Interviewer, and Ray Kling, Manager, or designee, to travel to San Juan, Puerto Rico, on July 4-10, 1998 to attend the International Association of Personnel in Employment Security International Educational Conference. Total Cost: \$6,204.91. Source of Funds: 100% Federal Funds.

J. ENVIRONMENTAL SERVICES - Requests permission for JoAnne Keough, Tech Support Specialist, and Heidi, Reinhold, Executive Secretary, or designee, to travel to Boston, MA, on June 22-25, 1998 to attend the Safe Drinking Water Information System (SDWIS) Database Training. Total Cost: \$1,098.00. Source of Funds: 100% Federal Funds.

K. ENVIRONMENTAL SERVICES - Requests permission for Chirstopher Way, Supervisor, Barbara McMillan, Coordinator, Ray Gordon, Waste Management Specialist, Parker Morgan, and Louis Thompson, Principal Planners, or designee, to travel to Bethel, ME, on May 31-June 2, 1998 to attend the Northeast Resource Recovery Conference and Exposition. Total Cost: \$950.00. Source of Funds: 21% HW Cleanup Fund & 79% General Funds.

L. FIRE STANDARDS & TRAINING - Requests permission for Richard Mason, Director, William Clark, Deputy Chief, Charles Roffo, Captain, and James Litevich, Assistant Director, or designee, to travel to Springfield, MA, on June 25-30, 1998 to attend Fire/Rescue New England Conference. Total Cost: \$891.00. Source of Funds: 100% General Funds.

M. FISH AND GAME - Requests permission for James Hall and Randy Curtis, Hunter Education Coordinators, or designee, to travel to Newport, RI, on June 29-July 3, 1998 to attend the US Fish & Wildlife Service Region V Annual Workshop. Total Cost: \$940.00. Source of Funds: 100% Federal Funds.

N. HEALTH AND HUMAN SERVICES , Office of Program Support , Division of Child Support Services - Requests permission for Raymond Rusin, Bureau Chief, Judith Boska, Certification Coordinator, Judith Griffin, RN, and Natalie Allen, RN, Office of the Ombudsman, Lois Evens, RN, Susan Grimes, SW, Elaine Lambert, RN, Elaine Symonds, RN, Arlene Burke, RN, Gaye Forester, RN, John Hancock, SW,

Carol Mosman, RN and Margaret Walker, RN, Program Reviewers, or designee, to travel to Worcester, MA, on June 18-19, 1998 to attend the Urinary Incontinence Management in the Long Term Care Setting Conference. Total Cost: \$4,513.00. Source of Funds: 100% Federal Funds.

O. HEALTH AND HUMAN SERVICES , Office of Program Support - Requests permission for Kathleen Kerr, Director, Neal Boutin, Chief, JoAnn Maynard, Project Manager, Charlotte Guyer, Chief Attorney, and Jane Schirch, Supervisor Attorney, or designee, to travel to Portland, ME, on June 3-5, 1998 to attend the Regional Child Support Conference. Total Cost: \$1,182.00. Source of Funds: 66% Federal & 34% General Funds.

P. INSURANCE - Requests permission for Charles Blossom, Commissioner, Monica Ciolfi, Deputy Commissioner, Steven Lauwers, Assistant Commissioner, Thomas Burke, Director, Steven Olson, IT Manager, Alex Feldvebel and Roy Gutowski, Analysts, or designee, to travel to Boston, MA, on June 19-24, 1998 to attend the National Association of Insurance Commissioners meeting. Total Cost: \$6,434.00. Source of Funds: 100% Insurance Assessments.

Q. REVENUE - Requests permission for Stanley Arnold, Commissioner, Linda Blake, Director, and Irene Koffink, Assistant Director, or designee, to travel to New Orleans, LA, on June 13-17, 1998 to attend the Federation of Tax Administrators Annual Meeting. Total Cost: \$5,540.00. Source of Funds: 100% General Funds.

R. SAFETY - Requests permission for Claude Ouellett, Administrator, or designee, to travel to Sacramento, CA, on July 17-22, 1998 to attend the National Association of State Personnel Executives Annual Meeting. ALSO A CASH ADVANCE OF \$100.00 IS REQUESTED FOR Claude Ouellett. Total Cost: \$2,235.00. Source of Funds: 100% Highway Funds.

S. SAFETY - Requests permission for Ann Cote, and Helen Gibeau, Auditors, or designee, to travel to Lawrence, MA, on May 27-29, 1998 to perform an audit on Parker Fuel Corporation. Total Cost: \$48.00. Source of Funds: 100% Highway Funds.

T. TREASURY - Requests permission for Georgie Thomas, State Treasurer, and Michael Abolowich, Chief Deputy State Treasurer, or designee, to travel to Charleston, SC, on June 20-27, 1998 to attend the National Association of State Treasures (NAST), 23rd Annual Conference. Total Cost: \$3,650.00. Source of Funds: NAST will pay \$1,500.00. The balance of \$2,150.00 is 73% General Funds & 27% Abandoned Property Funds.

#### **LATE ITEMS:**

##### **A. DEPARTMENT OF ADMINISTRATIVE SERVICES**

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Streeter, authorized to appoint Councilor Raymond S. Burton as a designee of the Executive Council to hold a hearing on the attached proposal for the refinancing of existing indebtedness, construction, renovation and purchase of equipment project in connection with New Hampton School, New Hampton, New Hampshire.

##### **B. DEPARTMENT OF CULTURAL AFFAIRS**

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Streeter, authorized the Division of Libraries to retroactively enter into a Lease Agreement with the North Country Council, Inc., Bethlehem in the amount of \$8.75 per square foot, for the period January 1, 1998 through September 30, 1998, for office space.

#### **TABLED ITEM**

## **DEPARTMENT OF ADMINISTRATIVE SERVICES**

#21 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Griffin, voted to remove #21 from Table. Councilor Spaulding, seconded by Councilor Streeter voted to approve the request of the Bureau of Court Facilities to enter into a Lease Extension Agreement with the County of Merrimack in the amount of \$21,322.25 per month to cover office and courtroom space located on North Main Street, Concord, NH.

The next Governor and Executive Council meeting is scheduled for June 10, 1998 at 10:30 a.m. at State House, Concord, New Hampshire

The Honorable Board then Adjourned