

Minutes December 15, 1999

GOVERNOR AND EXECUTIVE COUNCIL MINUTES

State House, Concord, New Hampshire
December 15, 1999
10:30 a.m.

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

The Governor and Executive Council, on motion of Councilor Streeter, seconded by Councilor Colantuono, accepted the minutes of December 1, 1999 with the following amendment:

DEPARTMENT OF HEALTH AND HUMAN SERVICES Office of Administration

The Governor and Executive Council, with Councilor Colantuono voting NO on items #76-87, acted as follows:

The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Streeter, confirmed the appointment of several persons nominated for Civil Commissions from the December 1, 1999 meeting.

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

The following State Senator-elect was sworn into office by the Governor and Executive Council:
State Senate District No. 10
Tom Eaton, r, Keene (27 Pheasant Hill Road) 03431

The following representatives-elect were sworn into office by the Governor and Executive Council:

Merrimack County District No. 2
Jay Rosenfield, d, New London (329 Route 103A) 03257
Rockingham County District No. 12
Bill Kelley, r, Raymond (60 Onway Lake Rd) 03077

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

ATHLETIC TRAINERS BOARD

Daniel F. O'Neill, M.D., Plymouth
(Physician/Practice of Sports Medicine)
Effective: November 19, 1999
Reason: Moving from state

LANCASTER DISTRICT COURT

Paul D. Desjardins, Lancaster
Effective: January 1, 2000
Reason: Personal

BOARD OF MENTAL HEALTH PRACTICE

Richard T. Slater, Manchester
Effective: November 26, 1999
Reason: Personal

AIR RESOURCES COUNCIL

Lois P. Spearman, RN, Concord
(Public member)
Succeeding: Griffin T. Dalianis, Nashua
Effective: December 15, 1999
TERM: December 6, 2002

Robert Young, Amherst
(Natural Gas Industry)
Succeeding: Richard Demers, Manchester
Effective: December 15, 1999
TERM: October 4, 2003

BUSINESS FINANCE AUTHORITY

Edward F. Caron, Hudson
Reappointment
Effective: December 15, 1999
TERM: November 3, 2002

Louis Chagnon, Nashua
Succeeding: Karl Norwood, Amherst
Effective: December 15, 1999
TERM: November 3, 2002

William J. Veroneau, Penacook
(elected official)
Succeeding: John H. Porter, Jr., Hopkinton
Effective: December 15, 1999
TERM: November 3, 2002

DEPARTMENT OF CORRECTIONS: WARDEN NEW HAMPSHIRE STATE PRISON

Michael J. Cunningham, Boscawen
Reappointment
Effective: December 20, 1999
Salary: Group P Maximum \$74,732
TERM: Serves at the Pleasure of the Commissioner of the Department of Corrections

ENHANCED 911 COMMISSION

George J. Landry, Laconia
(NH Federation of Fire Mutual Aid)
Succeeding: John S. Marechal, Keene
Effective: December 15, 1999
TERM: July 22, 2000

JUDICIAL COUNCIL

Alethea L. Froborg, Berlin
(Attorney)
Succeeding: Gerald J. Boyle, Portsmouth
Effective: December 15, 1999
TERM: October 18, 2001

BOARD OF REGISTRATION IN MEDICINE

James H. Clifford, M.D., Lee
Succeeding: Dana S. Merrithew, MD, Rumney (resigned)
Effective: December 15, 1999
TERM: December 3, 2001

NEW MOTOR VEHICLE ARBITRATION BOARD

Leon Cyr, Candia
(Rep. Consumers)
Reappointment
Effective: December 15, 1999
TERM: October 16, 2002

PESTICIDES CONTROL BOARD

Timothy J. Fleury, Sunapee
(Public member)
Succeeding: Walter Garant, Manchester
Effective: December 15, 1999
TERM: April 10, 2000

Jeffrey R. Huntington, Loudon
(NH Horticulture Society)
Reappointment
Effective: December 15, 1999
TERM: November 6, 2002

ADVISORY COMMITTEE ON TRAVEL AND TOURISM

Robert D. Greenleaf, Madbury
(Nominated by Commissioner of Department of Resources and Economic Development-representing food and beverage)
Vacancy
Effective: December 15, 1999
TERM: December 15, 2002

COMMISSIONER: DEPARTMENT OF TRANSPORTATION

Leon S. Kenison, Bow
Reappointment
Effective: December 15, 1999
Salary: Group T: 83,256
TERM: December 3, 2003

DIVISION OF WATER RESOURCES COUNCIL

Henry Therriault, Seabrook
Reappointment
Effective: December 15, 1999
TERM: October 9, 2003

WETLANDS COUNCIL

Bruce Schwaegler, Orford
(Nominated by Audubon/NH Society for Protection of Forests)
Reappointment
Effective: December 15, 1999
TERM: October 23, 2002

The Governor nominated the following:

ADULT PAROLE BOARD

George L. Iverson, Hampton
Succeeding: Kenneth MacDonald, Wolfeboro
Effective: Upon confirmation
TERM: March 8, 2005

AIR RESOURCES COUNCIL

Paul B. Kleinman, Exeter
(General Public)
Reappointment
Effective: Upon confirmation
TERM: December 6, 2003

ATHLETIC TRAINERS BOARD

John J. O'Connor, M.D., Concord
(Physician/Practice of Sports Medicine)
Succeeding: Daniel F. O'Neill, Plymouth (resigned)
Effective: Upon confirmation
TERM: March 18, 2001

COMPENSATION APPEALS BOARD

Sarah E. Heintz, Woodsville
(Attorney)
Succeeding: William Robinson, Marlborough
Effective: Upon confirmation
TERM: August 18, 2003

Robert E. Hynes, Dover
(Employer/Insurer)
Reappointment
Effective: January 1, 2000
TERM: January 1, 2004

Edward J. Walsh, Merrimack
(Employer/Insurer)
Reappointment
Effective: January 1, 2000
TERM: January 1, 2004

CURRENT USE ADVISORY BOARD

Normand R. Pelletier, Jr., Hudson
(representing assessing official from town with more than 5,000 population)
Reappointment
Effective: Upon confirmation
TERM: December 23, 2001

STATE HISTORICAL RESOURCES COUNCIL

Duffy Monahan, Peterborough
(Architecture)
Reappointment
Effective: Upon confirmation
TERM: December 10, 2004

HUMAN RIGHTS COMMISSION

Philip P. Palmer, West Chesterfield
Succeeding: Charlene Clinton, Derry (resigned)
Effective: Upon confirmation
TERM: January 1, 2003

JUDICIAL COUNCIL

Gerald A. Daley, Dover
(Lay person)
Succeeding: Barbara Yates, Durham

Effective: Upon confirmation
TERM: December 22, 2002

MILK SANITATION BOARD

Glenn L. Bohanan, Contoocook
(Milk Producer)
Reappointment
Effective: Upon confirmation
TERM: November 1, 2005

MOORINGS APPEALS BOARD

Melvin Borrin, Center Harbor
Succeeding: Donald Spear, Gilford
Effective: Upon confirmation
TERM: December 16, 2000

BOARD OF OCCUPATIONAL THERAPY

Dennis G. Tobin, Hanover
(Occupational Therapist)
Reappointment
Effective: January 8, 2000
TERM: January 8, 2003

NEW HAMPSHIRE STATE PORT AUTHORITY

Steven J. Driscoll, Hampton
(Commercial Fisherman)
Reappointment
Effective: Upon confirmation
TERM: December 16, 2004

RESIDENTIAL RATEPAYERS ADVISORY BOARD

Marilyn D. Parpan, Swanzey Center
(Represents interests of small business owners)
Vacancy
Effective: Upon confirmation
TERM: Three years from date of confirmation

BUSINESS FINANCE AUTHORITY

#1 Authorized to hold a Public Hearing with respect to the financing of an industrial facility by the Business Finance Authority for Ledge Road Realty Trust located at Windham, New Hampshire. Action will authorize a Resolution under RSA 162-I:9 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

A roll call vote was requested, the results are as follows:

Councilor Burton - Yes:

Councilor Spaulding - Yes:

Councilor Griffin - Yes:

Councilor Colantuono - Yes:

Councilor Streeter - Yes.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD DECEMBER 15, 1999 IN THE COUNCIL CHAMBER, STATE HOUSE, CONCORD

At 11:00 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 Ledge Road Realty Trust (the "Borrower"), to be leased to its affiliate, Olde Rock Springs, Inc., in Windham, 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 Kevin Price, Trustee of the Borrower. 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 AN INDUSTRIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE FOR LEDGE ROAD REALTY TRUST IN WINDHAM, NEW HAMPSHIRE" and moved its adoption, which was seconded by Councilor Colantuono. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Spaulding, Councilor Burton, Councilor Griffin, Councilor Colantuono, 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 \$800,000 REVENUE BONDS, SERIES A AND SERIES B, FOR A PROJECT FOR LEDGE ROAD REALTY TRUST IN WINDHAM, NEW HAMPSHIRE

WHEREAS, the Business Finance Authority of the State of New Hampshire (the "Authority") has been requested by Ledge Road Realty Trust (the "Borrower") to finance or refinance the acquisition and construction of an ink manufacturing facility, the acquisition of related manufacturing and ancillary equipment and the payment of certain closing costs (collectively, the "Project") by issuing up to \$800,000 principal face amount of bonds (the "Bonds") under RSA 162-I (the "Act");

WHEREAS, the Authority took official action with respect to the Project by passing a resolution on November 30, 1998 approving the issue of up to \$650,000 of Bonds for Windham Realty Trust, the predecessor-in-interest of the Borrower; and

WHEREAS, the Authority has been furnished with: (a) information and materials about the Borrower, the Project and unemployment in the Windham area, (b) evidence that Southern New Hampshire Bank and Trust Co. or its assigns (the "Bondowner") is willing to purchase the Bonds, (c) the form of the proposed MORTGAGE, SECURITY, LOAN AND TRUST AGREEMENT (the "Loan Agreement") among the Authority, the Borrower and the Bondowner which is a combined financing and security document and which will secure the Bonds, (d) information deemed relevant by the Authority in determining whether to allocate a portion of the State's 1999 private activity bond limit to the proposed financing pursuant to RSA 162-M, and (e) other information, materials and assurances deemed relevant by the Authority; and

WHEREAS, the Loan Agreement will constitute evidence of indebtedness of the Authority under the Act to finance the Project;

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 (i) the acquisition and construction of an ink manufacturing facility and the acquisition of related manufacturing and ancillary equipment; and (ii) the payment of certain closing costs (collectively, the "Facility"). The Facility is within the definition of "Industrial Facility" in RSA 162-I 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 Loan Agreement and all instruments, agreements and documents required or contemplated by the Loan Agreement to give effect to the transactions described in the Loan Agreement (collectively with the Loan Agreement, 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 operating, maintenance and upkeep of the Facility except from Bond 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. 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 Agreements. The Authority shall be a party to the Loan Agreement and such other instruments, agreements and other documents required or contemplated by the Loan Agreement. The Chairman or Vice Chairman or Treasurer and any other member of the Board or the Executive Director are authorized to execute and deliver the Loan Agreement on behalf of the Authority substantially in the form presented to this meeting and the Chairman, Vice Chairman, Treasurer and Executive Director are each (acting alone) authorized to execute and deliver such other instruments, agreements and other documents as such officer, in such officer's discretion, shall deem necessary or appropriate to give effect to the Loan Agreement and the transactions contemplated thereby, the signature of such officer being conclusive identification of such instruments, agreements and other documents as the instruments, agreements and other documents 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 \$800,000 as provided in the Loan 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 (to the extent the Bonds are instruments that are separate from the Loan Agreement); and the sale of the Bonds at the price of par is hereby authorized and approved.

Section 5. Actions No 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 Loan Agreement, related instruments, agreements and other documents and the issuance of the Bonds) shall not be taken until such time as the Governor and the 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 are subject to the action of the Governor and Council as required by the Act.

Section 6. Bond Proceeds. The Bond proceeds shall be deposited and paid in accordance with the Loan 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 Loan 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 Loan Agreement up to \$800,000 of the 1999 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 December, 1999, unless on or before such date (i) the Agreements are executed and delivered or (ii) an extension is granted by further action of the Authority.

Section 9. Other Actions by Officers. Each of the Chairman, Vice Chairman, Treasurer and the Executive Director is authorized to take all other actions and to execute, deliver or receive such instruments or certificates as such officer determines are necessary on behalf of the Authority in connection with the 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, each such officer 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.

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 Loan Agreement.

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

Section 12. \$10,000,000 Election. The Chairman, Vice Chairman, Treasurer and the Executive Director are each authorized to make an election with respect to the delivery of the Agreements pursuant to Section 144(a)(4) of the Internal Revenue Code of 1986, as amended, or any successor provision thereto, to the extent necessary.

Section 13. Effective Date. This resolution shall take effect upon its passage.

Passed: October 18, 1999

OFFICE OF STATE PLANNING

The Governor and Executive Council acted as follows:

#2 Authorized to RETROACTIVELY extend a grant from the US Department of Commerce, Economic Development Administration from September 30, 1999 to June 30, 2000. (2) (3) Further authorized the Office and the University of New Hampshire to RETROACTIVELY AMEND an Existing Memorandum of Agreement on the New Hampshire Economic Development Plan by changing the completion date from September 30, 1999 to June 30, 2000. (Initially approved on May 27, 1998 (Item #10) and amended on November 18, 1998 (Item #5), and June 22, 1999 (Item #3]. No additional funds are being provided.

#3 Authorized to enter into an Agreement with the Upper Valley Lake Sunapee Regional Planning Commission, 77 Bank Street, Lebanon, New Hampshire in the amount of \$1,500 through September 30, 2000. The UVLSRPC will conduct 1 Community Assistance Visit and assist OSP with conducting a regional NFIP workshop.

#4 Authorized to enter into an Agreement with the Rockingham Planning Commission, 156 Water Street, Exeter, New Hampshire in the amount of \$1,500 through September 30, 2000. The Rockingham Planning Commission will conduct 2 Community Assistance Visits and assist OSP with conducting a regional NFIP workshop.

#5 Authorized to enter into an Agreement with the Lakes Region Planning Commission, Humiston Building, 103 Main Street, Suite 3, Meredith, New Hampshire in the amount of \$1,500 through September 30, 2000. The Lakes Region Planning Commission will conduct 1 Community Assistance Visit and assist OSP with conducting a regional NFIP workshop.

#6 Authorized to enter into an Agreement with the Southwest Region Planning Commission, 20 Central Square, 2nd Floor, Keene, New Hampshire in the amount of \$1,500 through September 30, 2000. The Southwest Region Planning Commission will conduct 1 Community Assistance Visit and assist OSP with conducting a regional NFIP workshop.

#7 Authorized to enter into an Agreement with the Town of Pittsfield, New Hampshire in the amount of \$272,335 through June 30, 2001. The Town will use these funds to make improvements to the municipal water distribution system.

#8 Authorized to AMEND an existing Agreement CE 211492 with the City of Concord, New Hampshire [Initially approved on February 18, 1998 (Item #16)] by extending the completion date from December 31, 1999 to June 30, 2000. No additional state or federal funds are required by this action.

#9 Authorized to AMEND an existing Agreement CE 211690 with the City of Concord, New Hampshire [Initially approved on April 1, 1998 (Item #4)], by extending the completion date from December 31, 1999 to June 30, 2000. No additional state or federal funds are required by this action.

#10 Authorized to AMEND an existing Agreement CE 210883 with the City of Concord, New Hampshire [Initially approved on October 8, 1997 (Item #21)], by extending the completion date from December 31, 1999 to June 30, 2000. No additional state or federal funds are required by this action.

#11 Authorized to AMEND an existing Agreement #410798 with the Town of Winchester, New Hampshire in the amount of \$655,000 [Initially approved on July 21, 1999 (Item #9)], this amendment will create an additional activity code for acquisition with a budget of \$10,000. No change in the end date of December 31, 2002 is required. No additional state or federal funds are required by this action.

#12 Authorized to AMEND an existing Agreement CE 330457 with the Town of Epping, New Hampshire [Initially approved on August 12, 1998 (Item #8)], by extending the completion date from December 31, 1999 to June 30, 2000. No additional state or federal funds are required by this action.

#13 Authorized to AMEND an existing Agreement CE 210456 with the Town of Haverhill, New Hampshire [Initially approved on July 18, 1997 (Agenda #8) and previously amended on May 26, 1999, (Agenda #8)], by extending the completion date from December 31, 1999 to June 30, 2000. No additional state or federal funds are required by this action.

#14 Authorized to AMEND an existing Agreement CE 151268 with the Town of Haverhill, New Hampshire [Initially approved on February 19, 1997 (Item #6)], by extending the completion date from December 31, 1999 to June 30, 2000. No additional state or federal funds are required by this action.

#15 Authorized to AMEND an existing Agreement #80777 with The Northern Forest Heritage Park, 961 Main Street, Berlin, NH [Initially approved on April 7, 1999 (Item #3)], by extending the completion date from December 31, 1999 to June 30, 2000. No additional state or federal funds are required by this action.

GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES

The Governor and Executive Council acted as follows:

#16 Authorized to enter into agreement with Alternate Energy Corporation, d/b/a NRG dot COM, in an amount not to exceed \$34,650 through December 31 2001. This contract will fund the installation and maintenance of 3 compressed natural gas refueling units at various state locations for state agency use. These appliances refuel CNG vehicles overnight and are capable of filling two vehicles at the same time.

#17 Authorized to enter into contract with Public Service of New Hampshire, 1000 Elm Street, Manchester, NH in an amount not to exceed \$19,952 through December 1, 2000. This contract will provide partial funding for a baseline study on New Hampshire's Commercial and Industrial Energy Code.

#18 Authorized to enter into contract with Southern New Hampshire Services, 40 Pine Street, PO Box 5040, Manchester, NH in an amount not to exceed \$54,579.00 as a grant recipient under the Head Start Program through June 30, 2000. These monies will be used to supplement funds currently received from the US Department of Health and Human Services for the Head Start Program, which is administered by the Community Action Agency.

#19 Authorized to enter into contract with Strafford County Community Action Committee, Inc., Strafford County Court House, PO Box 160, Dover, NH in an amount not to exceed \$37,371.00 as a grant recipient under the Head Start Program through June 30, 2000. These monies will be used to supplement funds currently received from the US Department of Health and Human Services for the Head Start Program, which is administered by the Community Action Agency.

#20 Authorized to enter into contract with Tri-County Community Action Program, Inc., 30 Exchange Street, Berlin, NH in an amount not to exceed \$47,859.00 as a grant recipient under the Head Start Program through June 30, 2000. These monies will be used to supplement funds currently received from the US Department of Health and Human Services for the Head Start Program, which is administered by the Community Action Agency.

#21 Authorized to enter into contract with Southwestern Community Services, Inc., 69Z Island Street, PO Box 603, Keene, NH in an amount not to exceed \$36,812.00 as a grant recipient under the Head Start Program through June 30, 2000. These monies will be used to supplement funds currently received from the US Department of Health and Human Services for the Head Start Program, which is administered by the Community Action Agency.

#22 Authorized to enter into contract with Rockingham Community Action, Inc., 7 Junkins Avenue, Portsmouth, NH in an amount not to exceed \$28,950.00 as a grant recipient under the Head Start Program through June 30, 2000. These monies will be used to supplement funds currently received from the US Department of Health and Human Services for the Head Start Program, which is administered by the Community Action Agency.

#23 Authorized to enter into contract with Community Action Program Belknap-Merrimack Counties, Inc., 2 Industrial Park Drive, Concord, NH in an amount not to exceed \$35,766.00 as a grant recipient under the Head Start Program through June 30, 2000. These monies will be used to supplement funds currently received from the US Department of Health and Human Services for the Head Start Program, which is administered by the Community Action Agency.

OFFICE OF EMERGENCY MANAGEMENT

#24 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, authorized contract with PricewaterhouseCoopers LLP in the amount of \$42,700.00 to provide personnel, project management, project coordination, cost allocation methodology and framework, solution alternatives and prioritized solution requirements in order to implement a cost allocation reporting system and streamline/automate federal, state and local financial report through February 28, 2000.

TREASURY DEPARTMENT

The Governor and Executive Council acted as follows:

#25 Authorized to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue a check to County of Merrimack in the amount of \$120.69.

#26 Authorized to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of \$1,955.78 as specified in letter of December 2, 1999.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Executive Council acted as follows:

#27 Authorized Helmsman Management Services, Inc., serving as the State's administrator of the State Employees' Workers' Compensation Program, asserts that Bernice Gadwah's request for partial waiver be approved. Approval of this action will allow \$44,821.83 to be returned to the General Fund.

#27A Authorized Working Capital Warrant in the amount of \$300,000,000.00 to cover expenditures for the Month of January 2000.

#27B Authorized Salary and Benefit Adjustment transfers for the month of November 1999.

#27C Authorized list of agency transfers for Fiscal Year 2000 during the month of November 1999.

#27D Authorized Bureau of Emergency Communications to reclassify Data Control Clerk III, position #8T023, labor grade 11, to Engineering Technician V, labor grade 21.

#27E Authorized Division of Plant & Property Management, requests approval to enter into a contract agreement with Public Communications Services, Los Angeles, CA for inmate calling services. The term of the contract is for three years beginning with Governor and Council approval and ending December 14, 2002.

ATTORNEY GENERAL

The Governor and Executive Council acted as follows:

#28 Authorized to reappoint Michael J. Walls, as an Assistant Attorney General, with a salary in Group O (\$51,070-65,508 for a term ending January 1, 2005).

#29 Authorized a salary increment of \$2,885 to Senior Assistant Attorney General Wynn E. Arnold, Position #9U050 effective January 1, 2000.

#30 Authorized a salary increment of \$2,663 to Assistant Attorney General Neals-Erik William Delker, Position #9U287 effective January 6, 2000.

#31 Authorized Department of Justice to accept and expend a grant in the amount of \$982,000 from the Federal Violence Against Women Office as specified in letter of December 1, 1999, through February 28, 2001.

#32 Authorized Department of Justice to enter into grants in the amount of \$30,000 through September 30, 2000 for the continuation of a Drug Task Force Prosecutor assigned to the Criminal Justice Bureau, Drug Prosecution Unit.

#33 Authorized to accept and place on file the Biennial Report for the New Hampshire Department of Justice for the period of July 1, 1997 to June 30, 1999.

#33A Authorized Department of Justice to expend up to \$100,000 to continue the engagement of the accounting firm of Arthur Andersen, Inc., for financial advice in connection with the litigation matter, In Re Optima Healthcare Corp., Optima Health, Inc., Catholic Medical Center, Elliot Hospital of the City of Manchester and Affiliated Entities, as specified in letter dated November 12, 1999. FISCAL COMMITTEE APPROVED

#33B Authorized Department of Justice to expend up to \$950,000 from the general fund to pay unanticipated litigation costs incurred in the defense of the Public Utilities Commission Final Plan and interim orders on stranded costs, which were issued in pursuit of the restructuring of the electric industry, as specified in letter dated November 24, 1999. FISCAL COMMITTEE APPROVED

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Executive Council acted as follows:

#34 Authorized the Division of Arts to grant to The New Hampshire Music Festival of Gilford, NH an Annual Advancement Grant in the amount of \$10,000.00 upon Governor and Council approval.

#35 Authorized the Division of Arts to commission the total amount of \$54,505 to the artists and for the works as specified in letter of December 1, 1999, through June 30, 2000.

DEPARTMENT OF STATE

#35A The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Streeter, authorized to accept and place on file the Department of State's Annual Report for the period July 1, 1998 through June 30, 1999.

EMPLOYMENT SECURITY

The Governor and Executive Council acted as follows:

#36 Authorized to RETROACTIVELY accept and expend additional Federal Funds as part of a Memorandum of Understanding with New Hampshire Job Training Council in the amount of \$75,000.00 through December 31, 2000.

#37 Authorized to reclassify Fraud Investigator Position #40483, salary grade 20 to Program Specialist II, salary grade 20.

#38 Authorized to enter into an AMENDED service agreement with Waste Management of NH, Londonderry in the amount of \$12,092.00 annually through June 30, 2002 for trash removal at NHES Offices in Concord, Manchester, Portsmouth, and Salem.

DEPARTMENT OF LABOR

#39 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, authorized to AMEND a contract with Impact Strategies, Weare, NH to extend the completion date to March 31, 2000 with the price limitation remaining the same at \$15,900.00 to provide continued consulting support and quality control.

LIQUOR COMMISSION

The Governor and Executive Council acted as follows:

#40 Authorized to enter into a three year contract with Hammar and Sons, Inc., PO Box 196/Rte.38, Pelham, NH total contract price limitation is \$146,058.00 through December 31, 2002 for sign repair and replacement service on new and existing signs for all Liquor Stores.

#40A Authorized to expend \$50,000 from the Relocation/Rehabilitation Fund to relocate Bristol Store #44, as specified in letter dated November 30, 1999. FISCAL COMMITTEE APPROVED

PUBLIC UTILITIES COMMISSION

The Governor and Executive Council acted as follows:

#41 Authorized to accept and place on file the Biennial Report for the New Hampshire Public Utilities Commission for period ending June 30, 1999.

#41A The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Streeter, with Councilors Griffin and Colantuono voting NO, authorized confirmation of telephone poll of tabled Item #50 from the December 1, 1999 Governor and Executive Council Meeting, requesting to accept a gift on behalf of the State in the amount of \$1,705.00 for travel related expenses for Commissioner Nancy Brockway who will be traveling to the Novotel Budapest Congress & Budapest Convention Centre in Budapest, Hungary on December 4, 1999. The results of the poll are as follows: Councilor Burton-Yes: Councilor Spaulding-Yes: Councilor Griffin-No Contact: Councilor Colantuono-No Contact: Councilor Streeter-Yes.

NEW HAMPSHIRE REAL ESTATE COMMISSION

#42 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Streeter voting NO, authorized a RETROACTIVE contract with Experior Assessments, LLC, Salt Lake City, Utah in an amount not to exceed \$35,000 for the period of July 1, 1999 through January 31, 2000 for testing services. SOLE SOURCE

DEPARTMENT OF CORRECTIONS

The Governor and Executive Council acted as follows:

#43 Authorized to reclassify a vacant position #12810, Supervisor VII, Salary Grade 27 to Probation Parole Officer IV, Salary Grade 25, Law Enforcement Pay Scale, effective upon Governor and Council approval.

#44 Authorized to accept and place on file the New Hampshire Department of Corrections Annual Report for the Fiscal Year ending June 30, 1999.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Executive Council acted as follows:

#45 Authorized to accept and place on file the Department of Resources and Economic Development's Biennial Report 1998-1999.

#46 Authorized the Division of Forests and Lands to accept an allotment of federal funds for the Federal Fiscal Year October 1, 1998-September 30, 2000, under the Cooperative Forestry Assistance Act of 1978, PL 95-313, Section 7(b)3, Volunteer Fire Assistance (Wildlife Personal Safety & Suppression Equipment) in the amount of \$11,580.

#47 Authorized to enter into a contract with Glen Group Marketing and Advertising, in an amount not to exceed \$63,500.00 to redesign the websites for the Division of Economic Development.

#48 Authorized Division of Parks and Recreation to AMEND an existing Service Agreement with Appledore Engineering, Inc., Portsmouth, New Hampshire [Initially approved on September 16, 1998 (Item #67) and amended on June 22, 1999 (Item #6)]. The amendment increases the time by 66 hours, and expenses by \$4,025.00, needed to complete the Master Plan, for a new contract total of \$54,025.00.

#49 Authorized Division of Parks and Recreation, Bureau of Trails to enter into a Grant-in-Aid construction contract with the Westmoreland Sno-Belters Snowmobile Club in the amount of \$7,696.29.

#50 Authorized Office of Travel and Tourism Development to award grants to the organizations and in the amounts as specified in letter of November 10, 1999 under the Joint Promotional Program.

FISH AND GAME DEPARTMENT

The Governor and Executive Council acted as follows:

#51 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Streeter voting NO, authorized to enter into a contract with SyntegraTech, Inc., Bow, NH in the amount of \$14,400 through January 31, 2000 to continue the modification of several databases in order to complete Y2K conversion projects. SOLE SOURCE

#51A Authorized request to transfer \$51,150 from the Fish and Game Fund, as specified in letter dated November 1, 1999. FISCAL COMMITTEE APPROVED

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Executive Council acted as follows:

#52 Authorized Water Resource Council to enter into a service agreement with Ainsworth Land Management, Paris Road, Stark, NH for an estimated amount of \$6,320 through April 1, 2001. This service agreement is for the selective timber marking, harvest layout, and management of the sale of timber from the Water Resources Council property on Carr Ridge in Pittsburg, NH.

#53 Authorized to AMEND a Memorandum of Agreement with the University of New Hampshire, Office of Sponsored Research, Service Building, Durham, NH to extend the completion date of the Small Business Environmental Alliance Project, through September 30, 2000.

#54 Authorized Air Resources Division to budget unallocated FY00-01 Asbestos Free Program Funds under the provision of RSA 125-C:12, in the amount of \$7,751 in FY00 and \$10,502 in FY01, effective upon Governor and Executive Council approval.

#55 Authorized a \$30,000 AMENDMENT of the approved grant to the Town of Bedford for the Unlined Landfill for the landfill closure project L-085.

#56 Authorized to enter into a contract AMENDMENT with Metcalf & Eddy Services, Inc. for \$375,766 (from \$3,995,929 to \$4,371,696) and will commence on January 1, 2000 and expire on December 31, 2000 to provide for maintenance for groundwater treatment facilities at the Gilson Road Superfund Hazardous Waste Site in Nashua, New Hampshire.

#57 Authorized Waste Management Division to accept \$44,626 from the US Environmental Protection Agency to conduct a Remedial Investigation/Feasibility Study at the Beede Waste Oil Site in Plaistow. (2) Authorized to AMEND the existing contract with Sanborn, Head & Associates, 6 Garvins Falls Road, Suite 1, Concord, NH to increase the contract amount by \$224,000, from \$3,143,030 to \$3,367,030 to continue the Superfund Remedial Investigation/Feasibility Study with a completion date of September 30, 2000.

#57A Authorized request of Air Resources Division to continue one (1) Environmentalist III position and one (1) Program Specialist IV position through June 30, 2001, as specified in letter dated November 5, 1999. FISCAL COMMITTEE APPROVED

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Executive Council acted as follows:

Office of Administration

#58 Authorized to reclassify position 9T806 from Public Health Nurse Consultant, salary grade 24, to Program Specialist IV, salary grade 24. The position is currently vacant.

#59 Authorized to reclassify position 40333 from Laboratory Scientist III, salary grade 19 to Systems Development Specialist IV, salary grade 25. The position is currently vacant.

Office of Information Systems

The Governor and Executive Council acted as follows:

#60 Authorized to RETROACTIVELY AMEND agreements with vendors as specified in letter of December 1, 1999 and increase the encumbrance limit of the Technical and Support Personnel 2 contract [Initially approved on January 28, 1998, (Item #101), and most recently amended on June 22, 1999 (Item #159A)], in a total cumulative amount not to exceed \$8,702.390 and extend the end date from October 31, 1999 to February 29, 2000.

#61 Authorized to reimburse Kathleen P. Robbins for relocation expenses of up to \$3,500, based upon actual expenses incurred.

#62 Authorized to make a travel reimbursement payment to Bradley M. Lown, Chairman of the Board of Hearing Care Providers in the amount of \$184.29 for travel incurred in SFY 1998 and SFY 1999 from SFY 2000 funds.

#62A Authorized to accept and expend \$2,492 of federal funds from the US Department of Agriculture, as specified in letter of dated October 28, 1999. FISCAL COMMITTEE APPROVED

Office of Community and Public Health

The Governor and Executive Council acted as follows:

#63 Authorized to contract with the Diabetes Centers of New Hampshire, One Pillsbury St., Concord, NH in the amount of \$86,154 through June 30, 2001 to provide the technical assistance and

administrative infrastructure for the provision of quality diabetes education and community outreach services in three community health centers and two primary care sites in the northern and western part of the state.

#64 Authorized Bureau of Vital Records, to contract with the Town of Nelson, NH in the amount of \$5,506 through June 30, 2000 to conserve the state's vital records by conducting vital records preservation measures for the Town of Nelson.

#65 Authorized to enter into an agreement with the University of New Hampshire, Institute on Disability, 7 Leavitt Lane, Durham, NH in the amount of \$753,465 through June 30, 2002 to inform low income working parents who lack insurance coverage for their children about the availability of affordable health insurance under the federal Children's Health Insurance Program and the Title XIX Medicaid Program.

#66 Authorized STD/HIV Prevention Bureau to AMEND an existing contract with the Greater Manchester AIDS Project, Manchester, NH [Initially approved on June 24, 1998], by increasing the price limitation by \$29,120 from \$307,420 to \$336,540 through June 30, 2000.

#67 The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Streeter voting NO, authorized to AMEND an existing contract with the University of New Hampshire, Durham, NH [Initially approved on March 3, 1999 (Item #58)], by extending the completion date to December 31, 2000 and increasing the price limitation by \$109,975 from \$64,849 to \$174,824 effective date of Governor and Council approval. SOLE SOURCE

#67A Authorized to accept and expend \$12,164 from the Federal Centers for Disease Control and Prevention, as specified in letter dated October 14, 1999. FISCAL COMMITTEE APPROVED

#67B Authorized to accept and expend \$251,406 in federal funds and \$251,155 in private funds in FY 2000, and \$251,406 in federal funds and \$251,155 in other funds in FY 2001, as specified in letter dated November 18, 1999. FISCAL COMMITTEE APPROVED

#67C Authorized to accept and expend \$48,827 in FY 2000 and \$47,958 in FY2001 from the Health Care Financing Administration, as specified in letter dated November 1, 1999. FISCAL COMMITTEE APPROVED

#67D The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Streeter voting NO, authorized to AMEND agreement with the New Hampshire Healthy Kids Corporation, 6 Dixon Ave., Concord, NH [Initially approved on December 16, 1998 (Late Item #D)], by extending the completion date from December 31, 1999 to December 31, 2000, and increasing the contract amount of \$2,922,748 from \$2,765,575 to \$5,688,323 effective January 1, 2000, or date of Governor and Council approval whichever is later. SOLE SOURCE

Behavioral Health

The Governor and Executive Council acted as follows:

#68 Authorized to enter into an Agreement with Southern New Hampshire Services, Inc., PO box 5040, Manchester, NH in an amount not to exceed \$85,000 through June 30, 2001 to provide a variety of services to low income people including homeless prevention, intervention and supportive housing for the homeless.

#68A Authorized to accept and expend \$37,816 awarded to the New Hampshire Attorney General's Office, as \ specified in letter dated October 25, 1999. FISCAL COMMITTEE APPROVED

Division of Family Assistance

#69 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, authorized to enter into a contract with Southern New Hampshire Services in the amount of \$953,687 through June 30, 2001 to provide employment and training services under the New Hampshire Employment Program.

Children, Youth & Families

The Governor and Executive Council acted as follows:

#70 Authorized to AMEND an agreement with Suzanne S. Federer (Sole Owner), Durham, NH [Initially approved on February 17, 1999 (Item #69A)], by extending the completion date from December 31, 1999 to June 30, 2000. No additional funds are necessary for this extension.

#70A Authorized to accept and expend \$52,506.35 in Title I funds from the NH Department of Education and transfer and expend \$62,910, as specified in letter dated November 15, 1999. FISCAL COMMITTEE APPROVED

Elderly & Adult Services

The Governor and Executive Council acted as follows:

#71 Authorized to AMEND an existing Agreement with Portsmouth Housing Authority, Portsmouth, NH to provide nutrition, transportation and support services for Retired Senior Volunteer Program and Adult Group Day Care Services, [Initially approved on June 9, 1999 (Item #94)], by increasing the contract by \$7,646.89 from \$323,567.86 to \$331,214.75 effective January 1, 2000.

#72 Authorized to AMEND an existing Agreement with Somersworth Housing Authority, Somersworth, NH to provide nutrition, transportation and support services for Retired Senior Volunteer Program and Adult Group Day Care Services, [Initially approved on June 9, 1999 (Item #112)], by increasing the contract by \$70,390.35 from \$676,499.28 to \$746,889.64 effective January 1, 2000.

#73 Authorized to AMEND an existing Agreement with Newport Senior Center, Inc., Newport, NH to provide nutrition, transportation and support services for Retired Senior Volunteer Program and Adult Group Day Care Services, [Initially approved on June 9, 1999 (Item #126)], by increasing the contract by \$120,520.72 from \$815,548.36 to \$935,069.08 effective January 1, 2000.

#74 Authorized to AMEND an existing Agreement with Grafton Senior Citizens Council, Inc., Lebanon, NH to provide nutrition, transportation and support services for Retired Senior Volunteer Program and Adult Group Day Care Services, [Initially approved on June 9, 1999 (Item #114)], by increasing the contract by \$220,020.32 from \$1,485,014.18 to \$1,705,034.50 effective January 1, 2000.

#75 Authorized to AMEND an existing Agreement with Rockingham Nutrition & Meals on Wheels Program, Inc., Brentwood, NH to provide nutrition, transportation and support services for Retired Senior Volunteer Program and Adult Group Day Care Services, [Initially approved on June 9, 1999 (Item #117)], by increasing the contract by \$279,709.81 from \$1,595,091.98 to \$1,874,801.79 effective January 1, 2000.

#76 Authorized to AMEND an existing Agreement with Gibson Center for Senior Services, Inc., North Conway, NH to provide nutrition, transportation and support services for Retired Senior Volunteer Program and Adult Group Day Care Services, [Initially approved on June 9, 1999 (Item #116)], by increasing the contract by \$58,095.32 from \$419,647.42 to \$477,742.74 effective January 1, 2000.

#77 Authorized to AMEND an existing Agreement with Community Action Program in Belknap-Merrimack Counties, Inc., Concord, NH to provide nutrition, transportation and support services for Retired Senior Volunteer Program and Adult Group Day Care Services, [Initially approved on June 9,

1999 (Item #114)], by increasing the contract by \$249,861.82 from \$2,286,645.88 to \$2,535,507.70 effective January 1, 2000.

#78 Authorized to AMEND an existing Agreement with St. Joseph Community Services, Inc., Merrimack, NH to provide nutrition, transportation and support services for Retired Senior Volunteer Program and Adult Group Day Care Services, [Initially approved on June 9, 1999 (Item #130)], by increasing the contract by \$345,588.34 from \$2,387,341.26 to \$2,732,929.60 effective January 1, 2000.

#79 Authorized to AMEND an existing Agreement with Home Healthcare, Hospice and Community Services, Inc., Keene, NH to provide nutrition, transportation and support services for Retired Senior Volunteer Program and Adult Group Day Care Services, [Initially approved on June 9, 1999 (Item #118 by increasing the contract by \$133,608.69 from \$2,756,199.32 to \$2,889,808.01 effective January 1, 2000.

#80 Authorized to AMEND an existing Agreement with Tri-County Community Action Program, Inc., Berlin, NH to provide nutrition, transportation and support services for Retired Senior Volunteer Program and Adult Group Day Care Services, [Initially approved on June 9, 1999 (Item #127)], by increasing the contract by \$131,185.26 from \$1,135,255.74 to \$1,266,441.00 effective January 1, 2000.

#81 Authorized to AMEND an existing Agreement with Ossipee Concerned Citizens, Inc., Center Ossipee, NH to provide nutrition, transportation and support services for Retired Senior Volunteer Program and Adult Group Day Care Services, [Initially approved on June 9, 1999 (Item #113)], by increasing the contract by \$58,361.90 from \$331,253.88 to \$389,615.78 effective January 1, 2000.

NEW HAMPSHIRE VETERANS HOME

#82 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, authorized to accept and place on file the Annual Report of the New Hampshire Veterans Home for the Fiscal Year 1999. DEPARTMENT OF EDUCATION

The Governor and Executive Council acted as follows:

#83 Authorized to establish the salary level of Dr. Joanne Baker, Director, Division of Instruction, to Group N, Step 3, effective date if Governor and Council approval.

#84 Authorized to enter into a contract with Greater Laconia Community Services, Inc., 635 Main Street, 3rd floor, Laconia, NH at a cost not to exceed \$98,908.95 through September 30, 2000 to provide long-term supports to individuals as required by the Rehabilitation Act of 1973 as amended in 1992.

#85 Authorized to enter into a contract with the New Hampshire Teen Institute for the Prevention of Alcohol and Other Drug Abuse, Inc. in an amount not to exceed \$25,000.00 through June 30, 2000 to provide New Hampshire School Districts with training opportunities to increase youth leadership and involvement in school-based drug and violence prevention programs.

#86 Authorized Division of Adult Learning and Rehabilitation to enter into a contract with Downeast Maintenance Services, Inc., in an amount not to exceed \$31,500 through August 31, 2001 to provide janitorial services.

#87 Authorized to enter into a contract with Learning Innovations, a Division of WestEd, Stoneham, MA in an amount not to exceed \$255,269.00 through December 31, 2000 to provide consultation and technical assistance to the NH Best Schools Initiative.

#88 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Streeter, with Councilor Colantuono voting NO, authorized to enter into a contract with The H.L. Turner Group, Inc., Concord, NH in an amount not to exceed \$96,975.00 through June 30, 2000 to conduct a qualitative study to determine the adequacy and condition of all New Hampshire school facilities.

#89 Authorized to enter into a contract with RMC Research Corporation, Portsmouth, NH in an amount not to exceed \$51,000 through December 31, 2002 to design and carry out program evaluations for six Comprehensive School Reform Demonstration Programs, and prepare annual evaluation reports.

#89A Authorized request to establish a consultant position through September 21, 2000 as specified in letter dated November 16, 1999. FISCAL COMMITTEE APPROVED

NEW HAMPSHIRE COMMUNITY TECHNICAL COLLEGE SYSTEM

The Governor and Executive Council acted as follows:

#90 Authorized to reclassify the vacant position #13392, Executive Secretary, Labor Grade 10, A000, to an Accounting Technician, Labor Grade 11, at the Manchester Community College.

#91 Authorized NHCTC-Claremont to accept and expend grant funds from the New Hampshire Charitable Foundation in the amount of \$5,000.00 for the program period through June 30, 2000.

#92 Authorized NH Department of Regional Community Technical Colleges to accept and expend funds from Bell Atlantic in the amount of \$5,000.00 for the project period through June 30, 2000.

#93 Authorized NH Department of Regional Community Technical Colleges to accept and expend funds from New Hampshire Manufacturing Extension Partnership in the amount of \$75,000.00 for the project period of July 13, 1999 to June 30, 2000.

#93A Authorized NHCTC-Stratham to RETROACTIVELY continue one (1) Secretary II position and one (1) Systems Development II position through August 31, 2000, as specified in letter dated November 18, 1999. FISCAL COMMITTEE APPROVED

DEPARTMENT OF SAFETY

The Governor and Executive Council acted as follows:

#94 Authorized to accept and expend a grant from the State of New Hampshire, Department of Justice in the amount of \$150,000 through September 30, 2000 for the purpose of purchasing 1 Printrak Lss 2000 Livescan Units.

#95 Authorized to accept and expend a grant from the State of New Hampshire, Department of Justice in the amount of \$163,155.00 through September 30, 2000 for the purpose of attaining DNA Analytical Capabilities.

#96 Authorized to accept and expend a grant from the State of New Hampshire, Department of Justice in the amount of \$100,000 through September 30, 2000 to purchase a National Institute of Standard Technology FingerPrint Server.

#97 Authorized to enter into a contract with Tasker Landscaping of Loudon, NH in the amount of \$8,600.00 with additional services as required to perform snow plowing for The NH Fire Training Academy for the 1999-2000 winter season.

#98 Authorized to enter into contact with Port City Aircraft Repair, Inc., Portsmouth, NH in the amount of \$35,000.00 to install a new factory engine, propeller and governor in the Cessna 182 aircraft.

DEPARTMENT OF TRANSPORTATION

The Governor and Executive Council acted as follows:

#99 Authorized to accept and place on file the New Hampshire Department of Transportation's Annual Report for the fiscal year ending June 30, 1999.

#100 Authorized the Contemplated Award List for the period of November 9, 1999 through November 23, 1999.

#101 Authorized to enter into a contract with John G.W. Finck d/b/a Green Mountain Group, 287 Pembroke Street, Pembroke, NH on the basis of a low bid of \$255,000.00. This contract provides technical services to monitor compliance with Federal Regulations.

#102 Authorized to enter into an agreement with the Town of Durham to provide services for the layout and construction of a town road using State forces. Said road to be laid out as a Class V Highway in the Town of Durham under the authority of RSA 231, which make no provisions for State Participation.

#103 Authorized to modify the Department's Agreement for engineering and environmental services with Rizzo Associates, Inc., Hampshire Plaza, 1000 Elm Street, 14th Floor, Manchester, NH and 235 West Central Street, Natick MA by increasing the total amount payable under the Agreement by \$38,524.00, from \$219,996.00 to \$258,520.00

#104 Authorized to increase the contingency for Contract #336249 with A.R. Couture Construction Corp., Berlin, NH by \$80,000.00 from \$52,735.75 to \$132,735.75. This changes the July 8, 1999 original resolution encumbrance of \$580,093.25 to a revised amount of \$660,093.25.

#105 Authorized to enter into an agreement with Gary Haven Smith, 203 Bow Lake Road, Northwood, NH for the Seabrook Welcome Center for a total lump sum fee of \$4,000.00 with a completion date of five months from approval by Governor and Council.

#106 Authorized to modify the agreement with the Archaeology Research Center, University of Maine at Farmington, 112 Main Street, Farmington, ME by increasing the total amount payable under the Agreement by \$39,183.00 from \$73,236.00 to \$112,419.00 for archeological services.

#107 Authorized to grant permanent easement consisting of 1,642 square feet of the White Mountain National Forest for the construction, use and maintenance of the Davis Path Bridge over the Saco River in the Town of Harts Location.

#108 Authorized to enter into a lease with Design Contempo, Inc., 265 Elm Street, Lisbon, NH for 10,688 square feet of State-owned Berlin Branch Railroad Line in the Town of Lisbon for a period of 5 years at \$90.00 per year with an option of an additional 5 years at the current market rate plus a one time administrative fee of \$500.00.

#109 Authorized execution of a Loan Agreement in accordance with Chapter 310:3, Laws of 1977, with the Plymouth & Lincoln Railroad Corporation in an amount not to exceed \$63,850.00.

#110 Authorized to enter into a Purchase and Sale Agreement with the Boston and Maine Corporation for a total price not to exceed \$1,430,000 to acquire portions of the abandoned Portsmouth and Hampton Branch Railroad Lines.

#111 Authorized an increase of appropriated funds for the Bureau of Turnpikes, to provide for staffing of the Seabrook Welcome Center for the remainder of Fiscal Year 2000 and for the acquisition of 3 million turnpike tokens to replenish current inventories. The total request of \$148,600 will be transferred from Turnpike Retained Earnings.

#112 Authorized contract with H & C Landscaping Consultants & Services, d/b/a Outside Unlimited, on the basis of a low bid of \$107,448.50. The project consists of landscaping and fencing on NH Route 111A in Nashua, Exit 11 northbound on the F.E.Everett Turnpike in Merrimack, Myrtle Avenue and I-95 in Portsmouth.

#113 Authorized to enter into a contract with Jewett Construction, PO Box 405, 32 Harriman Hill Road, Raymond, NH for a lump sum price of \$358,918.00 for the purpose of Construction of a Paint Storage and Transfer Building "D", Bureau of Traffic, Concord, NH.

#114 Authorized to enter into a contract with Stanley Roofing Co., Inc., 42 Mitchell Road, Ipswich, MA for a lump sum price of \$137,000.00 for the purpose of North Hall Dorm Roof Replacement, NH Technical Institute, Concord, NH. DEPARTMENT OF ENVIRONMENTAL SERVICES

#115 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Griffin authorized request of Warren & Monica Smith to AMEND the relocation of an existing aluminum seasonal pier and construct a breakwater on property located on Locke Island at Lake Winnepesaukee in Gilford.

#116 **TUITION REQUESTS**

The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Colantuono voting NO on Items A,C,N,O,Q approved the following tuition requests:

A. COMMUNITY TECHNICAL COLLEGE - Request permission to pay University of Massachusetts, Lowell, MA, the sum of \$650.00 for the sole purpose of enrolling Jessica Price, Professor, Nursing, in the course entitled "Perspectives and Vision II".

B. COMMUNITY TECHNICAL COLLEGE - Request permission to pay College for Lifelong Learning, Berlin, NH, the sum of \$600.00 for the sole purpose of enrolling Susan Blais, Teacher Assistant, Early Childhood Education, in the course entitled "Child Abuse and Neglect".

C. COMMUNITY TECHNICAL COLLEGE - Request permission to pay Kennedy-Western University, Thousand Oakes, CA, the sum of \$1,175.00 for the sole purpose of enrolling Candace Cole-McCrea, Professor, Human Services, in the course entitled "Behavioral, Psychological, Physiological and Treatment Issues".

D. COMMUNITY TECHNICAL COLLEGE - Request permission to pay New Hampshire College, Laconia, NH, the sum of \$489.00 for the sole purpose of enrolling Kalene Coulombe, Executive Secretary, in the course entitled "Organizational Behavior".

E. EDUCATION - Request permission to pay College for Lifelong Learning, Bow, NH, the sum of \$644.00 for the sole purpose of enrolling Lori Perriello, Administrative Assistant, in the course entitled "Critical Thinking".

F. EDUCATION - Request permission to pay New Hampshire College, Manchester, NH, the sum of \$1,041.00 for the sole purpose of enrolling Scott Vittner, Assistant Vending Stand Coordinator, in the courses entitled "Human Relations in Administration" and "Math Concepts & Techniques for Business".

G. EDUCATION - Request permission to pay College for Lifelong Learning, Concord, NH, the sum of \$694.00 for the sole purpose of enrolling Susan Roma, Administrative Secretary/Supervisor, in the course entitled "Advanced Software Tools".

H. EMERGENCY MANAGEMENT - Request permission to pay New Hampshire College Continuing Education, Manchester, NH, the sum of \$522.00 for the sole purpose of enrolling Janice Wing, Business Administrator I, in the course entitled "Introduction to Sociology".

I. ENVIRONMENTAL SERVICES - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$1,788.00 for the sole purpose of enrolling Timothy Denison, Supervisor VII, in the courses entitled "Operations" and "Strategic Management".

J. HEALTH & HUMAN SERVICES, Administration - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$894.00 for the sole purpose of enrolling Sandra Platt, Administrator III, in the course entitled "Seminar in Leadership".

K. HEALTH & HUMAN SERVICES, Behavioral Health - Request permission to pay College for Lifelong Learning, Lebanon, NH, the sum of \$654.00 for the sole purpose of enrolling Donna Bixby, Business Administrator I, in the course entitled "Leadership in the Workplace".

L. HEALTH & HUMAN SERVICES, Community & Public Health - Request permission to pay College for Lifelong Learning, Bow, NH, the sum of \$644.00 for the sole purpose of enrolling Judy Vigneault, Medical Service Technician, in the course entitled "Interpersonal Communication".

M. HEALTH & HUMAN SERVICES, Community & Public Health - Request permission to pay New Hampshire Technical College, Concord, NH, the sum of \$949.00 for the sole purpose of enrolling Hannah Elliott, Statistical Assistant, in the courses entitled "Statistics" and "Database Management Systems I".

N. HEALTH & HUMAN SERVICES, Family Services - Request permission to pay Fitchburg State College, Fitchburg, MA, the sum of \$496.00 for the sole purpose of enrolling Pamela Sullivan, Juvenile Services Officer II, in the course entitled "Criminal Psychopathology".

O. HEALTH & HUMAN SERVICES, Family Services - Request permission to pay Fitchburg State College, Fitchburg, MA, the sum of \$496.00 for the sole purpose of enrolling Cynthia Wright-Cadorete, Juvenile Services Officer II, in the course entitled "Criminal Psychopathology".

P. HEALTH & HUMAN SERVICES, Office of Finance - Request permission to pay McIntosh College, Dover, NH, the sum of \$1,720.00 for the sole purpose of enrolling Roger M. Descheneau, Financial Analyst, in the courses entitled "Audit" and "Commercial Accounting".

Q. HOSPITAL - Request permission to pay Labouré College, Boston, MA, the sum of \$1,855.00 for the sole purpose of enrolling Bette-Ann Auger, Electronenceph Technologist, in the course entitled "Polysomnographic Technology".

R. HOSPITAL - Request permission to pay University of New Hampshire, Durham, NH, the sum of \$957.00 for the sole purpose of enrolling Teresa Bryant, Mental Health Worker III, in the course entitled "Implications of Race, Culture & Oppression for Social Work Practice".

S. HOSPITAL - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of \$345.00 for the sole purpose of enrolling Victoria Pennell, Mental Health Worker I, in the course entitled "Communications".

T. HOSPITAL - Request permission to pay College for Lifelong Learning, Concord, NH, the sum of \$600.00 for the sole purpose of enrolling Joseph Grady II, Remedial Teacher, in the course entitled "Developing Written Individual Education Programs".

U. HOSPITAL - Request permission to pay Springfield College, Manchester, NH, the sum of \$705.00 for the sole purpose of enrolling Lisa Lassonde, Executive Secretary, in the course entitled "Communication Skills I".

V. PUBLIC UTILITIES - Request permission to pay College for Lifelong Learning, Bow, NH, the sum of \$644.00 for the sole purpose of enrolling Mary K. Hart, Utility Analyst III, in the course entitled "The Writing Process".

W. RETIREMENT - Request permission to pay Hesser College, Manchester, NH, the sum of \$364.50 for the sole purpose of enrolling Tracey L. Wells, Retirement Counseling Assistant, in the course entitled "Accounting I", also to pay Hesser College, Manchester, NH, the sum of \$364.50 for the sole purpose of enrolling Tracey L. Wells, Retirement Counseling Assistant, in the course entitled "English Composition II", also to pay New Hampshire Technical Institute, Concord, NH, the sum of \$258.75 for the sole purpose of enrolling Denise M. Call, Supervisor of Annuity, in the course entitled "Principles of Finance".

X. TRANSPORTATION - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$262.50 for the sole purpose of enrolling Tim Davis, Clerk of Works I, in the course entitled "Managerial Finance", also to pay Franklin Pierce College, Concord, NH, the sum of \$262.50 for the sole purpose of enrolling Tim Davis, Clerk of Works I, in the course entitled "Organizational Behavior", also to pay College for Lifelong Learning, Berlin, NH, the sum of \$330.00 for the sole purpose of enrolling Wayne King, Patrol Foreman, in the course entitled "Writing Process".

#117 TRAVEL REQUESTS

The Governor and Executive Council approved the following travel request:

A. SAFETY, Field Audit Bureau - Request permission for (2) employees, Catherine Cormier, Road Toll Auditor II and Bettina Ford, Road Toll Auditor II, or designee, to travel to Tempe, AZ, on January 7-11, 2000, to attend the International Fuel Tax Agreement and International Registration Plan Audit Workshop. ALSO A CASH ADVANCE OF \$930.00 IS REQUESTED FOR Catherine Cormier. ALSO A CASH ADVANCE OF \$930.00 IS REQUESTED FOR Bettina Ford. Total Cost: 2,620.00. Source of Funds: 100% Federal Funds. Registration Fee: 360.00.

LATE ITEMS:

A. DEPARTMENT OF ENVIRONMENTAL SERVICES

Request of Broadview Condo Association to remove and construct pilings and repair walkway on property located at Lake Winnepesaukee in Gilford.

B. DEPARTMENT OF ADMINISTRATIVE SERVICES

Authorize the New Hampshire Department of Administrative Services, Division of Personnel, to enter into a contract with Employee Benefit Management, Inc. in an amount not to exceed \$50,000 per year for the period January 1, 2000, through December 31, 2000.

C. DEPARTMENT OF ADMINISTRATIVE SERVICES

Authorize to accept and place on file the State of New Hampshire's audited Comprehensive Annual Financial Report (CAFR) , and the Annual Report to the Citizens for the year ended June 30, 1999.

The Governor set the next meeting of Governor and Executive Council for Wednesday, January 5, 2000 at 10:30 a.m. at the State House, Concord, New Hampshire.

The Honorable Board then adjourned.