

## **Minutes October 27, 1999**

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

State House, Concord, New Hampshire

October 27, 1999

10:30 a.m.

#19

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

The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Streeter, accepted the minutes of October 14, 1999 with the following amendment:

Let the record show that Councilor Colantuono voted NO on the confirmation of Marie Harris, of Barrington as Poet Laureate.

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, confirmed the appointment of several persons nominated for Civil Commissions from the October 14, 1999 meeting.

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

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

### **COMPENSATION APPEALS BOARD**

William J. Robinson, Marlborough

Effective: Upon acceptance of resignation

Reason: Personal

### **MEDICAL REVIEW SUB-COMMITTEE**

Janet C. Thompson, Rye

(Public Member)

Effective: November 1, 1999

Reason: Moving out of state

The Governor and Executive Council confirmed the following:

### **CURRENT USE ADVISORY BOARD**

Paul T. Doherty, Gorham

(Forest Landowner)

Reappointment

Effective: October 27, 1999

TERM: September 9, 2001

### **ENHANCED 911 COMMISSION**

David E. Lang, Hampton

(Firefighter)

Succeeding: George Landry, Gilford

Effective: October 27, 1999

TERM: September 16, 2002

### **STATE LIQUOR COMMISSION**

Anthony C. Maiola, Newport

Reappointment  
Effective: October 27, 1999  
Salary: Group O, Maximum, \$65,508  
TERM: July 1, 2003

**BOARD OF MENTAL HEALTH PRACTICE**

George R. Samuels, Deerfield  
(Marriage and Family Therapist)  
Reappointment  
Effective: October 31, 1999  
TERM: October 31, 2002

**DIRECTOR: DIVISION OF STATE POLICE**

Gary M. Sloper, Concord  
(Nominated by Commissioner)  
Succeeding: John J. Barthelmes, Contoocook  
Effective: October 27, 1999  
Salary: Group P, Maximum, \$74,372  
TERM: March 31, 2002

**STATE RADIATION ADVISORY COMMITTEE**

James J. Cherniack, Derry  
(Physical Science)  
Reappointment  
Effective: October 27, 1999  
TERM: October 14, 2003

Kenneth E. Mayo, Nashua  
(Industry)  
Reappointment  
Effective: October 27, 1999  
TERM: October 14, 2003

**NEW HAMPSHIRE RETIREMENT SYSTEM**

William S. Perron, Walpole  
(Nominated by New Hampshire Education Association)  
Reappointment  
Effective: October 27, 1999  
TERM: July 1, 2001

**DIVISION OF WATER RESOURCES COUNCIL**

John F. Bridges, Wolfeboro  
Reappointment  
Effective: October 27, 1999  
TERM: October 9, 2003

**WATER TREATMENT PLANT ADVISORY COMMITTEE**

Thomas Bowen, Manchester  
(Nominated by New Hampshire Water Works Association)  
Reappointment  
Effective: October 27, 1999  
TERM: June 25, 2003

The Governor nominated the following:

**AMERICAN AND CANADIAN FRENCH CULTURAL EXCHANGE COMMISSION**

Donald W. Laroche, Berlin  
Vacancy  
Effective: Upon confirmation  
TERM: July 17, 2002

**ENHANCED 911 COMMISSION**

George F. Valliere, Gorham  
(Police Officer)  
Reappointment  
Effective: Upon confirmation  
TERM: July 22, 2001

**MIDWIFERY COUNCIL**

Monica C. Stevens, New Hampton  
Vacancy  
Effective: Upon confirmation  
TERM: Two years from date of confirmation

**NEW HAMPSHIRE RETIREMENT SYSTEM BOARD OF TRUSTEES**

Donald B. Goldstein, Auburn  
(Nominated by New Hampshire Police Association)  
Reappointment  
Effective: Upon confirmation  
TERM: July 1, 2001

**UNIVERSITY SYSTEM OF NEW HAMPSHIRE BOARD OF TRUSTEES**

John H. Lynch, Hopkinton  
Succeeding: Jane E. Hager, Lyndeborough  
Effective: Upon confirmation  
TERM: June 30, 2003

J. Bonnie Newman, North Hampton  
Succeeding: Terry L. Morton, Portsmouth  
Effective: Upon confirmation  
TERM: June 30, 2003

**STATE COMMISSION OF THE STATUS OF WOMEN**

Phyllis K. Abell, Portsmouth  
Reappointment  
Effective: Upon confirmation  
TERM: October 20, 2002

Katherine Aeschliman, Keene  
Reappointment  
Effective: Upon confirmation  
TERM: October 20, 2002

Judith A. Hynes, Concord  
Succeeding: Judy Elliott, Salisbury (resigned)  
Effective: Upon confirmation  
TERM: October 20, 2000

Christine Latulip, Littleton  
Reappointment

Effective: Upon confirmation  
TERM: October 20, 2002

Tracy Nudd, Hillsborough  
Reappointment  
Effective: Upon confirmation  
TERM: October 20, 2002

## **BUSINESS FINANCE AUTHORITY**

#1 Authorized to hold a Public Hearing with respect to the financing of a commercial facility by the Business Finance Authority for Benson Woodworking Company, Inc. located in Walpole, 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 OCTOBER 27, 1999 IN THE COUNCIL CHAMBER, STATE HOUSE, CONCORD

At 10:50 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 Benson Woodworking Company, Inc and Emicor, LLC in the Town of Walpole 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 Christine Benson, Vice President of Benson Woodworking Company, Inc. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Spaulding 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 BENSON WOODWORKING COMPANY, INC AND EMICOR, LLC IN THE TOWN OF WALPOLE" 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 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 UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF AN INDUSTRIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR BENSON WOODWORKING COMPANY, INC. AND EMICOR, LLC

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 Benson Woodworking Company, Inc. ("Benson") and Emicor, LLC ("Emicor," and together with Benson, the "Borrowers") in Walpole by the Authority's making of up to \$2,931,250 in loans 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 a parcel of land and a 6,000 square foot building located at Industrial Park Road on State Route 12 (Lot 3-7, Map 1) in the Town of Walpole and the construction and equipping of approximately 36,100 square feet of new manufacturing space located at the corner of Blackjack Crossing and State Route 12 (Lot 4, Map 1) also in the Town of Walpole, the real estate portion of which will be owned by Emicor and leased to Benson for use in the manufacture of structural timber products. 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) Borrowers have the skills and financial resources necessary to operate the Facility successfully;

(3) The Loan Agreements and Escrow Agreements (which are combined financing documents and security documents, 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 October 27, 1999

#2 Authorized to hold a Public Hearing with respect to the financing of a commercial facility by the Business Finance Authority for J-Pac Corp. located in Somersworth, 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 OCTOBER 27, 1999 IN THE COUNCIL CHAMBER, STATE HOUSE, CONCORD

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 Andrew E. Janetos in the City of Somersworth 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, noted that J-Pac Corporation had been removed as a guarantor, emphasized that the credit of the State was not involved and introduced Andrew E. Janetos. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Spaulding 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 ANDREW E. JANETOS IN THE CITY OF SOMERSWORTH" 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 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 UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF AN INDUSTRIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR ANDREW E. JANETOS

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 Andrew E. Janetos in the City of Somersworth by the Authority's making of a loan up to \$3,000,000 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 construction and equipping of approximately 61,000 square feet of new manufacturing space located on Somersworth Industrial Park, Malley Farm, Lot #1 in Somersworth, New Hampshire for use by J-Pac Corp. ("Guarantor") in the manufacture of blister trays, packaging and implantable and innovative devices for the medical, pharmaceutical, dental and veterinary industries. 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) Borrower has 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 documents, 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 October 27, 1999

#3 Authorized to hold a Public Hearing with respect to the refinancing of pollution control facilities by the Business Finance Authority for United Illuminating Company located in Seabrook, 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 OCTOBER 27, 1999 IN THE COUNCIL CHAMBER, STATE HOUSE, CONCORD

At 10:55 a.m. the Governor announced that the next matter to be considered would be the refinancing of pollution control, sewage and solid waste disposal facilities by the Business Finance Authority for The United Illuminating Company in Seabrook 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 refinancing 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 Charles Pepe and Susan Allen of The United Illuminating Company. 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 REFINANCING OF INDUSTRIAL FACILITIES BY THE BUSINESS FINANCE AUTHORITY FOR THE UNITED ILLUMINATING COMPANY IN SEABROOK" 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 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 UNDER RSA 162-I:9 WITH RESPECT TO THE REFINANCING OF INDUSTRIAL FACILITIES BY THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE FOR THE UNITED ILLUMINATING COMPANY IN SEABROOK

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 refinancing of pollution control, sewage and solid waste disposal facilities for The United Illuminating Company (the "Borrower") in Seabrook by the Authority's issue of tax-exempt industrial facility refunding revenue bonds, not exceeding \$25,000,000 in the aggregate principal amount 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 consists of a portion of the Borrower's approximately 17.5% share of the pollution control, sewage and solid waste disposal facilities at the Seabrook nuclear-fueled, steam-electric generating power plant located adjacent to U.S. Route 1 in the Town of Seabrook (the "Station"). These facilities include a portion of the circulating water system designed to minimize the environmental impact associated with the use of sea water from the Atlantic Ocean to remove heat of condensation from the steam cycle in the generating units, liquid, gaseous and solid radioactive waste processing systems, additional minor systems designed to minimize emissions into the ground or water surrounding the Station and other similar or related equipment (the "Project"). The bonds in aggregate principal amount not exceeding \$25,000,000 are to be used to refund up to \$25,000,000



aggregate principal amount of the Authority's Pollution Control Revenue Bonds (The United Illuminating Company Project - 1989 Series A) previously issued for the benefit of the Borrower. The Project is within the definition of "Industrial facility" in RSA 162-I (the "Act") and may be refinanced under the Act.

(2) The establishment and operation of the Project will help to protect and enhance the State of New Hampshire's (the "State") physical environment.

(b) General findings:

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

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

(3) The LOAN AND TRUST AGREEMENT (the "Agreement") among the Authority, the Borrower and a trustee to be named therein 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 Project 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 Project, other than a special obligation of the Authority acting on behalf of the State under the Act; and

(5) The proposed refinancing of the Project by the Authority and the proposed operation and use of the Project 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 refinancing, operation and use of the Project will serve a public use and provide a public benefit; and the Governor and Council determine that the Authority's refinancing of the Project will be within the policy of, and the authority conferred by, the Act.

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

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

Passed and Agreed to October 27, 1999

## **OFFICE OF STATE PLANNING**

Executive Council acted as follows:

#4 Authorized to conduct a one-day Planning and Zoning Workshop to be held on, Saturday, November 20, 1999 at the New Hampshire Technical Institute in Concord, New Hampshire at a total cost not to exceed \$3,700.00.

#5 Authorized to enter into an Agreement with the Town of Enfield, Whitney Hall, Main Street, Enfield, NH in the amount of \$4,800 through April 30, 2000. This grant will enable the Town as part of the Connecticut River Corridor Program, to identify and evaluate their village resources and develop and implementation plan for future actions through a charrette process as identified in 2e of the 1996 Connecticut River FHWA grant.

#6 Authorized the Department and the Department of Environmental Services to establish a full-time temporary position, Environmentalist IV, LG 26, (\$37,206-\$44,384), through June 30, 2001. FISCAL COMMITTEE APPROVED

#7 Authorized to enter into an Agreement with David Raphael, Land Works Planning & Design, 211 Maple St., MW 26, Middlebury, VT in the amount of \$31,000 through March 31, 2000 to conduct a signage study and prepare signage guidelines for participating communities in both New Hampshire and Vermont.

#8 Authorized to enter into an Agreement with the New Hampshire Alliance of Regional Development Corporations, Inc., in the amount of \$10,000.00 under the provision of the New Hampshire Economic Development Administration Grant through September 30, 2000. These grant funds will be used to develop and initiate a statewide economic development training agenda for it's Executive Directors and Associated Board Members and implement a statewide Community Fiscal Impact Training Program entitled Fit-4-NH.

#9 Authorized to enter into an Agreement with the City of Somersworth, NH [Initially approved on January 20, 1999 (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.

#### **GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES**

#10 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Streeter voting NO, authorized to enter into a RETROACTIVE contract with the New Hampshire Association of Broadcasters in an amount not to exceed \$18,000 through December 31, 1999 to produce and air radio public service announcements on energy topics. SOLE SOURCE

#### **GOVERNOR'S COMMISSION ON DISABILITY**

#11 The Governor and Executive Council, on motion of Councilor Spaulding, Councilor Burton, authorized to establish a Program Assistant I position through June 30, 2001 as specified in letter dated September 30, 1999. FISCAL COMMITTEE APPROVED

#### **ADJUTANT GENERAL**

Executive Council acted as follows:

#12 Authorized to enter into a RETROACTIVE third renewal with Waste Management of New Hampshire Inc., 97 Rochester Neck Road, Gonic, NH at an estimated cost of \$16,000.00 for the period October 1, 199 to September 30, 2000.

#13-See after #21

#14 Authorized the nomination of Major Richard T. McKeon, 7 Riverside Farm Drive, Lee, NH to the rank of Lieutenant Colonel, New Hampshire Army National Guard.

#15 Authorized the nomination of Major Dwight D. Kranz, 20 Forest Drive, Hampton, NH to the rank of Lieutenant Colonel, New Hampshire Army National Guard.

#16 Authorized the nomination of Captain Shawn M. O'Brien, 134 Sleeper Circle, Fremont, NH to the rank of Major, New Hampshire Army National Guard.

#17 Authorized the nomination of Captain Thomas L. Marsh, Rt. 13, Box 48A, Sheeprock Road, Concord, NH to the rank of Major, New Hampshire Army National Guard.

#18 Authorized the nomination of Captain Michael A. Jacques, 22 North Road, East Kingston, NH to the rank of Major, New Hampshire Army National Guard.

#19 Authorized the confirmation of Major Ruth P. Baker, 2 Quail Court, York, ME to the rank of Lieutenant Colonel, New Hampshire Air National Guard.

#20 Authorized the confirmation of Major Kathleen W. Maclean, 108 Rock Hill road, Somersworth, NH to the rank of Lieutenant Colonel, New Hampshire Air National Guard.

#21 Authorized the confirmation of Captain David G. Tarbox, 203 Friendship Lane, Gettysburg, PA to the rank of Major, New Hampshire Air National Guard.

### **OFFICE OF STATE PLANNING**

#13 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, with Councilor Streeter voting NO, authorized to extend the lease option with The Amoskeag Small Business Incubator of Manchester, NH in the amount of \$2,496.00 through October 28, 2000. This is an option to extend the current lease [Initially approved on October 28, 1998, (Item #A)].

### **ATTORNEY GENERAL**

Executive Council acted as follows:

#22 Authorized to appoint Susan G. Morrell (Position #9U490) as an Assistant Attorney General, effective upon Governor and Council approval, at a salary level of \$55,050, step four in the range for Group M.

#23 Authorized to enter into grants through September 30, 2000 with the Nashua Police Department for \$25,000 and Children Unlimited, Inc. for \$16,500. The first grant will allow for a full-time Victim Advocate to be available to work in the Nashua Police Department to assist in the investigation and prosecution of domestic violence and sexual violence cases in that city. The second grant will allow for funding for the operational start-up costs to create a visitation center in Carroll County to protect victims of domestic violence and their children.

#24 Authorized to expend up to \$20,000 of Class 10 salary funding to contract for network management services, as specified in letter dated September 2, 1999. FISCAL COMMITTEE APPROVED

#24A DENIED-The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, voted to DENY the petition of Jason Allen Bagley requesting a pardon hearing for the offense of Failure to Appear.

### **DEPARTMENT OF ADMINISTRATIVE SERVICES**

Executive Council acted as follows:

#25 Authorized an annual salary step to Thomas Towle from Group P, Step 4, (71,041) to Group P, Step 5 (\$74,372, effective November 7, 1999.

#26 Authorized Bureau of Purchase and Property to enter into statewide agreements with the vendors listed on Attachment A of letter of October 13, 1999 effective the date of Governor and Council approval, as well as grant permission to implement these agreements under an approved process. These agreements have a six year term, ending June 30, 2005 contingent upon performance reviews to occur every two years.

#27 Authorized Bureau of Emergency Communications to RETROACTIVELY AMEND the existing lease with Hodges Development, 201 Loudon Road, Concord, NH, by extending the expiration date for no longer than six months, commencing October 1, 1999 through March 31, 2000. The cost for this amendment is \$1,552.50 per month.

#27A Authorized Division of Personnel to reclassify position #16698 from Human Resource Specialist I, Labor Grade 20 to Supervisor IV, Labor Grade 24.

#27B Authorized Office of volunteerism to accept and expend donations from various contributors to assist in the funding for the New Hampshire Leadership Summit on Volunteerism and Older Adults on November 15, 1999.

## **TREASURY DEPARTMENT**

Executive Council acted as follows:

#28 Authorized to transfer \$16,072 in each of State Fiscal Years 2000 and 2001 from account number 010-038-8023-097 (Transfer to Education Trust Fund) to 010-038-8023-096 (Revenue Sharing). The Fiscal Committee of the General Court approved this transfer in two requests, one on September 8, 1999 in the amount of \$13,870 and the other on October 13, 1999, in the amount of \$2,202.

#29 Authorized to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of \$11,656.88 as specified in letter of October 14, 1999.

## **DEPARTMENT OF REVENUE ADMINISTRATION**

Executive Council acted as follows:

#30 Authorized to enter into a contract with George K. Lagassa in an amount not to exceed \$140,000.00 through June 30, 2000 for consultation services for the valuation of hydro-plants located in New Hampshire.

#31 Authorized to enter into a contract with George K. Lagassa in an amount not to exceed \$45,000.00 through June 30, 2000 for consultation services for valuation of Seabrook Nuclear Power Station and others.

#32 NOT USED

## **BOARD OF TAX AND LAND APPEALS**

#33 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, authorized to enter into a contract with Cocci Computer Services, Inc., Hooksett, NH in an amount not to exceed \$1,875 through June 30, 2001 for software support.

## **DEPARTMENT OF CULTURAL RESOURCES**

Executive Council acted as follows:

#34 Authorized Division of Libraries to enter into an agreement with Franklin Pierce Law Center, Concord in the amount of \$30,000 through June 30, 2001 to provide members library services and additional library charges.

#35 Authorized Division of Historical Resources, to grant a Federal Historic Preservation Fund Grant to the Town of Newington in the amount of \$7,200 for the "NEWINGTON ARCHAEOLOGICAL SURVEY & PHASE 1B TESTING ALONG LITTLE BAY & GREAT BAY" project.

#36 Authorized Division of Historical Resources to grant a Federal Historic Preservation Fund Grant, to the Town of Derry, for the "Discover Derry" project in the amount of \$9,000.

#36A Authorized Division of Libraries to accept the donation of a "Walk of Fame" valued at \$10,000 from the Library and Archives of New Hampshire's Political Tradition, Inc. in commemoration of the importance of New Hampshire's role as the "First in the Nation" Primary.

#### **HIGHWAY SAFETY AGENCY**

#37 The Governor and Executive Council, on motion of Councilor Colantuono, seconded by Councilor Spaulding, authorized to accept and expend an additional \$242,140 in federal highway safety funds (representing \$63,100 in Section 411 Incentive Grant funds and \$179,040 in Section 410 Incentive Grant for Alcohol Impaired Driving Prevention Programs) from the National Highway Traffic Safety Administration.

#### **DEPARTMENT OF LABOR**

#38 The Governor and Executive Council, on motion of Councilor Streeter, seconded by Councilor Burton, authorized to accept and place on file the 53rd Biennial Report, reflecting the period of July 1, 1997 through June 30, 1999 from the New Hampshire Department of Labor.

#### **PUBLIC UTILITIES COMMISSION**

Executive Council acted as follows:

#39 Authorized to accept a gift on behalf of the State in the amount of \$123.00 for travel related expenses. Commissioner Nancy Brockway will be traveling to the World Trade Center in Boston, MA on November 5, 1999 to attend the Seventh Annual US-Canada Energy Trade and Technology Conference.

#40 Authorized to enter into the lease agreement with Pasquale F. Alosa, in an amount not to exceed \$216,000.00 through October 31, 2000 for office space at 8 Old Suncook Road, Bldg. #1, Concord, NH.

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

#41 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, authorized to enter into the lease agreement with Pasquale F. Alosa, in an amount not to exceed \$15,000.00 through October 31, 2000 for office space at 117 Manchester Street, Concord, NH.

#### **INSURANCE DEPARTMENT**

Executive Council acted as follows:

#42 Authorized to accept and place on file the Annual Report of the Insurance Department for the Fiscal Year 1999.

#43 Authorized to transfer \$20,698, as specified in letter of September 27, 1999. FISCAL COMMITTEE APPROVED

#### **LIQUOR COMMISSION**

Executive Council acted as follows:

#44 The Governor and Executive Council, on motion of Councilor Streater, seconded by Councilor Burton, with Councilors Spaulding and Griffin voting NO, authorized to pay travel expenses for Fiscal Year 1999 out of Fiscal Year 2000 funds, for Miriam Luce in the amount of \$300.16.

#45 Authorized to enter into an agreement with Century Mechanical Inc., 5-A Crosby Street, Concord, NH in the amount of \$10,925.00 through December 31, 1999 for the sole purpose of replacing the steam heat exchange at the Concord Warehouse, 50 Storrs Street, Concord, NH.

#45A Authorized to enter into a one year lease, at no rental cost, with New Hampshire Stories, Inc., PO Box 3214, Manchester, NH for the lease of a room approximately 10" X 13" in the Liquor Store on Interstate 95-North, Hampton, NH upon Governor and Council approval.

#### **NEW HAMPSHIRE COMMISSION FOR HUMAN RIGHTS**

#46 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, authorized to accept and place on file the 1997-99 Biennial Report for the New Hampshire Commission for Human Rights.

#### **BANKING DEPARTMENT**

#47 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, authorized to accept and place on file the One Hundred Fifty-fourth Annual Report of the Bank Commissioner for the calendar year ending December 31, 1998.

#### **EMPLOYMENT SECURITY**

Executive Council acted as follows:

#48 Authorized to RETROACTIVELY expend available federal funds payable to the US Department of Labor, Veterans Employment and Training Service in reimbursement of VETS facilities and administrative support costs incurred in the operation of the VETS state Office currently located at 143 North Main Street, Concord. The monthly estimated amount is \$1,500.00 through September 30, 2001.

#49 Authorized to have an additional \$93,190.00 of federal funds [Initially approved on February 17, 1999 (Item #34)].

#50 Authorized to accept and expend additional federal funds in the amount of \$834,624.00 from the US Department of Labor, Employment, & Training Administration through September 30, 2000.

#51 Authorized to enter into a service agreement with Sandra Hastings Associates to provide WIA/One-Stop customer service training; and a service agreement with The Executive Court Conference Center, Manchester, NH for the training facility and services. (2) Further Authorized to expend \$9,753.90 in existing federal funds for this training program to take place October 28 & 29, 1999 and November 8, 1999.

#52 Authorized to enter into a service agreement with Glen Group Marketing and Advertising in the amount of \$29,485.00 through December 1, 1999 for marketing plan development services for promotion of the NH WORKS System statewide.

#53 Authorized to enter into a service agreement with Dunne's Excavating and Landscaping, in the amount of \$18,000.00 through December 31, 1999 to provide building demolition & disposal services for the Department's 33 South State Street location.

## **DEPARTMENT OF CORRECTIONS**

Executive Council acted as follows:

#54 Authorized to accept and expend a grant in the amount of \$12,258.03 from the NH Department of Education through June 30, 2000 for the Adult Vocational Training Center at the NH State Prison for Women to expand the computer network.

#55 Authorized to accept and expend a grant in the amount of \$446,278.00 from the US Department of Justice for reimbursement for the care and custody of criminal aliens under the State Criminal Alien Assistance Program, and to expend those funds for the continuation of the automated information network and to replace seven vehicles used for offender supervision, inmate transportation, and prison perimeter security.

#56 Authorized to AMEND the existing lease contract with the Carroll County Commissioners for office space in the Carroll County Complex in Ossipee, NH by extending the expiration date from October 31, 1999 to January 30, 2000 at a cost of \$750 per month.

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

Executive Council acted as follows:

#57 Authorized Division of Parks and Recreation to reclassify vacant position #115424 from Administrator II (labor grade 28) to Principal Planner (Labor Grade 23). The estimated annual savings is \$8,326.50 for this requested action.

#58 Authorized Division of Parks and Recreation to renew it's membership for the 1999-2000 season with the White Mountain Attractions Association, in the amount of \$7,500.00. (2) Further Authorized to participate in a co-op promotional program for an amount not to exceed \$4,986.10. Total not to exceed \$12,486.10.

#59 Authorized Division of Parks and Recreation to use Lake Sunapee Bank in Newport, NH as a depository bank for Wadleigh and Winslow State Parks.

#60 Authorized Division of Parks and Recreation, Cannon Mountain, to purchase liability insurance, at an annual cost of \$29,752 for the period November 1, 1999 to November 1, 2002 from A.D. Davis, Inc., North Conway, NH.

#61 Authorized Division of Parks and Recreation, Bureau of Trails to enter into a service agreement with Lee Waterhouse of Woodsville, NH in an amount not to exceed \$6,600.00 for rail trail mowing.

#62 Authorized Office of Travel and Tourism Development to enter into a agreement with Glen Group Marketing and Advertising for an amount not to exceed \$14,850 through January 31, 2000 for the development of a web site.

#63 Authorized Division of Forests and Lands to accept a gift of 108 acres of land abutting Hemenway State Forest in Tamworth from David and Eugenia Boies of North Hampton.

#64 Authorized Division of Forests and Lands to accept federal Wildlife Habitat Incentives Program funds in the amount of \$18,130.00 through September 2008 to be matched on a 75%-25% basis in cooperation with the New Hampshire Fish and Game Department.

#65 Authorized Division of Parks and Recreation, Trails Bureau to accept additional federal funds of \$6,122.60 form the US Department of Transportation under the Recreational Trails Program.

## **FISH AND GAME DEPARTMENT**

Executive Council acted as follows:

#66 Authorized to establish 2 Conservation Officer Trainee positions through June 30, 2001 and expend \$13,484 in excess fees collected from OHRV registrations, as specified in letter dated August 25, 199. FISCAL COMMITTEE APPROVED

#67 Authorized to accept the donation of Conservation Easement Deed in perpetuity of 25.85 acres of land fronting both sides of the Soucook River in Loudon, New Hampshire, from New Hampshire Speedway, Inc.

## **DEPARTMENT OF ENVIRONMENTAL SERVICES**

Executive Council acted as follows:

#68 Authorized to establish an Environmentalists III position through June 30, 2001, as specified in the letter date September 20, 1999. FISCAL COMMITTEE APPROVED

#69 Authorized Water Division to pay the invoice in the amount of \$4,068 for emergency sewer repair work undertaken between September 8-10, 1999 by W.F. Richards & Son, Inc., Parade Road, Meredith, NH.

#70 Authorized to enter into a grant agreement with the City of Laconia, 45 Beacon Street East, Laconia, NH in the amount of \$20,000 through June 30, 2000 to complete the Weirs Beach Stormwater Evaluation and Design.

#71 Authorized to enter in a grant agreement with the Lake Sunapee Protective Association, PO Box 683, Sunapee, NH in the amount of \$10,500 through December 31, 2000 to identify non-point source problems and provide proactive response through education and installation of Best Management Practices, which have been necessitated by development of the Mount Sunapee Ski Area.

#72 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilors Colantuono and Streeter voting NO, authorized to enter into contracts with the following vendors: Northeast Resource Recovery Association, PO Box 721, Concord, NH in the amount of \$5,100.00; Institute for Community, Business and the New Hampshire Economy, 122 North Main St., Concord, NH in the amount of \$12,702.00; and North Country Council, 107 Glessner St., Bethlehem, NH in the amount of \$11,702.00 through December 31, 2000 for the Federal Global Climate Change Program. SOLE SOURCE

#73 Authorized Water Division to RETROACTIVELY AMEND a grant agreement with the Contoocook and North Branch Rivers Local Advisory Committee, 10 Crosby Road, Hillsborough, NH retroactive to October 1, 1999 through November 30, 1999 to grant additional time in which to complete the agreed upon scope of services.

#74 Authorized to AMEND the Joint Funding Agreement dated July 1, 1999 with the US Geological Survey, US Department of the Interior, 361 Commerce Way, Pembroke, NH, by increasing the Department obligation amount by \$10,000 (from \$141,845 to \$151,845) through June 30, 2000. The purpose of the amendment is to develop low-flow frequency statistics at approximately 30 steam gages and estimated statistics at approximately 42 ungaged watershed pour points.

## **DEVELOPMENTAL DISABILITIES COUNCIL**

#75 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilors Colantuono and Streeter voting NO, authorized to enter into an agreement



with The Disabilities Rights Center, Inc., 18 Low Street, Concord, NH in the amount of \$10,000.00 through September 30, 2000 to provide technical assistance on major education reform efforts for all children in NH, especially to benefit students with disabilities. SOLE SOURCE

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

Executive Council acted as follows:

### **Office of Administration**

#76 Authorized Division of Elderly and Adult Services to reclassify position 16086 from Social Worker II, salary grade 17 to Legal Coordinator, salary grade 27. The position is currently vacant.

#77 Authorized Division of Elderly and Adult Services to reclassify position 16062 from Social Worker II, salary grade 17 to Supervisor IV, salary grade 24. The position is currently vacant.

#78 Authorized Division of Elderly and Adult Services to reclassify position 16580 from Case Technician I, salary grade 13 to Program Specialist IV, salary grade 24. The position is currently vacant.

#79 Authorized Division of Elderly and Adult Services to reclassify position 16120 from Social Worker II, salary grade 17 to Supervisor V, salary grade 25. The position is currently vacant.

#80 Authorized Division of Elderly and Adult Services to reclassify position 16575 from Program Specialist IV, salary grade 24 to Administrator of Planning & Coordination, salary grade 29. The position is currently vacant.

#81 Authorized Division of Elderly and Adult Services to reclassify position 16167 from Program Specialist IV, salary grade 24 to Case Technician I, salary grade 13. The position is currently vacant.

#82 Authorized Division of Elderly and Adult Services to reclassify position 16097 from Social Worker II, salary grade 17 to Business Systems Analyst I, salary grade 27. The position is currently vacant.

#83 Authorized to RETROACTIVELY AMEND an Educational Tuition Agreement by increasing the amount of assistance by \$30 to \$495 to \$525, with Franklin Pierce College, Concord, NH on behalf of Dorinda Downing, Accounting Technician, Division of Behavioral Health, effective upon approval by Governor and Council.

#84 Authorized to RETROACTIVELY AMEND an Educational Tuition Agreement by increasing the amount of assistance by \$30 to \$495 to \$525, with Franklin Pierce College, Concord, NH on behalf of Wendy Dufresne, Administrator III, Office of Finance, effective upon approval by Governor and Council.

### **Office of Information Systems**

#85 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilors Colantuono and Streeter voting NO, authorized to RETROACTIVELY AMEND an existing Agreement with GTE Communications Corporations, Alpharetta, GA [Initially approved on November 20, 1996 (Late Item #R) for the period November 20, 1996, through June 30, 1999], by increasing the Agreement amount by \$793,000, from \$1,910,974 to \$2,703,974, and extending the end date through March 31, 2000, effective retroactive to June 30, 1999. SOLE SOURCE

### **Bureau of Health Risk Assessment**

#86 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Streeter, authorized to reimburse Paul R. Harp, Ph. D. for relocation expenses of up to the amount of \$2,000 based upon actual expenses incurred.

### **Office of Community and Public Health**

Executive Council acted as follows:

#87 Authorized Public Health Laboratories to pay the enrollment fees for CY2000 proficiency testing programs to be supplied by the vendors and in the amounts as specified in letter of October 5, 1999.

#88 Authorized Bureau of Oral Health to accept and expend \$60,000 in federal funds as specified in letter of October 13, 1999. FISCAL COMMITTEE APPROVED

#89 Authorized Bureau of Rural Health and Primary Care Services to accept and expend funds in the amount of \$205,620 from the US Department of Health and Human Services, to fund the Rural Hospital Flexibility Program, through June 30, 2000.

#90 Authorized Special Medical Services Bureau, to enter into an agreement with Linda E. Kelley, Concord, NH for an amount not to exceed \$15,000 through June 30, 2001 to provide for transcription of medical reports.

### **Office of Family Services**

Executive Council acted as follows:

#91 Authorized to accept and expend \$2,801,704 in federal funds and transfer \$882,201, as specified in letter dated October 1, 1999. FISCAL COMMITTEE APPROVED

#92 Authorized to RETROACTIVELY accept and expend \$30,000 in federal funds, as specified in letter dated August 25, 1999. FISCAL COMMITTEE APPROVED

#93 Authorized to accept and expend \$99,424 in federal funds, as specified in letter dated September 21, 1999. FISCAL COMMITTEE APPROVED

#94 Authorized to accept and expend \$24,477.50 in private funds and \$24,477.49 in matching federal Medicaid funds, as specified in letter dated September 10, 1999. FISCAL COMMITTEE APPROVED

#95 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Streeter voting NO, authorized Elderly & Adult Services to RETROACTIVELY award a one-time grant in the amount of \$120,000 to the Long-Term Care Institute, Concord, NH, effective retroactive to July 1, 1999 through June 30, 2001 to complete the multiple tasks associated with start-up operations. SOLE SOURCE

### **Children, Youth & Families**

Executive Council acted as follows:

#96 Authorized to reimburse Pamela Houghton \$980.58 from current year funds for travel expenses incurred between August 28, 1998 and April 28, 1999.

#97 Authorized to RETROACTIVELY renew it's purchase of general liability insurance for foster parents from Davis and Towle Insurance and Financial Services, Penacook, NH in the amount of \$144,096 for the period October 11, 1999 to October 11, 2002.

#98 Authorized to enter into an agreement with PlusTime NH, Chichester, NH in an amount not to exceed \$21,290.00 through June 30, 2000 to provide services to school age children with special needs in after school and summer vacation programs.

#99 Authorized to RETROACTIVELY enter into an agreement with the New Hampshire Community Technical College System, Concord, NH in an amount not to exceed \$54,810.00 for the period effective to September 1, 1999 through June 30, 2000.

### **Behavioral Health**

Executive Council acted as follows:

#100 Authorized to RETROACTIVELY enter into an existing agreement with Public Consulting Group, Inc., 294 Washington Street, Boston, MA, [Initially approved on October 14, 1998 (Item #83A)], by extending the Completion Date from June 30, 1999 to June 30, 2001, effective retroactive to June 30, 1999.

#101 Authorized to RETROACTIVELY AMEND contract with Tri-County Community Action Program, Inc., 30 Exchange Street, Berlin, NH [Initially approved on June 22, 1999 (Item #225)], by increasing the price limitation by \$70,000.00 from \$252,800.00 to \$322,800.00 to provide services to homeless individuals with serious mental illness and/or dual diagnosis. It is anticipated that 80 individuals will be served by this amendment.

#102 Authorized to award one-time grants totaling \$40,340.00 to the organizations specified in letter dated October 7, 1999 through June 30, 2000.

### **Division of Child Support Services**

#103 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, authorized to renew an existing agreement with New Hampshire Department of Employment Security, Concord, NH in a total of \$350,000.00 through June 30, 2001 to continue the comprehensive New Hire Program.

### **NEW HAMPSHIRE HOSPITAL**

Executive Council acted as follows:

#104 Authorized to accept and expend a \$100 anonymous donation, as specified in letter of August 18, 1999. FISCAL COMMITTEE APPROVED

#105 Authorized to RETROACTIVELY enter into a contract with Interactive Systems and Management, 1550 Cardinal Drive, Little Falls, NJ in the amount of \$28,200 effective retroactive to July 1, 1999 through June 30, 2001 for software maintenance and licensing.

#106 Authorized to RETROACTIVELY enter into a software maintenance contract with Creative Socio-Medics Corporation, 146 Nassau Avenue, Islip, NY in the amount of \$79,772 retroactive to July 1, 1999 through June 30, 2001.

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

#107 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, authorized to AMEND previous request, [Initially approved on September 15, 1999 (Late Item G)], by amending the distribution of funds as indicated in letter of October 4, 1999.

## **DEPARTMENT OF EDUCATION**

Executive Council acted as follows:

#108 Authorized to accept and expend additional grant funds in the amount of \$470,309.00 from the US Department of Education during the fiscal year ending June 30, 2000.

#109 Authorized to establish a Consultant position through June 30, 2000. FISCAL COMMITTEE APPROVED

#110 Authorized to accept and expend additional grant funds in the amount of \$273,726.00 from the US Department of Education during the fiscal year ending June 30, 2000.

#111 Authorized to accept and expend additional grant funds in the amount of \$47,500 from the US Department of Education during the fiscal year ending June 30, 2000.

#112 Authorized to accept and expend additional grant funds in the amount of \$959,116.98 from the US Department of Education during the current fiscal year ending June 30, 2000.

#113 Authorized the Department to participate in a three-day technology conference, the 1999 Christa McAuliffe Technology Conference to be held November 30, December 1 and 2, 1999 at the Sheraton Nashua Hotel, Nashua, NH at a cost not to exceed \$4,824.00.

#114 Authorized to enter into a contract with Michael H. Kelleher in an amount not to exceed \$40,250.00 through June 30, 2000 to investigate complaints of teacher misconduct.

#115 Authorized to enter into a contract with the University of New Hampshire, Industrial Research and Consulting Center, Durham, NH in the amount of \$11,340 through September 30, 2000 to provide rehabilitation-engineering services to severely disabled clients of the Division of Adult Learning and Rehabilitation Services.

#116 Authorized Division of Adult of Learning and Rehabilitation, to enter into a contract with Janice Duley Longgood in an amount not to exceed \$100,800.00 through September 30, 2001 to continue to oversee the training program for peer counselors, coordinate their activities, and provide professional supervision, consultation, and support.

#117 Authorized to extend the lease with Drs. Augustine and Sonny Joseph, 222 West Westmonte Dr., Suite 116, Altamonte Springs, FL for 2,880 square feet of office space located at 547 Amherst St., Nashua, NH through October 31, 2001 for a total cost not to exceed \$76,320.

## **NEW HAMPSHIRE COMMUNITY TECHNICAL COLLEGE SYSTEM**

#118 The Governor and Executive Council, on motion of Councilor Streeter, seconded by Councilor Colantuono, authorized to accept and expend federal funds on behalf of the NH Job Training Council in the amount of \$2,574,375 from the US Department of Labor.

## **DEPARTMENT OF SAFETY**

Executive Council acted as follows:

#119 Authorized to continue a Paralegal I position and a Prosecuting Attorney position through September 30, 2000, as specified in letter dated September 13, 1999.

#120 Authorized a cleaning contract between the Department and Division of State Police and Shannon Harriman of Center Conway, NH for a total cost no to exceed \$20,400.00 through June 30, 2001 to perform janitorial services at Troop E, Tamworth.

#121 Authorized to enter into a contract with Keene Maintenance Service for a total cost of \$15,480.00 through June 30, 2001 for janitorial service for Troop C in Keene, NH.

#### **NEW HAMPSHIRE STATE PORT AUTHORITY**

#122 The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Colantuono, authorized contract with Vanasse Hangen Brustlin, Inc., Bedford, NH in an amount not to exceed \$23,000.00 to assist in preparing a Master Plan for the Market Street Terminal located in Portsmouth.

#### **DEPARTMENT OF TRANSPORTATION**

Executive Council acted as follows:

#123 Authorized appointment of a New Layout Commission for the Seabrook-Portsmouth, LS 1815 project for what is now a portion of Interstate 95 and includes the Portsmouth Traffic Circle Interchange for the purpose of adjusting the limits of the Limited Access Right-of-Way for the Department to transfer a 4.8 acre parcel to the New Hampshire Liquor Commission.

#124 Authorized a Petition for a hearing on alteration to NH Route 132 (Park Street) in the Towns of Northfield and Tilton.

#125 Authorized to accept and place on file the Information Item Equipment Acquisition Plan Report for the period ending September 30, 1999.

#126 Authorized the Contemplated Award List for the period September 22, 1999 through October 5, 1999.

#127 Authorized to enter into a weather forecasting service agreement with North Winds Weather, 222 Diamond Ledge Road, Center Sandwich, NH for a sum total of \$7,590.00.

#128 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Streeter voting NO, authorized to enter into a sole source agreement with Unisys Corp. and Unisys Leasing Corp., 1000 S McCaslin Boulevard, Superior CO to purchase Unisys computer hardware, software, installation services, and maintenance services. SOLE SOURCE

#129 Authorized contract with R.M. Piper, Inc., Plymouth, NH on the basis of a low bid of \$1,043,945.10 for bridge widening and rehabilitation on NH Route 112 (Kancamagus Highway) over the east branch of the Pemigewasset River with a completion date of September 15, 2000.

#130 Authorized contract with CPM Constructors, Freeport, ME on the basis of a low bid of \$1,884,220.00. This contract consists of installation of automatic barrier gates and modifying existing warning gates and lights on the US Route 1 bypass over the Piscataqua River, Sarah Mildred Long Bridge and US Route 1 over Piscataqua River, Memorial Bridge.

#131 Authorized Fish & Game Department to enter into an agreement with NHDOT in order to reimburse the NHDOT for cost to be incurred as a result of engaging in continued Phase 1B and Phase 1 archeological services on a parcel of land optioned for acquisition by the NHF&GD. Costs to be incurred are estimated to total to the sum of \$18,784.96.

#132 Authorized to modify the Agreement for services with the New Hampshire State Council on the Arts, 40 North Main Street, Concord, NH by increasing the total amount payable under the Agreement by \$4,295.00, from \$16,750.00 to \$21,045.00.

#133 Authorized to enter into an agreement with Gordon, Bua & Read, Incorporated, 201 Loudon Road, Concord, NH and 34 Salem Street, Reading MA for a total fee not to exceed \$27,409.00.

#134 Authorized to modify the Department's Agreement for transportation planning services with the Nashua Regional Planning Commission, 115 Main Street, Nashua, NH by increasing the total amount payable under the Agreement by \$50,000.00, from \$210,000.00 to \$260,000.00.

#135 Authorized to enter into Agreement with the City of Rochester, delineating duties and responsibilities of both parties for planning, constructing, and maintaining the reconstruction of NH Route 108 (South Main Street) from Whitehall Road to Columbus Avenue in Rochester, NH.

#136 TABLED-The Governor and Executive Council, on motion of Councilor Streeter, seconded by Councilor Griffin, voted to TABLE request to accept Federal Funds in the amount of \$94,500.00 for a Nashua Airport, Boire Field, property acquisition project. AIP-19.

#137 Authorized to enter into consultant agreements with Hartgen Archeological Associates, Inc., 1744 Washington Avenue Ext., Rensselaer, NY and Independent Archaeological Consulting, LLC, 97 Morning Street, Portsmouth, NH. These agreements will enable the Department to undertake certain cultural resource investigations for a combined fee not to exceed \$110,000.00.

#138 Authorized to enter into a Purchase and Sale Agreement with the Boston and Maine Corporation to acquire two parcels of land comprising a portion of an abandoned railroad corridor in Manchester for the price of \$209,340.

#139 Authorized to accept and place on file the Quarterly Capital Budget Project Schedule. This update includes projects authorized in the 1995, 1996, 1997 and 1998 Legislative Sessions.

#140 Authorized to increase the contingency by \$22,500.00 with E.D. Swett, Inc., Eight Industrial Drive, Concord, NH for a total contingency of \$87,500.00 for the purpose of Repairs, Storrs Street Garage and Legislative Office Building Garage, Concord, NH.

#141 Authorized to enter into an agreement with Oak Point Associates, 55 Congress Street, Portsmouth, NH for a Lump Sum Price of \$117,900.00 for the purpose of Professional Architectural Services, Design of Renovations to Store No. 73, I-95 Southbound, Hampton, NH.

#142 Authorized to enter into a contract with Vermont Mechanical, Inc., PO Box 728, Willison, VT for a lump sum price of \$329,740.00 for the purpose of alterations to HVAC and Dust Collection System, Materials and Research Laboratory, Stickney Avenue, Concord, NH.

#143 Authorized to enter into an Agreement per RSA 228:71, VII, with the Flying Yankee Restoration Group, Inc., Glen, NH to undertake the restoration of the historic "Flying Yankee" train for a fee not to exceed \$510,000.00.

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

#144 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, with Councilors Spaulding and Griffin voting NO, authorized request of Fay's Boat Yard Inc. to dredge and fill to construct 1150 linear feet of Bulkhead and to reconfigure docking structure, Lake Winnepesaukee, Guilford.

#### **#145 TUITION REQUESTS**

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, approved the following tuition requests:

A. EDUCATION - Request permission to pay New Hampshire College, Manchester, NH, the sum of \$1,041.00 for the sole purpose of enrolling Scott A. Vittner, Assistant Vending Stand Coordinator, in the courses entitled "Finite Math" and "Social Environment of Business".

B. 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 "Human Resource Management".

C. HEALTH & HUMAN SERVICES, Office of Finance - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$525.00 for the sole purpose of enrolling Wendy L. Dufresne, Administrator III, in the course entitled "Money and Banking".

D. TRANSPORTATION - Request permission to pay New Hampshire College, Manchester, NH, the sum of \$499.50 for the sole purpose of enrolling Jeremy Marsette, Civil Engineer III, in the course entitled "Managerial Economics", also to pay New Hampshire College, Manchester, NH, the sum of \$1,392.00 for the sole purpose of enrolling Roland J. Sparks, Project Manager, in the course entitled "Advanced Research Methods I".

#### #146 TRAVEL REQUESTS

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, approved the following travel requests:

A. HEALTH & HUMAN SERVICES, Division of Children, Youth and Families - Request permission for (8) employees, Pamela Bean, Chair and Michael Torch, SAG Member and Lauren Torch, SAG Member and Pamela Sullivan, Juvenile Justice Specialist and Philip Tapley, Jail Compliance Monitor and Colin May, SAG Member and Pat Busselle, SAG Member and John McDermott, Juvenile Justice Administrator, or designee, to travel to Salt Lake City, UT, on November 10-14, 1999, to attend the Coalition for Juvenile Justice 1999 Fall Training Conference. ALSO A CASH ADVANCE OF \$2,848.00 IS REQUESTED FOR Philip Tapley. Total Cost: 8,672.00. Source of Funds: 100% Federal Funds. Registration Fee: 1,080.00.

B. SAFETY, Field Audit Bureau - Request permission for (2) employees, Abigail Blanchard, Road Toll Auditor II and Ann Cote, Road Toll Auditor II, or designee, to travel to Greenfield, MA, on November 15-19, 1999, to perform audits on the Motor Fuel Distributor and Oil Discharge and Pollution Control Fund accounts of A.R. Sandri Inc. ALSO A CASH ADVANCE OF \$500.00 IS REQUESTED FOR Abigail Blanchard. ALSO A CASH ADVANCE OF \$500.00 IS REQUESTED FOR Ann Cote. Total Cost: 1,000.00. Source of Funds: 100% Highway Funds. No Registration Fee.

C. SAFETY, Division of Marine Patrol - Request permission for (2) employees, Sargent Steve Kace, Marine Patrol Officer and Sargent Tim Dunleavy, Marine Patrol Officer, or designee, to travel to Yorktown, VA, on October 31- November 5, 1999, to attend an Advanced Marine Patrol Officer Course. Permission is also requested for a waiver to exceed the 300-mile radius by state vehicle. Total Cost: 600.00. Source of Funds: 100% Federal Funds. No Registration Fee.

#### ITEMS REMOVED from TABLE

**NEW HAMPSHIRE STATE PORT AUTHORITY WITHDRAWN-#107** The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, voted to remove Item #107 which was tabled at the September 28, 1999 Governor and Executive Council Meeting. Councilor Griffin, seconded by Councilor Spaulding, voted to withdraw Item #107, request to RETROACTIVELY enter into a memorandum of agreement with the UNH Department of Sponsored Research in the amount of \$60,532.00 annually for the period July 1, 1999 to June 30, 2001 to provide monitoring

services of mitigation of eel grass, salt marsh and mudflats for the NH Port Authority Expansion Project.

## **DEPARTMENT OF ENVIRONMENTAL SERVICES**

#46 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, voted to remove Item #46 which was tabled at the October 14, 1999 Governor and Executive Council Meeting. Councilor Spaulding, seconded by Councilor Griffin, with Councilors Colantuono and Streeter voting NO, voted to approve the request to accept \$60,000 from the US Geological Survey effective upon approval by Governor & Council through June 30, 2000. (2) Authorize the Department to enter into the contracts in the amount of \$85,000 as specified in letter of September 29, 1999 for geologic mapping services through June 30, 2000. SOLE SOURCE

## **LATE ITEMS**

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

TABLED-The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Griffin, voted to TABLE the Report and Findings of Councilor Raymond S. Burton with regard to a certain refinancing of existing indebtedness project with the Dartmouth Educational Loan Corporation, Hanover, New Hampshire.

### **B. DEPARTMENT OF ADMINISTRATIVE SERVICES**

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, authorized the Report and Findings of Councilor Raymond S. Burton with regard to a certain refinancing of existing indebtedness project with the Dartmouth College, Hanover, New Hampshire.

### **C. GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES**

The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Streeter, authorized to accept and expend up to \$1,845.00 in registration fees to be collected in connection with a workshop to be held on November 5, 1999 on financing municipal and school energy efficiency projects through December 31, 1999.

### **D. DEPARTMENT OF TRANSPORTATION**

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Streeter, authorized contract with M. E. Latulippe Construction, Inc., of Ashland, NH on the basis of a low bid of \$88,230.00. The project consists of acquisition and removal of a three-story wood frame building and removal of the stone retaining walls to improve sight distance and safety.

The Governor set the next regular meeting of Governor and Executive Council for Wednesday, November 10, 1999 at 10:30 a.m. at the State House, Concord, New Hampshire.

The Honorable Board then adjourned.