

Minutes June 8, 2000

GOVERNOR AND EXECUTIVE COUNCIL MINUTES

Hopkinton State Fairgrounds, Contoocook, New Hampshire

June 8 , 2000

10:30 a.m.

#10

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

The Governor and Executive Council, on motion of Councilor Colantuono, seconded by Councilor Burton, accepted the minutes of May 24, 2000.

The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Colantuono, confirmed the appointment of several persons nominated for Civil Commissions from the May 24, 2000 meeting.

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

RESIGNATIONS

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

JUSTICE OF GORHAM DISTRICT COURT

Arthur H. K. Davis, Berlin

Effective: June 8, 2000

CURRENT USE ADVISORY BOARD

Paul T. Doherty, Gorham

(Forest landowner)

Effective: May 26, 2000

Reason: Personal

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

ADVISORY COMMISSION

Paul T. Doherty, Gorham

(Recreation)

Effective: May 26, 2000

Reason: Personal

CONFIRMATIONS

The Governor and Executive Council confirmed the following:

DIVISION OF CHILDREN, YOUTH AND FAMILIES ADVISORY BOARD

Debra Clark Valentine, Lincoln

(Grafton County)

Reappointment

Effective: June 8, 2000

TERM: July 11, 2002

CONNECTICUT RIVER ATLANTIC SALMON COMPACT

Charles F. Thoits III, Warner
Reappointment
Effective: June 8, 2000
TERM: June 20, 2003

CONNECTICUT RIVER VALLEY RESOURCE COMMISSION

John B. Tucker, New London
(public memeber)
Reappointment
Effective: June 8, 2000
TERM: January 22, 2003

HAZARDOUS MATERIAL TRANSPORTATION ADVISORY BOARD

Kendall B. Hughes, Ashland
(public memeber)
Succeeding: Robert Watts, Campton
Effective: June 8, 2000
TERM: January 30, 2001

NEW HAMPSHIRE RETIREMENT SYSTEM BOARD OF TRUSTEES

Andrea Amadeo-Vickery, Amherst
(non-member trustee)
Reappointment
Effective: June 8, 2000
TERM: July 13, 2002

Arthur Beaudry, Manchester
(nom. By NH State Permanent Firemen's Assn.)
Reappointment
Effective: June 8, 2000
TERM: July 1, 2002

STATE VETERAN'S COUNCIL

Margaret W. Nally, Newton
Reappointment
Effective: June 8, 2000
TERM: June 30, 2003

NOMINATIONS

The Governor nominated the following:

STATE APPRENTICESHIP COUNCIL

Dennis E. Adams, Hampton
(Labor)
Succeeding: Raymond E. Welch, Manchester (resigned)
Effective: Upon confirmation
TERM: June 25, 2002

ACTING DIRECTOR, DIVISION OF FIELD SERVICES: DEPARTMENT OF CORRECTIONS

Joanne Fortier, Concord
Succeeding: Donald L. Parrish, New London (retiring)
Effective: July 1, 2000
Salary: Group N, Step 3-\$56,847
TERM: Serves at the pleasure of the Commissioner of the Department of Corrections

ACTING WARDEN: NEW HAMPSHIRE STATE PRISON FOR WOMEN

Jeanne North, Concord

Succeeding: Jane Coplan, Warner (nominated for Acting Warden, New Hampshire State Prison)

Effective: July 1, 2000

Salary: Group M, Step 2-\$49,734

TERM: Serves at the pleasure of the Commissioner of the Department of Corrections

ACTING WARDEN: NEW HAMPSHIRE STATE PRISON

Jane Coplan, Warner

Succeeding: Michael Cunningham, Boscawen (retiring)

Effective: July 1, 2000

Salary: Group P, Step 1-\$61,054

TERM: Serves at the pleasure of the Commissioner of the Department of Corrections

NEW HAMPSHIRE HEALTH AND EDUCATION FACILITIES AUTHORITY

Thomas R. Horgan, Amherst

Succeeding: Harry M. Lowd, III, North Sutton

Effective: Upon confirmation

TERM: June 30, 2005

Deanna S. Howard, Etna

Reappointment

Effective: Upon confirmation

TERM: June 30, 2005

CHRISTA MCAULIFE PLANETARIUM COMMISSION

David W. Davis, Keene

Succeeding: Andrew Svedlow, Goffstown, (resigned)

Effective: Upon confirmation

TERM: May 10, 2003

PERSONNEL APPEALS BOARD

Robert Johnson, Hillsboro

Reappointment

Effective: Upon confirmation

TERM: June 2, 2003

POSTSECONDARY EDUCATION COMMISSION

Rev. Jonathan DeFelice, Manchester

(on rec. of New Hampshire College and University Council)

Reappointment

Effective: Upon confirmation

TERM: June 30, 2005

DIRECTOR: DIVISION OF SAFETY SERVICES

David T. Barrett, Belmont

(Nominated by Commissioner)

Reappointment

Effective: Upon confirmation

Salary: Group N-Maximum-\$62,171

TERM: March 31, 2004

BUSINESS FINANCE AUTHORITY

#1 Authorized to hold a Public Hearing with respect to the contract ("Capital Access Program: Lender Participation Agreement") with Sovereign Bank New England. Action will authorize Resolutions under

RSA 162-A:18 to determine the contract will serve a public, use provide pubic benefit, the proposed participating bank is qualified to participate, appropriate measures have been taken to ensure CAP loans will be made under the requirements of the Act, the contract complies with RSA 162-A:12, and reasonable precautions have been made to minimize loss, all 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 ON JUNE 8, 2000, GRANGE HALL, HOPKINTON STATE FAIRGROUNDS, HOPKINTON, NEW HAMPSHIRE

At approximately 11:00 a.m., the Governor announced that the next matter to be considered would be the proposed contract entitled "Capital Access Program: Lender Participation Agreement" with the following bank: Sovereign Bank New England and declared that the public hearing on the subject had commenced. She said that she and the members of the Council had received written material from the Authority with respect to the proposed execution of the agreement. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Michael Donahue, Senior Credit Officer of the Authority, who briefly explained the proposed contract. 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-A:18 APPROVING THE EXECUTION OF THE STANDARD CONTRACT ENTITLED 'CAPITAL ACCESS PROGRAM: LENDER PARTICIPATION AGREEMENT' OF THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE BY THE SOVEREIGN BANK NEW ENGLAND" and moved its adoption, which was seconded by Councilor Streeter. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Spaulding, Councilor Griffin, Councilor 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-A:18 APPROVING THE EXECUTION OF THE STANDARD CONTRACT ENTITLED "CAPITAL ACCESS PROGRAM: LENDER PARTICIPATION AGREEMENT" OF THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE BY SOVEREIGN BANK NEW ENGLAND

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have previously, upon recommendation of the Business Finance Authority of the State of New Hampshire (the "Authority"), approved the Authority's standard contract entitled "CAPITAL ACCESS PROGRAM: LENDER PARTICIPATION AGREEMENT" (the "Standard Contract") by resolution dated September 2, 1992 (the "Approving Resolution"); and

WHEREAS, at the time of such approval of the Standard Contract, the Governor and Council made, upon recommendation of the Authority, certain findings and determinations pursuant to RSA 162-A:18 with respect to the approval of the Standard Contract, which findings and determinations are stated in the Approving Resolution;

WHEREAS, in the Approving Resolution, the Governor and Council authorized the Authority to take necessary and appropriate steps to cause the execution of the Standard Contract with qualifying State banking institutions; and

WHEREAS, acting pursuant to the direction of the Authority, the Executive Director of the Authority has received interest from Sovereign Bank New England (the "Specific Bank") to execute the Standard Contract and participate in the Authority's Capital Access Program through such execution; and

WHEREAS, the Executive Director of the Authority has examined such information as he has deemed necessary and appropriate and has determined that the Specific Bank is a duly organized bank or trust company authorized to make loans and accept deposits in the State of New Hampshire and accordingly is qualified to execute the Standard Contract and participate in the Capital Access Program;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed execution of the Standard Contract which they have requested;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and assuming (1) the execution of the Standard Contract as approved by the Governor and Council on September 2, 1992, by the Authority and an authorized officer of the Specific Bank, and (2) review and acceptance of the executed Standard Contract by an appropriate official of the Office of Attorney General upon receipt of a certificate of registration of the Specific Bank and a resolution of the board of directors of the Specific Bank authorizing execution of the Standard Contract, the Governor and Council hereby find:

(a) The proposed execution of the Standard Contract and the actions of the Authority and parties executing such Standard Contract taken pursuant to the terms of such Contract will serve a public use and provide a public benefit.

(b) The proposed execution of the Standard Contract and the actions of the Authority and parties executing such Standard Contract taken pursuant to the terms of such Contract is within the policy of, and the authority conferred by RSA Chapter 162-A.

(c) The proposed execution of the Standard Contract and the actions of the Authority and parties executing such Standard Contract taken pursuant to the terms of such Contract will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(d) The proposed execution of the Standard Contract and the actions of the Authority and parties executing such Standard Contract taken pursuant to the terms of such Contract will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

(e) Appropriate measures have been taken to ensure that a the Specific Bank participating under the terms of such Standard Contract makes only loans which meet the requirements of RSA 162-A:12, IV.

(f) The Standard Contract complies with RSA 162-A:12, III.

(g) Reasonable precautions have been taken to minimize the risk of loss to any reserve fund, which is established under the terms of the proposed Standard Contract.

(h) The Specific Bank is qualified to execute the Standard Contract and to participate under the terms of such Standard Contract and the applicable provisions of RSA Chapter 162-A.

Approval. Subject to (1) the execution of the Standard Contract as approved by the Governor and Council on September 2, 1992, by the Authority and an authorized officer of the Specific Bank, and (2) review and acceptance of the executed Standard Contract by an appropriate official of the Office of Attorney General upon receipt of a certificate of registration of the Specific Bank and a resolution of the board of directors of the Specific Bank authorizing execution of the Standard Contract, the Governor and Council approve the proposed execution of the Standard Contract by the Authority and

authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

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

Passed and Agreed to June 8, 2000.

OFFICE OF STATE PLANNING

The Governor and Executive Council acted as follows:

#2 Authorized to extend its lease agreement with Frank A. Graf, MD, 152 Court Street, Portsmouth in the amount of \$21,888 through June 30, 2002 for office space located at 152 Court Street, Portsmouth, NH.

#3 Authorized to AMEND an existing Memorandum of Agreement between the Office and the University of New Hampshire, Jackson Estuarine Laboratory, and the Department of Earth Sciences, UNH, Office of Sponsored Research, Service Building, 51 College Road, Durham, NH [Initially approved on April 12, 2000 (Item #4)], by changing the completion date from June 30, 2000 to September 30, 2000. No additional funds are required.

#4 Authorized to AMEND an existing Agreement with the City of Claremont, NH [Initially approved on February 3, 1999 (Item #3)], by increasing the funding level for the project by \$549,980 to a new total of \$760,000.

#5 Authorized to RETROACTIVELY AMEND an existing Memorandum of Agreement with the Department of Environmental Services [Initially approved on January 8, 1998, (Item #49)], by changing the completion date from September 30, 1999 to December 31, 2000 effective upon Governor and Council approval. No additional funds are required.

#6 Authorized to AMEND the current budget for the Route 2 Corridor Study by adding a class to allow for in-state travel costs associated with required OSP travel. [Initially approved on November 10, 1999 (Item #4)].

GOVERNOR'S COMMISSION ON DISABILITY

#7 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Griffin, authorized to enter into a Lease Agreement with McCarthy Properties for a monthly rental rate of \$2,435.83 for FY 2001, \$2,501.66 for FY 2002, and \$2,567.50 monthly for FY 2003-2005 for 3160 square feet of office space at 57 Regional Drive, Concord.

OFFICE OF EMERGENCY MANAGEMENT

The Governor and Executive Council acted as follows:

#8 Authorized to accept and expend \$66,357 from the Federal Emergency Management Agency for the period through May 23, 2002. NHDES will receive a sub-grant for mitigation projects at Three Ponds Dam and Lake Mascoma Dam. The Town of Peterborough will receive mitigation funds for the Fuel Tank Removal Project.

#9 Authorized to accept and expend a grant from the Federal Emergency Management Agency in the amount of \$3,937,00 through September 30, 2001 for "Disaster Assistance for Unmet Needs" with respect to damages accruing from the Ice Storm of January 1998.

#10 Authorized to execute a grant agreement with the Town of Peterborough, NH in the amount of \$48,750 through March 2, 2002 for the Underground Canal Project to analyze hazards and take appropriate corrective measures to mitigate damages associated with a very old underground canal.

GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES

#11 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Streeter, authorized to enter into a grant agreement with the Peterborough Lighting Committee, 1 Grove Street, Peterborough, NH in an amount not to exceed \$5,280 through June 30, 2001 to complete installation of a photovoltaic electricity generating system, and provide certain education opportunities and materials.

OFFICE OF THE ADJUTANT GENERAL

The Governor and Executive Council acted as follows:

#12 Authorized the nomination of Lt. Col. Michael D. Miller, 35 Stephen Drive, Goffstown, NH to the rank of Colonel, New Hampshire Air National Guard.

#13 Authorized the nomination of Capt. Elizabeth S. Terrien, 23 Balmoral Drive, Stratham, NH to the rank of Major, New Hampshire Air National Guard.

DEPARTMENT OF ADMINISTRATION SERVICES

The Governor and Executive Council acted as follows:

#14 Authorized to accept and place on file the list of Governor and Council meeting dates for the period of July through December 2000.

#14A Authorized to appoint Raymond S. Burton as a designee of the Executive Council to hold a hearing on the proposal for the refinancing of existing indebtedness, construction, renovation and purchase of equipment project in connection with the Taylor Home, Wolfeboro, New Hampshire.

TREASURY DEPARTMENT

#15 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, authorized to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of \$7,803.16.

ATTORNEY GENERAL

The Governor and Executive Council acted as follows:

#16 Authorized to reappoint Stephen J. Judge (Position #9U215) as an Assistant Attorney General, at a current salary Maximum, Group P, (\$74,372) and will remain the same for a term ending June 30, 2005.

#17 DENIED-The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Spaulding, voted to DENY the petition of Raymond A. Fowler requesting a pardon hearing for the offense of Attempted Burglary should be granted.

DEPARTMENT OF CULTURAL RESOURCES

#18 The Governor and Executive Council, on motion of Councilor Colantuono, seconded by Councilor Spaulding, authorized NH State Library to accept and expend a grant totaling \$500.00 for Kids, Books and the Arts from Crowley Foods, Inc., Concord, NH. "Kids, Books, and the Arts: the NH Summer Reading Experience" is a program designed to broaden the summer reading experience for children and their parents.

DEPARTMENT OF LABOR

#19 The Governor and Executive Council, on motion of Councilor Colantuono, seconded by Councilor Streeter, authorized to enter into a contract with SER Systems Inc., d/b/a DoxSys Inc., 7200 Wisconsin Avenue, Bethesda, Maryland in the amount not to exceed \$2,112,967.00 through June 30, 2005 to provide document management and workflow technology.

DEPARTMENT OF CORRECTIONS

The Governor and Executive Council acted as follows:

#20 Authorized to reclassify Position #12906, Corrections Officer, Salary Grade 13 to Supervisor VI, Salary Grade 26 effective upon Governor and Council approval.

#21 Authorized to enter into AMENDMENT #2 to a memorandum of agreement with the Department of Youth Development Services, 1056 North River Road, Manchester, NH through June 30, 2001 to provide Prescriptions and Pharmaceutical Consulting Services. This AMENDMENT increases the estimated agreement cost by \$31,907 in FY'00 and \$24,220 for FY'01 to \$83,155 for a new total of \$198,836.

FISH AND GAME DEPARTMENT

The Governor and Executive Council acted as follows:

#22 Authorized to enter into a memorandum of agreement with the Department of Corrections, Correctional Industries, Concord, NH to provide administrative support functions in registration activities for the NH Off Highway Recreational Vehicle program through June 30, 2001.

#23 Authorized to purchase a Conservation Easement of 3.63 acres of land on Clarksville Pond in the Town of Clarksville, NH from Joan M. Shatney, for the sum of \$25,600.00. The acquisition will allow for the re-construction, operation, maintenance, management and control of a public boat launch facility at the historic public access.

#24 Authorized to accept the donation of an easement on 2.3 acres of land on the Salmon Falls River in Somersworth, NH from the City of Somersworth.

#25 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Griffin, with Councilor Streeter voting NO, authorized to accept the donation of a Conservation Easement in perpetuity on 10.20 acres of land on the Soucook River in Loudon, NH from New Hampshire Speedway, Inc.

#25A Authorized to accept \$70,000 from the Department of Environmental Services to carry out the Southern New Hampshire Wetlands Assessment Project upon Governor and Council approval of the Memorandum of Agreement scheduled for this meeting. SOLE SOURCE

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Executive Council acted as follows:

#26 Authorized Division of Economic Development to accept and expend additional federal funds in the amount of \$36,386.00 from the Workforce Opportunity Council through June 30, 2001 to provide Worker Adjustment Retraining Notification activities and coordinate Rapid Response activities as defined in the Workforce Investment.

#27 Authorized Division of Forests and Lands to budget and expend prior year unexpended grant awards in the amount of \$11,422.32 to Urban Forestry Assistance, and \$12,788.40 to Forest Stewardship from the US Forest Service, under the Cooperative Forestry Assistance Act of 1978 in federal fiscal year 1998 through September 30, 2000.

#28 Authorized Office of Travel and Tourism Development to renew an agreement with Matthew H. Woodson, Manchester in an amount not to exceed \$40,000.00 through June 30, 2001 for film location scouting services.

#29 Authorized Division of Forests and Lands to enter into contract with Sky Bright, Inc., PO Box 7405, Gilford, NH in the amount of \$3,000.00 through September 30, 2000 for aerial surveillance of flying forest pest damaged areas.

#30 Authorized Division of Parks and Recreation, Bureau of Trails to enter into Grant-in-Aid Trail Maintenance Contracts in the total amount of \$31,823.40 with the OHRV clubs as listed in letter of May 15, 2000 with a completion date of January 1, 2001.

#31 Authorized Division of Parks and Recreation, Bureau of Trails to enter into Grant-in-Aid Equipment Contracts in the total amount of \$4,974.60 with the OHRV clubs as listed in letter of May 15, 2000 with a completion date of January 1, 2001.

#32 Authorized to enter into a contract with Complete Construction Solutions of Chichester, NH in the amount of \$9,520.00 through June 30, 2000 to provide contractor services for the International Trade Resource Center, Portsmouth. The proposed construction will create staff workstations and consolidate storage space.

#33 Authorized to AMEND the current contract with Graphito, Inc, Portsmouth, NH for an additional \$11,000.00 for a new total amount of \$111,000 through June 30, 2000 for Marketing and Advertising Agencies Services.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Executive Council acted as follows:

#34 Authorized to accept \$21,200 in federal funds from the US Environmental Protection Agency under the Performance Partnership Grant carryover funds through June 30, 2001.

#35 The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, with Councilors Streeter and Colantuono voting NO, authorized to enter into a contract with the Audubon Society of New Hampshire, in the amount of \$25,350 through January 31, 2001 to provide Habitat and Bio-diversity Assessment for properties owned by the Department. SOLE SOURCE

#36 The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Streeter voting NO, authorized to continue a maintenance agreement with SPECTRA Analytical Instruments in the amount of \$21,950.00 through June 30, 2001. SOLE SOURCE

#37 Authorized to enter into the Memorandum of Agreement with the NH Department of Health and Human Services, 6 Hazen Drive, Concord, NH in the amount of \$10,396.00 through December 31, 2000 for analysis of Hampton/Seabrook Harbor and Atlantic Coast water samples.

#38 The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Streeter voting NO, authorized to enter into a contract with the New England Interstate Water Pollution Control Commission, 100 Food of John Street, Lowell, MA in the amount of \$20,000.00 through June 30, 2001 for the study of fish tissue contaminants in the Connecticut River. SOLE SOURCE

#39 Authorized to enter into a contract with AMRO Environmental Laboratories Corporation, Merrimack, NH in the amount of \$50,000 through June 30, 2001 to provide analytical work on various hazardous waste samples, including soil and sludge samples.

#40 Authorized Water Division to enter into a contract for \$8,695.00 with R.H. White Construction Company, Inc., 41 Central Street, Auburn, MA through December 31, 2000 for cutting and disposal of concrete at the Department's Winnepesaukee River Basin wastewater treatment plant.

#41 Authorized to AMEND an existing contract with Connectivity, Inc., 13 Hampshire Drive, Hudson, NH by increasing the contract by \$2,460.47 from \$80,000.00 to \$82,460.47 through June 30, 2000.

#42 Authorized to RETROACTIVELY extend the contract with Golder Associates, Inc. from December 31, 1999 to December 31, 2000 to provide Environmental Inspection Services for construction of natural gas pipeline, Rockingham and Coos Counties, NH.

#43 Authorized to AMEND a contract with Pleasant Lake Association, PO Box 53, Deerfield, NH through September 30, 2001. This is a time extension request and involves no new funds.

#44 Authorized Waste Management Division to AMEND the remedial action construction price limit [Initially approved on November 5, 1997 (Item #44)], to include settlement costs in the amount of \$350,000 with Sverdrup Environmental, Inc., 13723 Riverport Drive, Maryland Heights, MO.

#45 The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Streeter voting NO, authorized Waste Management Division to AMEND an existing contract with Camp Dresser & McKee, Inc., Ten Cambridge Center, Cambridge, MA in the amount of \$481,577 from \$1,397,546 to \$1,879.123 for management and engineering services during second year operations at the Savage Municipal Water Supply Well Superfund Site in Milford, NH. SOLE SOURCE

#46 Authorized the loan agreement with the Town of Goffstown in the amount of \$2,640,000 for the design and construction of the Town's unlined landfill closure program.

#47 Authorized the loan agreement with the Town of Gilmanton in the amount of \$750,000 for the design and construction of the Town's unlined landfill closure program.

#47A Authorized a memorandum of agreement between the Department; The Department of Fish and Game, and the Department of Resources and Economic Development in the amount of \$176,000 to conduct a Southern New Hampshire Wetlands Assessment Project through September 30, 2003.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Community & Public Health

The Governor and Executive Council acted as follows:

#48 Authorized to pay Association of State and Territorial Health Officials \$9,400 annual membership dues through June 30, 2001.

#49 Authorized Bureau of Maternal and Child Health, Family Planning Program to enter into an agreement with Charles L. Moore, Lexington, MA in the amount of \$60,000 through June 30, 2001 to establish a Family Planning Best Practices Project to identify and document best practices for a routine initial visit for oral contraceptives at ten family planning clinics within New Hampshire.

#50 Authorized Special Medical Services Bureau to enter into an agreement with the Concord Regional Visiting Nurse Association, Concord, NH in an amount not to exceed \$97,393.64 through June 30, 2001 to provide community-based care coordination to children identified with special health care needs residing in Merrimack County.

#51 Authorized to contract with Weeks Medical Center of Lancaster, NH in the amount of \$27,860 through June 30, 2001 to provide comprehensive medical, social and educational services for family planning.

#52 Authorized to contract with the Merrimack Valley Assistance Program, Inc., Concord, NH in the amount of \$157,564 through June 30, 2001 to provide HIV/AIDS risk reduction and education programs targeted to men, injection drug users, and HIV-positive individuals.

#53 Authorized to contract with AIDS Response of the Seacoast of Portsmouth, NH in the amount of \$127,400 through June 30, 2001 to provide HIV/AIDS risk reduction and education programs.

#54 Authorized Breast and Cervical Cancer Program to enter into an agreement with Elliot Hospital, Manchester, NH for the amount of \$203,335 through June 30, 2001 to provide services to maintain an Administrative and Screening Center for Breast and Cervical Cancer.

#55 Authorized Breast and Cervical Cancer Program to enter into an agreement with the Trustees of Dartmouth College, Hanover, NH for the amount of \$325,360 through June 30, 2001 to provide services to maintain an Administrative and Screening Center for Breast and Cervical Center.

#56 Authorized to contract with the New Hampshire Minority Health Coalition of Manchester, NH in the amount of \$53,292 through June 30, 2001 to provide HIV/AIDS risk reduction and education programs targeted to minority populations.

#57 Authorized to AMEND an existing agreement with the City of Nashua, NH [Initially approved on June 22, 1999 (Item #196) and amended on April 26, 2000 (Item #85)], by increasing the dollar amount by \$124,947, from \$416,366 to \$541,303 through June 30, 2001.

#58 Authorized to AMEND an existing agreement with Northern New Hampshire Mental Health and Development Services of Conway, NH [Initially approved on June 22, 1999 (Item #197)], by increasing the dollar amount by \$193,613 from \$163,024 to \$356,637 through June 30, 2001.

#59 Authorized to AMEND an existing agreement with VNA/Hospice of Southern Carroll County and Vicinity of Wolfeboro, NH [Initially approved on June 9, 1999 (Item #69)], by increasing the dollar amount by \$68,600 from \$18,600 to \$87,200 through June 30, 2001.

#60 Authorized to AMEND an existing agreement with The Neighborhood Health Center of Greater Nashua, Nashua, NH [Initially approved on June 22, 1999 (Item #205)], by increasing the dollar amount by \$518,066 from \$381,671 to \$899,737 through June 30, 2001.

#61 Authorized to AMEND an existing agreement with Lamprey Health Care Newmarket, NH [Initially approved on June 22, 1999 (Item #207)], by increasing the dollar amount by \$361,959, from \$144,959 to \$506,918 through June 30, 2001.

#62 Authorized to AMEND an existing agreement with Community Action Program Belknap/Merrimack Counties, Inc., Concord, NH [Initially approved on June 22, 1999 (Item #198)], by increasing the dollar amount by \$330,040, from \$233,140 to \$563,180 through June 30, 2001.

#63 Authorized to AMEND an existing agreement with Health First Family Care Center of Franklin, NH [Initially approved on June 22, 1999 (Item #193) and amended on March 22, 2000 (Item #93)], by increasing the dollar amount by \$25,000, from \$578,686 to \$603,686 through June 30, 2001.

#64 Authorized to AMEND an existing agreement with Avis Goodwin Community Health Center, Dover, NH [Initially approved on June 9, 1999 (Item #65)], by increasing the dollar amount by \$416,478, from \$622,077 to \$1,038,555 through June 30, 2001.

#65 Authorized to AMEND an existing agreement with Coos County Family Health Services, Berlin, NH [Initially approved on June 22, 1999 (Item #192)], by increasing the dollar amount by \$226,748, from \$265,369 to \$492,117 through June 30, 2000.

Office of Family Services

The Governor and Executive Council acted as follows:

#66 Authorized Children, Youth and Families to enter into an agreement with Strafford County Community Action Committee, Inc., Rochester, NH in an amount not to exceed \$120,000.00 through June 30, 2002 to provide Child Care Resource and Referral and Consumer Education Services to parents throughout the Rochester District Office.

#67 Authorized Children, Youth and Families to enter into an agreement with the City of Nashua, Health & Community Services Division, Nashua, NH in an amount not to exceed \$96,892.00 through June 30, 2001 to provide Child Care Resource and Referral and Consumer Education Services through its Office of Child Care Services, to parents throughout the Nashua District Office.

#68 Authorized Children, Youth and Families to enter into an agreement with Families Matter in Carroll County, Center Ossipee, NH in an amount not to exceed \$40,000.00 through June 30, 2002 to provide Child Care Resource and Referral and Consumer Education Services to parents throughout the Conway District Office.

#69 Authorized Children, Youth and Families to enter into an agreement with North Country Education Services Foundation d/b/a Child Care Services of Coos County, Gorham, NH in an amount not to exceed \$80,000.00 through June 30, 2002 to provide Child Care Resource and Referral and Consumer Education Services to parents throughout the Berlin and Littleton District Office areas.

#70 Authorized Family Assistance to enter into an agreement with Second Start, Concord, NH in the amount of \$1,373,926.00 through June 30, 2002 to provide employment preparation activities under the New Hampshire Employment Program.

#71 Authorized Family Assistance to enter into an Agreement with Southern New Hampshire Services, Manchester in the amount of \$179,068.71 through September 30, 2001 for the purpose of obtaining employment and training services.

#72 Authorized Division of Alcohol and Drug Abuse Prevention & Recovery to RETROACTIVELY enter into an agreement with Jennifer Selfridge, 22 Riverview Drive, Niskayuna, NY in an amount not to exceed \$3,162.50 for the period May 1, 2000 through May 26, 2000 to conduct two training's.

#72A The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilors Griffin and Councilor Colantuono voting NO, authorized Division of Developmental Services to participate in Leadership New Hampshire and further Authorized payment

to Leadership New Hampshire, 122 North Main Street, Concord, NH in the amount of \$2,200.00 to cover tuition through June 30, 2001.

Behavioral Health

The Governor and Executive Council acted as follows:

#73 Authorized to pay the National Association of State Mental Health Program Directors \$8,551.00 annual membership dues for the period July 1, 2000, through June 30, 2001.

#74 Authorized to AMEND contract [Initially approved on June 22, 1999 (#216)], with Roman Catholic Bishop of Manchester, St. John Newman, 708 Milford Road, Merrimack, NH by increasing the price limitation by \$4,000.00 from \$10,000.00 to \$14,000.00.

#75 Authorized to enter into an RETROACTIVE agreement with Cross Roads House, Inc., 600 Lafayette Road, Portsmouth, NH in an amount not to exceed \$50,899.00 through December 31, 2000 to provide services to homeless individuals.

#76 Authorized to enter into a RETROACTIVE agreement with Southwestern Community Services, Inc., PO Box 603, Keene, NH in an amount not to exceed \$71,000.00 through December 31, 2000 to provide services to homeless individuals.

#77 Authorized to enter into an RETROACTIVE agreement with New Hampshire Coalition Against Domestic and Sexual Violence, PO Box 353, Concord, NH in an amount not to exceed \$16,000.00 through December 31, 2000 to provide services to homeless individuals.

#78 Authorized the Glencliff Home For The Elderly to pay overtime in the amount of \$81,000.00 for permanent personnel from class 010 appropriation for the positions that are vacant due to illness or extended leaves of absence.

Elderly & Adult Services

The Governor and Executive Council acted as follows:

#79 Authorized to enter into an agreement with Concord Housing Authority, Concord, NH in an amount not to exceed \$118,128.00 through September 30, 2001 to provide Congregate Housing Services.

#80 Authorized to RETROACTIVELY AMEND an existing Agreement with North Country Home Health Agency, Inc., Littleton, NH [Initially approved on June 9, 1999 (Item #105)], by increasing the contract by \$70,014.94 from \$374,221.64 to \$444,236.58 through June 30, 2001 to provide Homemaker, Home Health Aide, Adult In-Home Care and Alzheimer's Disease and Related Disorder Respite Care services.

NEW HAMPSHIRE HOSPITAL

The Governor and Executive Council acted as follows:

#81 Authorized Division of Behavioral Health, to reclassify position number 19023 from a Supervisor III, salary grade 22, to a Senior Psychiatric Social Worker, salary grade 23.

#82 Authorized to pay overtime in the amount of \$397,177.00 for permanent personnel from Class 10 appropriations for positions that are vacant due to illness, extended leaves of absence, or pending recruitment at the New Hampshire Hospital.

DEPARTMENT OF EDUCATION

The Governor and Executive Council acted as follows:

#83 Authorized to grant Michelle Lapointe, Vocational Rehabilitation Counselor II, a leave of absence, with pay, from June 19, 2000 through July 13, 2000.

#83A Authorized to grant Kelly Fleese, Vocational Rehabilitation Counselor II, a leave of absence with pay, from June 19, 2000 through July 13, 2000.

#84 Authorized to pay the FY 1000 V-TECS Membership Fee to the Southern Association of Colleges and Schools, Inc. in the amount of \$6,600.

#85 Authorized to conduct a one-day semi-annual BSLI progress meeting to be held at the Wayfarer Inn, Bedford, NH, on June 9, 2000 at a total cost not to exceed \$4,786.75.

#86 Authorized Division of Adult Learning and Rehabilitation to conduct a two-day conference focusing on strategic planning to be held at The Radisson Hotel and Conference Center, Merrimack, NH on June 14 and 15, 2000 at a cost not to exceed \$11,648.00.

SWEEPSTAKES COMMISSION

The Governor and Executive Council acted as follows:

#87 Authorized to enter into a three year contract with an option to extend for 1 additional two year period to lease and service instant ticket vending machines with Interlott Technologies, Inc., 10830 Millington Court, Cincinnati, Ohio beginning July 1, 2000 with a total price not to exceed \$2,614,500.

#87A Authorized to renew the advertising contract with O'Neil Griffin Bodi, Inc., Manchester, NH in the amount of \$3,300,054 through June 30, 2002 for the purpose of advertising and promoting the State Lottery Games.

DEPARTMENT OF SAFETY

#88 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, authorized to reclassify Position #10390, Data Control Clerk II, labor grade 9 to Systems Development Specialist III, labor grade 22.

DEPARTMENT OF TRANSPORTATION

The Governor and Executive Council acted as follows:

#89 Authorized a new Layout Commission to be appointed for the Gilford FAS 215 (1), P-3358 for NH Route 11 for the purpose of emendating the Commissioners Return to eliminate the layout of Blaisdell Avenue which is to be transferred to the Town of Gilford.

#90 Authorized to accept and expend grant funds pursuant to RSA 228:71, X from the US Department of Transportation, Federal Transit Administration in the amount of \$158,325.

#91 Authorized to accept and expend grant funds pursuant to RSA 228:71, X from the US Department of Transportation, Federal Transit Administration in the amount of \$450,314.00.

#92 Authorized the Contemplated Award List for the period May 3, 2000 through May 15, 2000.

#93 Authorized to reimburse the Greater Laconia Transit Agency for eligible expenses related to marketing and public information on public transportation in an amount not to exceed a total of \$9,600.00.

#94 Authorized rubbish contract with Waste Management of NH, Inc., 25 Monadnock Highway, N Swanzey, NH, in the amount of \$25,220.00 for the purpose of providing rubbish disposal services at 14 District 04 Patrol Buildings.

#95 Authorized to continue membership in the Multi-State Technical Assistance Program, which is administered by the American Association of State Highway and Transportation Officials, Washington, DC in the amount of \$4,000.00 through June 30, 2001.

#96 Authorized to enter into a contract with Harry-O Electrical Corp, 73 Route 129, Loudon, NH on the basis of a low bid which provided installation of one generator and two automatic switches at a lump sum fee of \$38,977.00

#97 Authorized to enter into an agreement with Southwest Region Planning Commission, 20 Central Square, Keene, NH to undertake a transportation study for the City of Keene for a fee not to exceed \$25,000.00.

#98 Authorized to enter into an agreement with Tri-County Community Action Program, Inc., 31 Pleasant Street, Berlin, NH for an amount not to exceed \$79,173.00 in Federal Transit Administration Section 5311 funds through June 30, 2001 for the purpose of assisting with administration and operating costs of public transportation services.

#99 Authorized to enter into an agreement with Community Transportation Services, Inc., PO Box 689, Claremont, NH for an amount not to exceed \$144,900.00 in Federal Transit Administration Section 5311 funds through June 30, 2001 for the purpose of assisting with administration and operating costs of public transportation services.

#100 Authorized to enter into agreement, per RSA 228:71, VII, with Advance Transit, Inc., PO Box 635, Wilder, VT for an amount not to exceed \$15,000.00 in Federal Transit Administration, State Planning and Research Program Funds, for the Demand-Response portion of the Transit Development Plan for the Upper Valley.

#101 Authorized to increase the contingency for Contract #522813 with Pike Industries, Inc., Belmont, NH by \$128,175.00 (from \$162,142.50 to \$290,317.50).

#102 Authorized to modify the Department's Agreement with Vanasse Hangen Brustlin, Inc., Kilton Road, Bedford, NH by increasing the total amount payable under the Agreement by \$160,100.21 from \$831,654.64 to \$991,754.85.

#103 Authorized to enter into an agreement with McFarland-Johnson, Inc., 10 Ferry Street, Concord, NH for a total lump sum of \$107,616.00 for engineering services for final design of improvement of US Route 3/NH Route 11 and West Bow Street (NH Route 127) Intersection in City of Franklin.

#104 Authorized to modify the Department's Agreement for engineering services with Parsons Transportation Group, Inc., Two Capital Plaza, Concord, NH increasing the total amount payable under the agreement by \$3,879,177.00 from \$3,674,447.00 to \$7,553,624.00.

#105 Authorized to sell 0.39 acre parcel of land located in the Town of Lincoln to Edward Clermont (Beacon Motel Inc.) for \$20,200.00. The Department will also quitclaim to Mr. Clermont, all the old US Route 3 right-of-way situated outside the current US Route 3 right-of-way limits as it abuts his property. Mr. Clermont in turn will grant to the State a 1,600 square foot easement and also grant the State easement rights to a right-of-way located along the southerly property line.

#106 Authorized to enter into a Purchase and Sale Agreement with the Boston and Maine Corporation to acquire a parcel of abandoned railroad property in Whitefield and Jefferson for a price not to exceed \$40,000.00.

#107 Authorized to sell to the Keene Country Club, 755 West Hill Road, Keene, NH an area of 10,800 square feet, more or less, of the State-owned Cheshire Branch Railroad Line in the City of Keene for \$2,000.00 plus a one time administrative fee of \$500.00.

#108 Authorized to increase Contingency Contract #521992 with North Branch Builders Construction, Inc. by \$629,830.00 for a total contingency of \$658,000 for the purpose of addition and renovations to the John O. Morton Building, Concord, NH.

#108A Authorized contract with S.U.R. Construction, Inc., Rochester, NH, on the basis of a low bid of \$1,154,672.68 to provide for pavement rehabilitation and safety improvements on US Route 4 and Back River Road.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Executive Council acted as follows:

#109 Authorized request of Public Service Co. of NH to stabilize contaminated sediments in Opechee Bay and the Winnepesaukee River on property located on Messer Street in Laconia.

#110 Authorized request of Merrimack Valley YMCA Camping Services to relocate fender pilings and replace a floating pier installed with a piling supported extension of a crib pier accessed by a walkway on property located at Bear Island on Lake Winnepesaukee in Meredith.

#111 Authorized request of Robert and Sandra Moses to construct a breakwater with associated structures on property located at Long Island on Lake Winnepesaukee in Moultonborough.

#112 Authorized request of Raymond and Joanne Lucia to construct a breakwater, angled to the shore, with associated structures on property located at Wolfeboro Neck on Lake Winnepesaukee in Wolfeboro.

#113 Authorized request of Sue and Paul Lenkarski to construct a breakwater with associated structures on property located at Long Island on Lake Winnepesaukee in Moultonborough.

#114 Authorized to change name to Pick Point Lodge, Inc., PO Box 220, Mirror Lake, NH on property located at Lake Winnepesaukee in Tuftonboro.

#115 Authorized request of Robert Folsom to install a piling supported pier on property located at Round Island on 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 Item #B approved the following tuition requests:

A. COMMUNITY TECHNICAL COLLEGE - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$350.00 for the sole purpose of enrolling Wesley Lavigne, Security Officer, in the course entitled "Introduction to Western Music".

B. COMMUNITY TECHNICAL COLLEGE - Request permission to pay University of Massachusetts, Boston, MA, the sum of \$495.00 for the sole purpose of enrolling Patricia Shay, Director Admissions & Enrollment Mgmt, in the course entitled "Educational Leadership Skills I".

C. EMERGENCY MANAGEMENT - Request permission to pay New Hampshire College Continuing Education, Manchester, NH, the sum of \$549.00 for the sole purpose of enrolling Janice Wing, Business Administrator I, in the course entitled "Statistics".

D. HEALTH & HUMAN SERVICES, Office of Administration - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of \$805.00 for the sole purpose of enrolling Karen Blizzard-Royce, Administrative Secretary, in the courses entitled "Principles of Management" and "Business Law".

E. HEALTH & HUMAN SERVICES, Office of Information Systems - Request permission to pay New Hampshire College Graduate School of Business, Manchester, NH, the sum of \$999.00 for the sole purpose of enrolling Barbara Hoover, Information Technology Manager II, in the course entitled "Financial Management".

F. HOSPITAL - Request permission to pay University of New Hampshire, Durham, NH, the sum of \$800.00 for the sole purpose of enrolling Diane Lapp, Occupational Therapist II, in the course entitled "Reframing Occupational Therapy Practice".

G. HOSPITAL - Request permission to pay College for Lifelong Learning, Manchester, NH, the sum of \$620.00 for the sole purpose of enrolling Carl Steele, Recreational Therapist II, in the course entitled "Reimbursement & Financing Techniques".

H. INSURANCE - Request permission to pay New Hampshire College, Manchester, NH, the sum of \$1,104.00 for the sole purpose of enrolling Christopher Jewell, Junior Examiner, in the course entitled "Computer Information Systems 500".

I. SWEEPSTAKES - Request permission to pay New Hampshire College Graduate School of Business, Manchester, NH, the sum of \$1,998.00 for the sole purpose of enrolling Crystal Dionne, Chief Accountant, in the courses entitled "Computer Information Systems" and "Quantitative Analysis".

J. TRANSPORTATION - Request permission to pay New Hampshire College, Manchester, NH, the sum of \$499.50 for the sole purpose of enrolling Tara McAuliffe, Civil Engineer II, in the course entitled "Quantitative Analysis", also to pay New Hampshire College, Manchester, NH, the sum of \$499.50 for the sole purpose of enrolling Tara McAuliffe, Civil Engineer II, in the course entitled "Computer Information Systems".

K. YOUTH DEVELOPMENT SERVICES - Request permission to pay New Hampshire College, Manchester, NH, the sum of \$1,998.00 for the sole purpose of enrolling William Flowers, Teacher, in the courses entitled "Consumer Behavior" and "Training & Development".

#117 TRAVEL REQUESTS

The Governor and Executive Council approved the following travel requests:

A. COMMUNITY TECHNICAL COLLEGE - Request permission for (2) employees, Sara Sawyer, Director of Human Resources and Kathleen Dalphond, Human Resource Technician, or designee, to travel to Princeton, NJ, on July 29 - August 2, 2000, to attend the Annual Human Resources Strategic Planning and Strategies Conference. Permission is also requested for a waiver to exceed the 300-mile radius by state vehicle. Total Cost: 2782.00. Source of Funds: 53% General & 47% Other Funds. Registration Fee: 850.00.

B. CULTURAL RESOURCES, Division of the Libraries - Request permission for (1) employee, Janet Eklund, Administrator of Library Operations, or designee, to travel to Chicago, IL, on July 6-12, 2000, to attend the American Library Association Annual Conference. ALSO A CASH ADVANCE OF \$1400.00 IS REQUESTED FOR Janet Eklund. Total Cost: 1416.00. Source of Funds: 100% Federal Funds. No Registration Fee.

LATE ITEMS

A. DEPARTMENT OF TRANSPORTATION

Authorized to approve a contract with Franchi Equipment of Marlborough, MA, in the amount of \$963,102.39 for a retaining wall and approach work on NH Route 10, Surry Road and Ashuelot River.

B. DEPARTMENT OF TRANSPORTATION

Authorized to approve contract with Pike Industries, Inc., Belmont, NH in the amount of \$2,383,462.50 for pavement rehabilitation and safety work on NH Route 104 and along I-89.

C. DEPARTMENT OF ADMINISTRATIVE SERVICES: NH Health and Education Facilities Authority
Authorized to appoint Bernard A. Streeter as a designee of the Executive Council to hold a hearing on the proposal for the minor renovations and equipment project in connection with the Monadnock Community Hospital, Peterborough, NH.

D. DEPARTMENT OF ADMINISTRATIVE SERVICES: NH Health and Education Facilities Authority
Approval of Report and Findings of Councilor Peter J. Spaulding with regard to a certain project with Franklin Pierce Law Center Corporation of Concord, NH.

E. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Authorized to accept and expend \$4,230,629 in federal funds and \$2,654,345 in county funds and transfer \$665,000 in general funds to the Division of Elderly and Adult Services. FISCAL COMMITTEE APPROVED

F. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Authorized to transfer \$2,800,000 in federal, state and county funds between expenditure classes.

The Governor set the next meeting of Governor and Executive Council for Wednesday, June 21, 2000 at 10:30 a.m. at the Manchester City Hall, Manchester, New Hampshire.

The Honorable Board then adjourned.