

Minutes May 24, 2000

GOVERNOR AND EXECUTIVE COUNCIL MINUTES

State House, Concord, New Hampshire
May 24, 2000
10:30 a.m.
#9

On motion of Councilor Streeter, seconded by Councilor Colantuono, the Governor and Executive Council voted to adjourn the meeting of May 10, 2000. The Governor and Executive Council convened the May 24, 2000 meeting at 10:30, with all present.

The Governor and Executive Council, on motion of Councilor Streeter, seconded by Councilor Colantuono, accepted the minutes of May 10, 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 10, 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:

BOARD OF DENTAL EXAMINERS

Robert J. Haney, DDS, Concord
Effective: June 4, 2000
Reason: Personal

STATE APPRENTICESHIP COUNCIL

Raymond Welch, Hooksett
(Labor)
Effective: June 1, 2000
Reason: Retirement
CONFIRMATIONS

The Governor and Executive Council confirmed the following:

STATE COMMITTEE ON AGING

Suzanne Keller (d), Merrimack
(District 5)
Reappointment
Effective: June 24, 2000
TERM: June 24, 2003

Albert LaBonte (d), Somersworth
(District 2)
Reappointment
Effective: June 24, 2000
TERM: June 24, 2003

ARTIST LAUREATE

James Bolle, Frankestown

Succeeding: Gerry Williams, Goffstown
Effective: May 24, 2000
TERM: February 18, 2002

HAZARDOUS MATERIAL TRANSPORTATION ADVISORY BOARD

Andrew C. Reed, South Hampton
(Hazardous Material Carrier Industry)
Succeeding: Terry Nightingale, East Hampstead
Effective: May 24, 2000
TERM: January 30, 2001

George W. Sleeth II, Nothingham
(Hazardous Material User Industry)
Vacancy
Effective: May 24, 2000
TERM: January 30, 2003

NEW HAMPSHIRE HOUSING FINANCE AUTHORITY

Gregory M. Dickinson (r), Gilford
Succeeding: Ralph Labnon, Gorham
Effective: May 24, 2000
TERM: July 1, 2005

ADVISORY COUNCIL ON WORKER'S COMPENSATION

Ronald P. Charland, Manchester
(Labor)
Reappointment
Effective: June 13, 2000
TERM: June 13, 2003

NOMINATIONS

The Governor nominated the following:

DIVISION OF CHILDREN, YOUTH AND FAMILIES ADVISORY BOARD

Debra Clark Valentine, Lincoln
(Grafton County)
Reappointment
Effective: Upon confirmation
TERM: July 11, 2002

CONNECTICUT RIVER ATLANTIC SALMON COMPACT

Charles F. Thoits III, Warner
Reappointment
Effective: Upon confirmation
TERM: June 20, 2003

CONNECTICUT RIVER VALLEY RESOURCE COMMISSION

John B. Tucker, New London
(public member)
Reappointment
Effective: Upon confirmation
TERM: January 22, 2003

HAZARDOUS MATERIAL TRANSPORTATION ADVISORY BOARD

Kendall B. Hughes, Ashland

(public member)
Succeeding: Robert Watts, Campton
Effective: Upon confirmation
TERM: January 30, 2001

NEW HAMPSHIRE RETIREMENT SYSTEM BOARD OF TRUSTEES

Andrea Amadeo-Vickery, Amherst
(non-member trustee)
Reappointment
Effective: Upon confirmation
TERM: July 13, 2002

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

STATE VETERAN'S COUNCIL

Margaret W. Nally, Newton
Reappointment
Effective: Upon confirmation
TERM: June 30, 2003

BUSINESS FINANCE AUTHORITY

#1 Authorized to hold a Public Hearing with respect to the financing of an industrial facility by the Business Finance Authority for Eastern Rainbow, Inc. located in Nashua, New Hampshire. Action will Authorized a Resolution under RSA 162:I:9 to determine the financing will serve a public use, provide public benefit and are 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 MAY 24, 2000 IN THE COUNCIL CHAMBER, STATE HOUSE, CONCORD

At 11:00 a.m. the Governor announced that the next matter to be considered would be the financing of an industrial facility project by the Business Finance Authority for Eastern Rainbow, Inc. 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. Michael Donahue, Senior Credit Officer of the Authority, briefly explained the project, emphasized that the credit of the State was not involved and introduced Robert Stewart Jr., owner of the project. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Streeter introduced a resolution entitled "A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF AN INDUSTRIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR EASTERN RAINBOW, INC. IN NASHUA, NEW HAMPSHIRE" and moved its adoption, which was seconded by Councilor Colantuono. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor 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 ISSUANCE OF UP TO \$2,250,000 REVENUE BONDS BY THE BUSINESS FINANCE AUTHORITY OF THE STATE OF NEW HAMPSHIRE TO FINANCE AN INDUSTRIAL FACILITY FOR EASTERN RAINBOW, INC. IN NASHUA, NEW HAMPSHIRE

WHEREAS, the Governor and Council have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and a determination under RSA 162-I:9 with respect to the financing or refinancing of an industrial facility for Eastern Rainbow, Inc. (the "Borrower"), in Nashua, New Hampshire, by the Authority's issuance of up to \$2,250,000 in revenue bonds (the "Bonds") under RSA 162-I:1 et seq. (the "Act"); and

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

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

NOW, THEREFORE, in consideration of the foregoing, 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 to be financed or refinanced with the proceeds of the Bonds consists of: (i) the acquisition and installation of certain manufacturing equipment (the "Project"); and (ii) the payment of certain closing costs (collectively, the "Facility"). The Facility is within the definition of "Industrial Facility" in RSA 162-I:2 and may be financed under the Act.

(2) The establishment and operation of the Facility will create or preserve employment opportunities directly or indirectly within the State of New Hampshire (the "State") or will help to protect and enhance the State's physical environment or will accomplish both purposes.

(b) General Findings.

(1) The creation, establishment, acquisition, construction, expansion, remodeling or replacement of the Facility (the "Project") and the proposed financing of the Project are feasible.

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

(3) The Loan and Security Agreement and the other documents to be executed in connection with the issuance of the Bonds, including the Escrow Agreement (collectively, the "Financing Documents"), 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 proceeds of the Bonds or from funds received under the Financing Documents, exclusive of funds received under the Financing Documents by the Authority for its own use.

(4) The Financing Documents 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.

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

Section 2. Ultimate Finding and Determination. The Governor and Council find that the proposed financing, operation and use of the Facility will serve a public use and provide a public benefit and 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 hereby approve the Authority's taking such further action under the Act with respect to the transaction involving the Facility, the Project and the Bonds as may be required.

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

Passed and Agreed to: May 24, 2000.

OFFICE OF STATE PLANNING

The Governor and Executive Council acted as follows:

#2 Authorized to accept and expend funds in the amount of \$20,000 from the Environmental Protection Agency through November 30, 2000 for the statewide sprawl study.

#3 Authorized to accept and expend an additional \$1,000,000.00 in federal Community Development Block Grant funds from the US Department of Housing and Urban Development through June 30, 2002.

#4 Authorized to accept and expend a \$20,000 grant from the National Fish and Wildlife Foundation for the Little River Salt Marsh Restoration project as further defined the Grant Agreement between the Office of State Planning and the National Fish and Wildlife Foundation through September 30, 2000.

#5 Authorized to enter into the Memorandum of Agreement with the University of New Hampshire Cooperative Extension Sea Grant Program, Office of Sponsored Research, Service Building, Room 111, 51 College Road, Durham, NH in the amount of \$14,600 in federal funds through December 31, 2000.

#6 Authorized to AMEND an existing Agreement with the City of Concord, NH and the County of Merrimack, [Initially approved on July 21, 1999 (Item #12)], by increasing the funding level for the project by \$242,750 to a new total of \$475,500 and changing the end date from December 31, 2000 to June 30, 2001.

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

#8 Authorized to AMEND an existing Agreement with the County of Belknap New Hampshire, [Initially approved on December 16, 1998, Agenda 9], by extending the completion date from June 30, 2000 to June 30, 2001. No additional state or federal funds are required by this action.

GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES

The Governor and Executive Council acted as follows:

#9 Authorized to budget and expend previously approved and unspent Petroleum Violation Escrow Funds in the amount of \$79,531.00.

#10 Authorized to enter into a contract with Southern New Hampshire Services, Inc., 40 Pine Street, Manchester, NH as a grant recipient under the Community Service Block Grant during the period from May 24, 2000 to July 31, 2000 in an amount not to exceed \$10,000.00.

#11 Authorized to enter into a grant agreement with the Town of Northumberland, 2 State Street, Groverton, NH in an amount not to exceed \$14,900 through June 30, 2001 to complete installation of certain energy conservation and renewable energy measures, and to provide certain educational opportunities and materials.

#12 Authorized to enter into a grant agreement with Lincoln-Woodstock Cooperative School District, SAU#68, PO Box 846, Lincoln, NH in an amount not to exceed \$6,983 through June 30, 2001 to complete installation of certain energy conservation measures, and provide certain educational opportunities and materials.

#13 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Streeter abstaining, authorized to enter into a grant agreement with the City of Nashua, 229 Main Street, Nashua, NH in an amount not to exceed \$10,000 through June 30, 2001 to complete installation of certain energy conservation measures, and provide certain educational opportunities and materials.

#14 Authorized to enter into a grant agreement with the Town of Goffstown, 16 Main Street, Goffstown, NH in an amount not to exceed \$7,640 through June 30, 2001 to complete installation of certain energy conservation measures, and provide certain educational opportunities and materials.

#15 Authorized to enter into a grant agreement with Strafford County, 276 County Farm Road, Dover, NH in an amount not to exceed \$10,000 through June 30, 2001 to complete installation of certain energy conservation measures, and provide certain educational opportunities and materials.

#16 Authorized to enter into a grant agreement with the Town of Eaton, PO Box 88, Eaton, NH in an amount not to exceed \$4,727 through June 30, 2001 to complete installation of certain energy conservation measures, and provide certain educational opportunities and materials.

#17 Authorized to enter into a grant agreement with Chichester Central School, 219 Main Street, Chichester, NH in an amount not to exceed \$760 through June 30, 2001 to complete installation of certain energy conservation measures, and provide certain educational opportunities and materials.

#18 Authorized to enter into a grant agreement with Manchester School District, SAU#37, 196 Bridge Street, Manchester, NH in an amount not to exceed \$7,500 through June 30, 2001 to complete installation of certain energy conservation measures, and provide certain educational opportunities and materials.

#19 Authorized to enter into a grant agreement with the Town of Warner, 5 East Main Street, PO Box 265, Warner, NH in an amount not to exceed \$11,968 through June 30, 2001 to complete installation of certain energy conservation measures, and provide certain educational opportunities and materials.

#20 Authorized to enter into a grant agreement with the Town of Bradford, PO Box 436, Bradford, NH in an amount not to exceed \$15,000 through June 30, 2001 to complete installation of certain energy conservation measures, and provide certain educational opportunities and materials.

OFFICE OF EMERGENCY MANAGEMENT

#21 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, authorized to transfer \$16,019 as specified in letter dated April 10, 2000. FISCAL COMMITTEE APPROVED

OFFICE OF ADJUTANT GENERAL

The Governor and Executive Council acted as follows:

#22 Authorized to enter into a Contract with Lloyd Center For Environmental Studies, S Dartmouth, MA in the amount of \$10,830.00 through December 22, 2000 to perform State Military Reservation Baseline Butterfly and Moth survey at the Concord State Military Reservation. The cost of this contract shall be reimbursed to the State by the federal government at a rate of 100%.

#23 The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Streeter voting NO, authorized to enter into a six-year installment purchase agreement with Casey Equipment & Rental Corp., Kingston, NH in the amount of \$99,282.00 with six annual payments of \$16,547.00 through July 15, 2005 for the purchase of a Backhoe Model 214S. SOLE SOURCE

#24 Authorized to accept and expend monetary contributions in the amount of \$145.00 for the NH State Veterans Cemetery to be used for the betterment of the cemetery. These donations were received during the period of February 17, 2000 through April 30, 2000.

DEPARTMENT OF ADMINISTRATION SERVICES

The Governor and Executive Council acted as follows:

#25 Authorized list of agency transfers for Fiscal Year 2000 during the month of April 2000.

#26 Authorized Salary and Employee Benefit Adjustment Transfers for the month of April 2000.

#27 Authorized Working Capital Warrant in the amount of \$380,000,000.00 to cover expenditures for the Month of June 2000.

TREASURY DEPARTMENT

The Governor and Executive Council acted as follows:

#28 Authorized to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of \$7,724.83.

#29 Authorized to accept and place on file the report relative to the cash position of the State as of March 31, 2000.

#30 Authorized to accept and place on file a copy of the average daily collected balances for the first quarter of 2000.

ATTORNEY GENERAL

#31 The Governor and Executive Council, on motion of Councilor Colantuono, seconded by Councilor Burton, authorized the Department of Justice and Conrad Chapman, by and through counsel, respectfully request waiver, in part, of the State's workers compensation lien against former employee Conrad Chapman's settlement.

NEW HAMPSHIRE RETIREMENT SYSTEM

#32 The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Spaulding, authorized to expend up to \$8,000 associated with the recruitment process for the position of Executive Secretary for the NHRS. These expenses will be incurred over the next 2-3 months.

EMPLOYMENT SECURITY

#33 The Governor and Executive Council, on motion of Councilor Streeter, seconded by Councilor Burton, authorized to enter into a RETROACTIVE service agreement as AMENDED with Ferdinando Insurance Associates, inc., in the additional amount of \$6,771.00 for a revised total amount not to exceed \$15,000.00 for the three year period from April 1, 1998 through March 31, 2001 for property insurance coverage for NHES property statewide.

OFFICE OF CONSUMER ADVOCATE

#34 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, authorized to enter into the contract with The Columbia Group, Inc., Canton, MA in an amount not to exceed \$18,500.00 through December 31, 2000 to provide for participation of Docket DG 00-063 established by the PUC to provide the necessary revenue neutral rate design for both Northern Utilities, Inc. and EnergyNorth Natural Gas, Inc.

LIQUOR COMMISSION

#35 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Streeter, authorized to transfer \$57,500 as specified in letter dated April 18, 2000. FISCAL COMMITTEE APPROVED

NEW HAMPSHIRE BOARD OF ACCOUNTANCY

#36 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, authorized to expend the examination fees from CPA Exam Revenues of \$22,300.00 to Benefits \$6,000 and to Exam \$16,300.00 as earned from the November 1999 to May 2000 Certified Accountants examination.

NEW HAMPSHIRE BOARD OF MEDICINE

#37 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Streeter, authorized renewal of lease with McCarthy Properties, 2 Industrial Park Drive, Concord, NH in the total estimated amount of \$165,375.00 for a 5-year period commencing July 1, 2000 through June 30, 2005.

DEPARTMENT OF CORRECTIONS

The Governor and Executive Council acted as follows:

#38 Authorized to add Charles L. Ward, Jr., M.D., 43 N Fruit Street, Concord, NH to the list of Internist. [Initially approved on September 15, 1999 (Item #60)], the total allocation for Internists in the amount of \$132,420 for Fiscal Year 2000.

#39 Authorized to pay \$94,200.00 in overtime for permanent personal services out of salaries for vacant position due to extended sick leave and pending recruitment for the period January 1, 2000 through April 30, 2000.

#40 Authorized to transfer \$15,000 as specified in letter dated April 13, 2000. FISCAL COMMITTEE APPROVED

#41 Authorized to transfer \$25,000 as specified in letter dated April 14, 2000. FISCAL COMMITTEE APPROVED

#42 Authorized to continue 2 Probation/Parole Officer I positions through June 30, 2001 as specified in letter dated April 13, 2000. FISCAL COMMITTEE APPROVED

#43 Authorized to enter into contract in an amount not to exceed \$130,000 with Macy Industries, Inc., 8 Industrial Park Drive, Hooksett, NH through June 30, 2001 for the installation of a dust collection system for the woodworking and inmate hobby-craft area of the Northern New Hampshire Correctional Facility.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

#44 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Colantuono, authorized Division of Forests and Lands to extend the following full-time temporary employees beyond their one year anniversary date of full-time employment, Shaun Bresnahan, Forrester I and Kevin Whiting, Maintenance Mechanic II.

FISH AND GAME DEPARTMENT

The Governor and Executive Council acted as follows:

#45 Authorized to accept a donation of 200 8" to 14" Eastern Brook Trout (valued at approximately \$800) to be stocked into Blow-Me-Down Brook from Gordon and Fern Wilder of HY-On-A-Hill Trout Farm, Inc. in Plainfield, NH.

#46 Authorized to accept a donation of 41 wildlife mounts from Thomas Hopkinson of Goffstown, NH in the name of his son Jason Thomas Hopkinson. The donation is value at approximately \$7,475.00.

#47 Authorized to enter into contract with Micro Technologies, Inc., d/b/a Maine Micro Technologies, Inc., Richmond, Maine in the amount of \$90,000 through June 30, 2001 to provide for veterinary consulting to solve fish health problems and laboratory diagnostic services.

#48 Authorized to enter into a contract with Responsive Management, in a amount not to exceed \$27,250.00 for the purpose of conducting needs assessment research to aid evaluation and planning efforts of an Aquatic Resources Education Center.

#49 Authorized to enter into an Agreement with The Philip H. Mathewson Companies, Inc., Hancock, NH for a cost not to exceed \$5,727.00 through July 1, 2000 for an access improvement project at Farrar Marsh Wildlife Management Area in Hillsborough, NH.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Executive Council acted as follows:

#50 Authorized to enter into an RETROACTIVE educational tuition agreement and pay costs in the amount of \$805.00 to the University of New Hampshire, 6 Garison Avenue, Durham, NH for Patrick Bell, for a course entitled Intermediate AutoCAD-Level II RETROACTIVE from March 21, 200 to April 13, 200.

#51 Authorized to budget unallocated funds in the amount of \$8,800.00 through June 30, 2000 to the Wastewater Operator Certification Fund, to continue funding a Plant Maintenance Engineer IV position through the end of the fiscal year.

#52 Authorized Waste Management Division to accept \$17,068.00 to fund intern positions and training.

#53 Authorized Air Resources Division, to budget unallocated FY 00 Title V Permit Fee funds in the amount of \$31,500 through June 30, 2000.

#53A Authorized to accept \$204,788 in federal administrative grant money from the US Environmental Protection Agency through June 30, 2000.

#54 Authorized to accept \$6,722 in federal funds received from the Office of State Planning through June 30, 2000.

#55 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, with Councilor Streeter voting NO, authorized Air Resources Division to RETROACTIVELY accept FFY 99 funds in the amount of \$10,000 from the US Environmental Protection Agency through September 30, 2001. SOLE SOURCE

#56 Authorized Waster Management Division to enter into a grant agreement with the City of Manchester for an amount not to exceed \$72,63,32 through September 20, 2000 for the purpose of conducting a household hazardous waste collection project.

#57 Authorized to enter into an agreement with GZA GeoEnvironmental, Inc., in the amount of \$9334.08 through June 30, 2002 to provide personnel protection, health and safety refresher training.

#58 Authorized Water Division to enter into an agreement with Frank J. Pescinski d/b/a Pescinski Painting, 423 Currier Road, Hill NH in an amount of \$78,432.00 through December 31, 2000 for sandblasting and painting services.

#59 Authorized Water Division to enter into a contract AMENDMENT with Electrical Installations, Inc., PO Box 1331, Center Harbor, NH in the amount of \$34,444,38. [Initially approved on October 28, 1998 (Item #35). The total amount of the contract including this amendment is \$1,884,344.38.

#60 Authorized State Grants under the provisions of RSA 486:1, III and 486:3,II to the Municipalities of Highlands Village District, in the amount of \$151,850 for Wastewater Improvements; Goffstown in the amount of \$20,189 for share of Manchester's Odor Control Improvements, Phase II and Manchester in the amount of \$105,020 for Instrumentation Upgrade, Phase II.

#61 Authorized to enter into a Loan Agreement with Walter Borowski, in the amount of \$125,000 for the purpose of financing the design and construction of water system improvements at a mobile home park in Allenstown.

#62 Authorized the loan agreement with the Town of Swanzey in the amount of \$750,000 for the design and construction of improvements to the town's wastewater treatment facility.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Administration

#63 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Streeter, authorized to extend a leave of absence without pay for Stacey Sweet, Attorney I, Office of the Commissioner, Division of Child Support Legal Services, Nash Building, Effective May 15, 2000 to August 15, 2000.

Office of Finance

#64 The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Colantuono, authorized as administrator of the Social Security Program, to AMEND the agreement between the Secretary of the US Department of Health and Human Services and the State of New Hampshire on behalf of the Town of Plaistow, for the purpose of adopting the optional exclusion from Social Security and Medicare coverage for the services performed by election officials or election workers for each calendar year in which the remuneration paid for such services is less than \$1,000.

Office of Community & Public Health

The Governor and Executive Council acted as follows:

#65 Authorized to accept and expend \$145,009 in federal funds, as specified in letter dated March 22, 2000. FISCAL COMMITTEE APPROVED

#66 Authorized Special Medical Services Bureau to enter into an agreement with Child Health Services, Manchester, NH in an amount not to exceed \$45,395.61 through June 30, 2001 to provide for the services of a Program Evaluator to conduct a quality assurance audit of nutrition, feeding and swallowing services.

#67 Authorized Bureau of Maternal and Child Health to enter into an agreement with Jenny Ruducha, Cambridge, MA in the amount of \$56,500 through June 30, 2001 to conduct analyses of data to determine maternal and child health priorities and targets to improve performance in areas of need.

#68 Authorized to AMEND an existing agreement with Community Health and Hospice, Inc., Laconia, NH [Initially approved on June 9, 1999 (Item #67)], by increasing the dollar amount by \$24,100 from \$39,900 to \$64,000 through June 30, 2001.

#69 Authorized to AMEND an existing agreement with Paula Wyman Roberts, Concord, NH [Initially approved on June 22, 1999 (Item #179)], by increasing the dollar amount by \$24,992, from \$24,592 to \$49,584 through June 30, 2001.

#70 Authorized to AMEND an existing agreement with The Hitchcock Clinic of Lebanon, NH [Initially approved on June 22, 1999 (Item #186)], by increasing the dollar amount by \$10,000, from \$10,000 to \$20,000 through June 30, 2001.

#71 Authorized to AMEND an existing agreement with the Lake Sunapee Home Care and Hospice, New London, NH [Initially approved on June 22, 1999 (Item #203)], by increasing the dollar amount by \$11,900 from \$11,900 to \$23,800 through June 30, 2001.

Office of Family Services

The Governor and Executive Council acted as follows:

#72 Authorized Division of Family Assistance to make RETROACTIVE payment for renewal of an agency membership in the American Public Human Services Association, Washington, DC for the period RETROACTIVE to January 1, 2000 through December 31, 2000 in the amount of \$7,310.

#73 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Griffin, with Councilor Colantuono voting NO, authorized Division of Alcohol and Drug Abuse Prevention & Recovery to pay for and send 25 employees to the New England School of Addiction Studies, in an amount not to exceed \$12,400.00 through June 16, 2000. (2) Authorized to award 19 scholarships for non-state employees for NESAS, 99 Western Ave., Suite 6, Augusta, ME, to be held in Willimantic, CT in an amount not to exceed \$8,010.00 through June 16, 2000. (3) Authorized to award four scholarships in an amount not to exceed \$2,200.00 to Youth Development Center employees to

NESAS through June 16, 2000. (4) Authorized to award nine scholarships in an amount of \$3,300.00 to Department of Corrections Employees to NESAS through June 16, 2000.

#74 Authorized to enter into a Memorandum of Understanding with the Office of Emergency Management through June 30, 2001. (2) Authorized Office of Emergency Management to expend the Department to accept State Fiscal Year 2001 funds in the amount of \$18,798 through June 30, 2001.

#75 Authorized Division of Behavioral Health to AMEND contract 520272, [Initially approved on June 22, 1999 (Item #225) and AMEND on October 27, 1999 (Item #101) with Tri-County Community Action Program, Inc., 30 Exchange Street, Berlin, NH by increasing the price limitation by \$3,858.00 from \$322,800.00 to \$326,658.00 through June 30, 2000.

#76 Authorized to accept and expend \$249,539 in federal funds as specified in letter dated April 7, 2000. FISCAL COMMITTEE APPROVED

#77 Authorized Division of Children, Youth and Families to enter into an agreement with REB Training International Inc., Stoddard, NH in an amount not to exceed \$55,569 through June 30, 2001. The objective of this training is to have juvenile service staff learn verbal de-escalation techniques, physical intervention training and handcuffing.

#78 Authorized Division of Children, Youth and Families to enter into agreement with Easter Seals New Hampshire in the amount of \$185,341 through September 30, 2001 to conduct a pilot project providing time-limited family reunification services to families in the Portsmouth District Office catchment area.

Office of Information Systems

#78A The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, authorized to RETROACTIVELY AMEND agreements with vendors as listed in Attachment B of the Technical and Support Personnel 2 contract [Initially approved on January 28, 1998 (Item #101) amended on June 22, 1999 (Item #159A, amended on December 15, 1999 (Item #60 and February 9, 2000 (Item #85))] effective retroactive to February 29, 2000, to extend the agreement end date from February 29, 2000 to March 31, 2000.

NEW HAMPSHIRE HOSPITAL

#79 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Streeter, authorized to accept and expend \$100,000 in additional school district revenue as specified in letter dated February 22, 2000. FISCAL COMMITTEE APPROVED

DEPARTMENT OF YOUTH DEVELOPMENT SERVICES

#80 Authorized to extend the leave of absence with pay for Dorice Meyer, a Youth Counselor III at the Department of Youth Development Services, Youth Development Center from June 9, 2000 through December 31, 2000.

#81 Authorized to extend the leave of absence without pay for David Roberge, an Assistant House Leader at the Department of Youth Development Services, Youth Development Center from June 12, 2000 through December 31, 2000.

DEPARTMENT OF EDUCATION

The Governor and Executive Council acted as follows:

#82 Authorized to reclassify Position ##13217 Administrator II, Salary Grade 28 to Education Consultant III, Salary Grade 27.

#83 Authorized to transfer \$76,250 as specified in letter dated April 17, 2000. FISCAL COMMITTEE APPROVED

#84 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Colantuono voting NO, authorized to enter into sole proprietor contracts with 15 individuals as identified in Attachment A of letter of May 5, 2000 in an amount not to exceed \$323,600 to provide facilitation services from May 24, 2000 through June 30, 2001.

#85 Authorized Division of Adult Learning and Rehabilitation to enter into a contract with Jobs for New Hampshire Graduates, Inc., Concord in an amount not to exceed \$1,444,636.96 through June 30, 2002 to provide youth services, employment, and training as defined in Public Law 105-220 in 16 NH communities.

#86 Authorized Division of Adult Learning and Rehabilitation to enter into a contract with Josephine B. Hayslip, sole proprietor, Concord, NH in an amount not to exceed \$10,600 through September 30, 2000 to develop a written document of a Comprehensive Guidance and Counseling Program Model.

#87 Authorized Division of Adult Learning and Rehabilitation, Bureau of Career Development to enter into a contract with the Business and Industry Association of New Hampshire, Concord, NH in an amount not to exceed \$70,000.00 through September 30, 2000 to launch a School-to-Work Intermediary Project that creates opportunities for students and teachers to learn about the world of work directly from employers.

#88 Authorized Division of Adult Learning and Rehabilitation to enter into a contract with Steven Mayo Corporation, Merrimack, NH in an amount not to exceed \$56,961.00 through July 31, 2000 to provide home modifications to a client's residence.

POST SECONDARY EDUCATION COMMISSION

#89 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, authorized to extend a lease agreement with Gerald P. McCarthy Properties in the amount of \$19,000 annually for property located at Two Industrial Park Drive, Concord, NH.

NEW HAMPSHIRE TECHNICAL INSTITUTE

#90 WITHDRAWN BY AGENCY

#91 The Governor and Executive Council, on motion of Councilor Spaulding, Councilor Burton, authorized NH Community Technical College Systems Office, Concord, NH to enter into an agreement with J&J Consultants for Higher Education, in the amount of \$20, 000.00 for the purpose of reconciling Perkins Loans accounts for 4 colleges.

DEPARTMENT OF SAFETY

The Governor and Executive Council acted as follows:

#92 Authorized an AMENDMENT to an existing contract between the Department and Grant Cleaning Service. This agreement increases the existing contract by \$5,620.08 per to a new total of \$15,115.92 for the Merrimack Motor Vehicle Sub-station. This amendment is effective July 1, 2000 through June 30, 2001.

#93 Authorized to AMEND Federal Coast Guard Grant Funds as specified in letter of May 12, 2000. [Initially approved on March 8, 2000 (Item #145)].

#94 Authorized an AMENDMENT of funds for a grant entitled "DNA Laboratory" as specified in letter of April 27, 2000. [Initially approved on December 25, 1999 (Item #15)].

Division of Safety Services

The Governor and Executive Council acted as follows:

#95 Authorized permit application for renewal of Gatehouse Colony Association located on Lake Winnepesaukee, Laconia, NH as recommended by the Department of Safety, Division of Safety Services and the Office of State Planning for a congregate mooring field under the authority of RSA 270:67. Gatehouse Colony Association had been previously issued a permit for 5 moorings in 1994. It is recommended that the application be approved for a total of 5 moorings.

#96 Authorized permit application for renewal of Beachwood Association located on Newfound Lake in Hebron, NH as recommended by the Department of Safety, Division of Safety Services for a congregate mooring field under the authority of RSA 270:67. Beachwood Association had been previously issued a permit for 15 moorings in 1995. It is recommended that the application be approved for a total of 15 moorings.

#97 Authorized permit application for renewal of Whittemore Improvement Association located on Newfound Lake in Bridgewater, NH as recommended by the Department of Safety, Division of Safety Services for a congregate mooring field under the authority of RSA 270:67. Whittemore Improvement Association had been previously issued a permit for 12 moorings in 1995. It is recommended that the application be approved for a total of 12 moorings.

#98 Authorized to transfer a Counter Clerk III, Position ##14340, with supporting appropriations for salary and benefits to the NH Fire Academy effective beginning with the June 16, 2000 payroll through FY 2001.

DEPARTMENT OF TRANSPORTATION

The Governor and Executive Council acted as follows:

#99 Authorized to reclassify position of Toll Attendant II, Labor Grade 10, in the Bureau of Turnpikes to Program Assistant II, Labor Grade 14.

#100 Authorized the Contemplated Award List for the period April 19, 2000 through May 2, 2000.

#101 Authorized to accept and place on file a copy of the Informational Item "Contemplated Awards List" for amounts less than \$5,000 for the time extending from January 1, 2000 through March 31, 2000. This list complies the contemplated awards below this amount that have been processed by the Department and paid to the property owners and displacees during this time period for the purpose indicated.

#102 Authorized a Petition for a hearing on alterations to the US Route 4 intersection with NH Route 152 and Cooper Hill Road in the Towns of Northwood and Nottingham.

#103 Authorized to accept and place on file a Special Committee Report and a copy of the Commissioner's Report for Peterborough STP-MGS-X-015-1(15), 12915 project.

#104 Authorized agreement with Atlantic Waste Systems North, East Wakfield, NH in the amount of \$11,580 through June 30 2002 for the purpose of providing container rental and rubbish disposal services at the District Six Locations as specified in letter of April 25, 2000.

#105 Authorized agreement with Atlantic Waste Systems North, East Wakefield, NH in the amount of \$7,600 through June 30, 2002 for the purpose of providing container rental and rubbish disposal services at the District Six Locations as specified in letter of April 25, 2000.

#106 Authorized to reimburse Cooperative Alliance for Seacoast Transportation in amount not to exceed \$2,800.00 for eligible expenses related to marketing and public information on public transportation with a completion date of December 31, 2000.

#107 Authorized to enter into an agreement with Edwards and Kelcey, Inc., 1 Sundial Avenue, Suite 410, Manchester, NH for a total lump sum fee of \$321,630.12 for engineering services for final design of reconstruction and widening of section of US Route 202 in the Town of Peterborough.

#108 Authorized Construction Program for State Aid for Class I, II, and III Highways using State Aid Construction Funds for State Fiscal Year 2000 [Initially approved on August 18, 1999, September 28, 1999, and October 14, 1999] is hereby AMEND to include projects in the communities of Barrington, Gilford, Hampstead and Sanbornton.

#109 Authorized to enter into an agreement with Hoyle, Tanner & Associates, Inc., 150 Dow Street, Manchester, NH for a time and materials fee not to exceed \$400,000.00.

#110 Authorized to increase the contingency for Contract #522815 with Continental Paving, Inc., Londonderry, NH by \$117,005.00 from \$153,125.00 to \$270,130.00 for pavement resurfacing and related work along 43 miles of roadways in Weare, Milford, Warner, Boscawen, Salem, Concord, Hopkinton, Canterbury, Sutton, Londonderry, Windham, Hooksett and Manchester. [Initially approved on March 22, 2000 with an original contract encumbrance of \$1,684,375.00].

#111 Authorized to AMEND the Agreement with Strafford Regional Planning Commission, 259 County Farm Road, Unit 1, Dover, NH for a fee not to exceed \$48,187.00 to undertake certain transportation related planing activities.

#112 Authorized contract with R.M. Piper, Inc., Plymouth, NH on the basis of a low bid of \$1,737,185.95 for reconstruction of US Route 4, realignment of the intersection of Tunnel Road with US 4, removal of the existing railroad bridge overpass and replacement of the bridge over Tweksbury Brook and relocation of the recreational trail along the railroad bed with a completion date of June 15, 2001.

#113 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Griffin, with Councilor Colantuono voting NO, authorized to grant a permanent easement which consists of 18,255 square feet, more or less, to AES Londonderry, LLC, 50 Nashua Road, Suite 202, Londonderry, NH for \$720.00 plus a one time administrative fee of \$500.00 for a natural gas pipeline along the State-owned Manchester to Lawrence Railroad Line in the Town of Londonderry.

#114 Authorized to sell to John A. Bourque, 84 Hancock Street, Rochester, NH an area of 4,000 square feet, more or less, of the State-owned Gonic Branch Railroad Line in the City of Rochester for \$2,000.00 plus a one time administrative fee of \$500.00.

#115 Authorized to grant a permanent easement which consists of 500 square feet, more or less, to the Town of Tilton for a sewer Line under the State-owned Concord to Lincoln Railroad Line in the Town of Tilton.

#116 Authorized to grant a permanent easement which consists of 2,000 square feet, more or less, to the Town of Gorham for water and sewer lines under the State-owned Berlin Branch Railroad Line in the Town of Gorham.

#117 Authorized to enter into an agreement with H. Edmund Bergeron, Civil Engineers, PO Box 440, North Conway, NH in an amount not to exceed \$75,000.00 for Professional Engineering Services for Professional Design and Construction Documents, On-site Observation, and Inspection Services for Public Works' Projects.

#118 Authorized to enter into an agreement with Dignard Architectural Services, 156 Joe English Road, New Boston, NH for a Lump Sum Price of \$90,000.00 for the purpose of Professional Architectural Services, Design of the Alan B. Shepard Memorial Wing, Christa McAuliffe Planetarium, NH Technical Institute, Concord, NH.

#119 Authorized to enter into a contract with Major L. Rodd, Inc. PO Box 69, St. Johnsbury, VT for a lump sum price of \$113,200 for the purpose of Roof Replacement, NH Community Technical College, 1066, Front Street, Manchester, NH.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Executive Council acted as follows:

#120 Authorized request of E. Gordon Young to construct a permanent pier to associated structures on property located at Back Channel on the Piscataqua in Portsmouth.

#121 Authorized request of Richard H. Egan to construct a breakwater with associated structures on property located at Lake Winnepesaukee in Gilford.

#122 Authorized request of Squam Lakes Association to install six seasonal piers within existing sailing center on property located at Squam Lake in Holderness.

#123 Authorized request of Scenic Cove Association to construct assorted docking structures on property located at Maiden Lady Cove on Lake Winnepesaukee in Laconia.

#124 TUITION REQUESTS

The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Streeter, with Councilor Colantuono voting NO on Items #C and J approved the following tuition requests:

A. COMMUNITY TECHNICAL COLLEGE - Request permission to pay University of New Hampshire, Durham, NH, the sum of \$600.00 for the sole purpose of enrolling Sheila Cardamone, Assistant Professor-Physical Therapy, in the courses entitled "Readings in College Teaching" and "Classroom Research and Assessment Method".

B. COMMUNITY TECHNICAL COLLEGE - Request permission to pay University of New Hampshire, Durham, NH, the sum of \$275.00 for the sole purpose of enrolling Sheila Cardamone, Assistant Professor-Physical Therapy, in the course entitled "Teaching with Technology".

C. COMMUNITY TECHNICAL COLLEGE - Request permission to pay Kennedy-Western University, Thousand Oaks, CA, the sum of \$1,167.00 for the sole purpose of enrolling Candace Cole-McCrea, Professor of Human Services & Social Sciences, in the course entitled "Issues and Concepts of Clinical Psychology".

D. COMMUNITY TECHNICAL COLLEGE - Request permission to pay Plymouth State College, Plymouth, NH, the sum of \$720.00 for the sole purpose of enrolling Maria Dreyer, Professor Learning & Career Center, in the course entitled "Planning in Education & Human Services".

E. COMMUNITY TECHNICAL COLLEGE - Request permission to pay Plymouth State College, Plymouth, NH, the sum of \$741.00 for the sole purpose of enrolling Thomas Goulette, VP Academic Affairs, in the course entitled "Planning in Education & Human Services".

F. COMMUNITY TECHNICAL COLLEGE - Request permission to pay University of New Hampshire, Durham, NH, the sum of \$275.00 for the sole purpose of enrolling Pamela Levesque, Associate Professor-Nursing, in the course entitled "Issues in College Teaching".

G. EMPLOYMENT SECURITY - Request permission to pay New Hampshire Technical College, Stratham, NH, the sum of \$386.00 for the sole purpose of enrolling William Reichert, Technical Support Specialist V, in the course entitled "UNIX (LINUX) Operating Systems I".

H. ENVIRONMENTAL SERVICES - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$525.00 for the sole purpose of enrolling Kathy Ann LaBonte, Accountant II, in the course entitled "College Writing II".

I. HEALTH & HUMAN SERVICES, Division of Child Support Services - Request permission to pay New Hampshire Community Technical College, Manchester, NH, the sum of \$339.00 for the sole purpose of enrolling Susan P. Kuhn, Support Enforcement Officer I, in the course entitled "Introduction to Psychology".

J. HEALTH & HUMAN SERVICES, Office of Family Services - Request permission to pay St. Joseph's College, Standish, ME, the sum of \$690.00 for the sole purpose of enrolling Joan Klebes, Resident Services Supervisor, in the course entitled "Applied Management Project".

K. HEALTH & HUMAN SERVICES, Office of Health Management - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of \$345.00 for the sole purpose of enrolling Jacqueline M. Leone, Accountant II, in the course entitled "Business Law I".

L. LIQUOR - Request permission to pay New Hampshire College, Manchester, NH, the sum of \$999.00 for the sole purpose of enrolling Carol B. Andersen, Accountant IV, in the course entitled "Production & Operations Management".

M. LIQUOR - Request permission to pay New Hampshire College, Manchester, NH, the sum of \$999.00 for the sole purpose of enrolling George P. Tsiopras, Business Administrator IV, in the course entitled "Managerial Economics".

N. TAX & LAND APPEALS - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$615.00 for the sole purpose of enrolling Lisa M. Moquin, Paralegal II, in the course entitled "Paralegal Studies Program/Legal Research Course".

O. TRANSPORTATION - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of \$287.50 for the sole purpose of enrolling Terry Place, Engineering Technician IV, in the course entitled "Elementary Functions".

P. TRANSPORTATION - Request permission to pay New Hampshire College, Manchester, NH, the sum of \$499.50 for the sole purpose of enrolling Diana Smestad, Accountant IV, in the course entitled "Managerial Accounting".

#125 **TRAVEL REQUESTS**

The Governor and Executive Council approved the following travel requests:

A. CULTURAL RESOURCES, Division of the Arts - Request permission for (1) employee, Catherine O'Brian, Grants Program Coordinator, or designee, to travel to Durham, NC, on June 15-18, 2000, to attend the Arts Education Partnership Annual Meeting. ALSO A CASH ADVANCE OF \$500.00 IS REQUESTED FOR Catherine O'Brian. Total Cost: 790.00. Source of Funds: 100% Federal Funds. Registration Fee: 35.00.

B. ENVIRONMENTAL SERVICES - Request permission for (1) employee, Chris A. Simmers, One Stop Program Manager, or designee, to travel to Tempe, AZ, on May 31-June 2, 2000, to attend the Regional Electronic Reporting Conference: Collecting Environmental Data in the 21st Century. ALSO A CASH ADVANCE OF \$325.00 IS REQUESTED FOR Chris Simmers. Total Cost: 1040.00. Source of Funds: 100% Federal Funds. Registration Fee: 125.00.

C. HEALTH & HUMAN SERVICES, Office of Finance - Request permission for (1) employee, Teresa Commeau, Internal Auditor I, or designee, to travel to Baltimore, MD, on August 5-14, 2000, to attend the National Conference of State Social Security Administrators. Permission is also requested for a waiver to exceed the 300-mile radius by private vehicle. Total Cost: 1135.75. Source of Funds: 100% General Funds. Registration Fee: 250.00.

D. RESOURCES & ECONOMIC DEVELOPMENT - Request permission for (1) employee, Robert Nelson, Chief, Forest Protection, or designee, to travel to Dover, DE, on June 17-22, 2000, to attend the Annual Northeast Forest Fire Supervisor's Meeting. Permission is also requested for a waiver to exceed the 300-mile radius by private vehicle. Total Cost: 1,024.00. Source of Funds: 100% Federal Funds. Registration Fee: 150.00.

E. SAFETY, Division of State Police - Request permission for (1) employee, Jeffrey Kellett, Administrator, or designee, to travel to Washington, DC, on May 30-June 2, 2000, to attend the National Conference on Privacy. ALSO A CASH ADVANCE OF \$420.00 IS REQUESTED FOR Jeffrey Kellett. Total Cost: 920.00. Source of Funds: 100% Federal Funds. No Registration Fee.

LATE ITEMS

A. DEPARTMENT OF ENVIRONMENTAL SERVICES

Authorized the Department to enter into a contract in the amount of \$14,210.00 with Hi-Tech Painters, Salem, NH, for electrostatic painting for 406 pieces of equipment/furniture located at the Department's 6 Hazen Drive offices in Concord, NH.

B. DEPARTMENT OF TRANSPORTATION: Bureau of Construction

Authorize contract with Alvin Coleman & Sons, Conway, NH, in the amount of \$621,573.87 for roadway rehabilitation and bridge rehabilitation on the Town Hall Road and the bridge over the east branch of the Saco River.

C. DEPARTMENT OF TRANSPORTATION: Bureau of Materials and Research

Authorized to enter into an agreement with Miller Engineering & Testing, Inc., Manchester, NH not to exceed \$150,000.00 for services related to materials inspection and testing.

D. DEPARTMENT OF TRANSPORTATION: Bureau of Materials and Research

Authorized to modify agreement for technical services with Atlantic Testing Laboratories of Cantin, New York, by increasing the total contract by an amount not to exceed \$250,000.00 from \$200,000.00 to \$450,000.00.

The Governor set the next Governor and Executive Council meeting on Wednesday, Thursday June 8, 2000 at 10:30 a.m. at the Hopkinton State Fairgrounds, Conocook, NH.

The Honorable Board then adjourned.