

Minutes October 4, 2000

GOVERNOR AND EXECUTIVE COUNCIL MINUTES

Wentworth Coolidge Mansion
Portsmouth, New Hampshire
October 4, 2000
10:30 a.m.
#17

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

The Governor and Executive Council, on motion of Councilor Streeter, seconded by Councilor Colantuono, accepted the minutes of September 20, 2000. :

The Governor and Executive Council, on motion of Councilor Streeter, seconded by Councilor Burton, confirmed the appointment of several persons nominated for Civil Commissions from the September 20, 2000 meeting.

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

RESIGNATION

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

ENHANCED 911 COMMISSION Thomas F. Powers, Keene (Nominated by New Hampshire Association of Chiefs of Police)
Effective: September 30, 2000

Reason: No longer eligible for category

CONFIRMATIONS

The Governor and Executive Council confirmed the following:

COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION AND TREATMENT

Debra Samaha, Concord
(Public member)
Effective: October 4, 2000
TERM: October 4, 2001

EMERGENCY SHELTER AND HOMELESS COORDINATION COMMISSION

Harold Acres, Nashua
Reappointment
Effective: October 4, 2000
TERM: August 26, 2002

Eleanor Amidon, Hancock
Reappointment
Effective: October 4, 2000
TERM: August 26, 2002

Sharon Drake, Loudon
Reappointment
Effective: October 4, 2000
TERM: August 26, 2002

Maria Skaperdas, Manchester
Reappointment
Effective: October 4, 2000
TERM: August 26, 2002

BOARD OF PROFESSIONAL GEOLOGISTS

Timothy T. Allen, Keene
Effective: October 4, 2000
TERM: October 4, 2004

John E. Cotton, East Andover
Effective: October 4, 2000
TERM: October 4, 2002

Dorothy Richter, Salem
Effective: October 4, 2000
TERM: October 4, 2005

Paul M. Sanborn, Canterbury
Effective: October 4, 2000
TERM: October 4, 2003

CHIEF JUSTICE OF THE SUPERIOR COURT

Walter L. Murphy, Bedford
Succeeding: Linda S. Dalianis, Nashua
Effective: Upon confirmation
TERM: Until you reach 70 years of age

UNIVERSITY SYSTEM BOARD OF TRUSTEES

Bruce Keough, Dublin
Reappointment
Effective: October 4, 2000
TERM: June 30, 2004

WATER COUNCIL

David T. Funk, Durham
(Conservation/environmental organization)
Reappointment
Effective: October 4, 2000
TERM: August 24, 2004

DIVISION OF WATER RESOURCES COUNCIL

Burnham A. Judd, Pittsburg
Reappointment
Effective: October 4, 2000
TERM: October 9, 2004

YOUTH DEVELOPMENTAL SERVICES ADVISORY BOARD

Tina Greenlaw, Bethlehem
(Parent)

Effective: October 4, 2000
TERM: October 4, 2003

NOMINATIONS

The Governor nominated the following:

BALLOT LAW COMMISSION

Hugh Gregg (r), Nashua
Reappointment
Effective: Upon confirmation
TERM: July 1, 2004

Elizabeth Maiola (r), Newport
Reappointment
Effective: Upon confirmation
TERM: July 1, 2004

MargaretAnn Moran (d), Manchester
Succeeding: Richard Delay, Sr., (d), Bennington
Effective: Upon confirmation
TERM: July 1, 2004

POLICE COMMISSION

Tom Maffee (r), Nashua
Reappointment
Effective: Upon confirmation
TERM: September 1, 2003

REAL ESTATE COMMISSION

Martin F. Smith, Jr., Dover
(Attorney)
Succeeding: Richard Head, Pittsfield, (resigned)
TERM: September 15, 2003

TELECOMMUNICATIONS PLANNING & DEVELOPMENT ADVISORY COMMITTEE

Robert D. Ciandella, New Castle
(Municipal Government)
Effective: Upon confirmation
TERM: Two years from date of confirmation

Peter B. Davis, Jaffrey
(County Government)
Effective: Upon confirmation
TERM: Two years from the date of confirmation

Donald E. Garretson, Jefferson
(Residential Telecom User)
Effective: Upon confirmation
TERM: One year from date of confirmation

Ted Jastrzembski, Hanover
(Small Business Telecom user)
Effective: Upon confirmation
TERM: One year from date of confirmation

Gregory Larrabee, Bedford
(Large Business Telecome user)
Effective: Upon confirmation
TERM: One year from date of confirmation

Kenneth G. Lurvey, Strafford
(Regional Economic Development Organization or Planning Commission)
Effective: Upon confirmation
TERM: Two years from date of confirmation

Thomas S. Lyle, Concord
(Industry)
Effective: Upon confirmation
TERM: Three years from date of confirmation

William R. Stafford, Weare
(Industry)
Effective: Upon confirmation
TERM: Three years from date of confirmation

Francis A. Windsor, Durham
(Long Distance Learning)
Effective: Upon confirmation
TERM: Two years from date of confirmation

STATE COMMISSION ON THE STATUS OF WOMEN

Lucy C. Hodder, North Sutton
(Vice-Chair)
Reappointment
Effective: Upon confirmation
TERM: October 20, 2003

Molly Kelly, Keene
(Chair)
Reappointment
Effective: Upon confirmation
TERM: October 20, 2003

Gertrude Martin, Amherst
Reappointment
Effective: Upon confirmation
TERM: October 20, 2003

Jane Stapleton, Newmarket
(Treasurer)
Reappointment
Effective: Upon confirmation
TERM: October 20, 2003

Patricia R. Yosha, Hampton
Succeeding: Electra Alessio, Kingston
Effective: Upon confirmation
TERM: October 20, 2003

Barbara Zeckhausen, Laconia
Reappointment

Effective: Upon confirmation
TERM: October 20, 2003

YOUTH DEVELOPMENT SERVICES ADVISORY BOARD

Doris Ballard, Bow
(Business)

Effective: Upon confirmation
TERM: Three years from date of confirmation

BUSINESS FINANCE AUTHORITY

#1 Authorized to hold a Public Hearing with respect to the award of a loan pursuant to RSA 162-A:9 and RSA 162-I:3-b and 9 to MacIntyre Fuels, Inc. in North Stratford, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act. A roll call vote was requested, the results are as follows: Councilor Burton - Yes: Councilor Spaulding - Yes: Councilor Griffin - Not Available: Councilor Colantuono - Yes: Councilor Streeter - Yes.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD ON
OCTOBER 4, 2000 WENTWORTH COOLIDGE MANSION, PORTSMOUTH, NH

At approximately 11:25 a.m., the Governor announced that the next matter to be considered would be the award of a loan by the Business Finance Authority to MacIntyre Fuels, Inc. and declared that the public hearing on the subject had commenced. She said that she and the members of the Council had received written material from the Authority with respect to the proposed loan. The Governor then said that the meeting would hear anyone wishing to speak on the subject. Michael Donahue, Senior Credit officer of the Authority, briefly explained the project and introduced Roch MacIntyre and Steve Hustis from MacIntyre Fuels, Inc. and Ed Jeffrey from NH Central Railroad. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Burton introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A AND 162-I:3-B WITH RESPECT TO THE FINANCING OF INTRASTATE ENERGY FACILITIES FOR MACINTYRE FUELS, INC." and moved its adoption, which was seconded by Councilor Griffin. 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 and 162-I:3-b WITH RESPECT TO THE FINANCING OF INTRASTATE ENERGY FACILITIES

THE BUSINESS FINANCE AUTHORITY FOR MACINTYRE FUELS, INC.

WHEREAS, the Governor and Council have received from the Business Finance Authority (the "Authority") its written recommendation that the Governor and Council make certain findings and a determination pursuant to RSA 162-A:9 and RSA 162-I:3-b and 9 with respect to the financing of an intrastate energy facility for MacIntyre Fuels, Inc. (the "Borrower") in North Stratford , by making a loan of up to \$800,000.00 pursuant to RSA 162-A:9 and RSA 162-I:3-b and 9;

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

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

IT IS HEREBY RESOLVED THAT:

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:

(i) The project (which when completed will constitute (the "Facility") consists of the acquisition, construction and equipping of a new intermodal petroleum transfer and storage facility on leased land in North Stratford, to be operated by the Borrower. The project is within the definition of a "Intrastate Energy Pipeline Facility" in RSA 162-I and may be financed under RSA 162-I. The establishment and operation of the Facility will increase the state's ability to meet the energy needs of its citizens and businesses at the lowest reasonable cost while providing for the reliability and diversity of energy sources.

(ii) The loan will be a significant factor in the continued operation, competitiveness or expansion of the business of the Borrower;

(iii) The business of the Borrower is of social or economic importance to the region or community in which it is located; and

(iv) The risk of loss to the Authority as a result of making the loan is reasonable under the circumstances.

(b) General Findings:

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

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

(iii) The financing and security 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 loan proceeds or from funds received under the agreements, exclusive of funds received thereunder by the Authority for its own use;

(iv) Neither the financing documents nor the security documents purport to create any debt of the State with respect to the Facility, other than a special obligation to the Authority acting on behalf of the State under RSA Chapter 162-I; and

(v) The proposed financing of the project by the Authority and the proposed operation and use of the Facility to serve one or more needs and serve one or more purposes set forth in RSA 162-I: 1, 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.

(vi) The proposed financing will promote the orderly development of business activities, create or preserve employment opportunities or protect the physical environment within the State and will be of general benefit to the community as a whole.

2. The State by and through the Authority shall be a party to the loan documents between the State and the Borrower, and the Executive Director and Chairman of the Authority, or either of them, be and are hereby authorized to execute and deliver such loan documents on behalf of the State substantially in the form presented at this meeting but subject to such changes as the Executive Director or the Chairman of the Authority may approve.

3. Ultimate Finding and Determination. The Governor and Council find that the proposed financing, operation and use of the Facility will serve a public use and provide a public benefit; and the Governor

and Council determine that the Authority's financing of the project will be within the policy of, and the authority conferred by RSA Chapters 162-A and 162-I.

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

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

Passed and Agreed to October 4, 2000.

OFFICE OF STATE PLANNING

#2 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Colantuono, authorized to AMEND an existing Agreement with the Town of Pittsburg, NH [Initially approved on April 26, 2000 (Item 3A) and amended on August 9, 2000], by increasing the total Community Development Block Grant awarded by \$25,000 from \$325,000 to \$350,000

GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES

The Governor and Executive Council acted as follows:

#3 Authorized to accept and expend from the US Department of Health and Human Services additional Refugee Social Services funds in the amount of \$150,000 through June 30, 2001.

#4 Authorized to enter into a contract in an amount not to exceed \$322,160 with the International Institute of Boston through September 30, 2001 for the provision of refugee services through their subsidiary, the International Institute of New Hampshire.

#5 Authorized to enter into a contract in an amount not to exceed \$159,840 with Lutheran Social Services of New England, Concord, NH through September 30, 2001 for the provision of refugee services.

#6 Authorized to enter into a contract with Strafford County Community Action Committee, Inc., PO Box 160, County Farm Road, Dover, NH as a grant recipient under the Community Services Block Grant through September 30, 2001 in an amount not to exceed \$292,669.00 to provide a wide range of services and activities for low-income participants, including elderly citizens.

#7 Authorized to enter into a contract with Tri-County Community Action Program, Inc., 30 Exchange Street, Berlin, NH as a grant recipient under the Community Services Block Grant in an amount not to exceed \$485,248.00 through September 30, 2001 to provide a wide range of services and activities for low-income participants, including elderly citizens.

#8 Authorized to enter into a contract with Southern New Hampshire Services, Inc., PO Box 5040, 40 Pine Street, Manchester, NH as a grant recipient under the Community Services Block Grant in an amount not to exceed \$706,207.00 through September 30, 2001 to provide a wide range of services and activities for low-income participants, including elderly citizens.

#9 Authorized to enter into a contract with Southwestern Community Services, Inc., PO Box 603, 69Z Island Street, Keene, NH as a grant recipient under the Community Services Block Grant in an amount not to exceed \$307,619.00 through September 30, 2001 to provide a wide range of services and activities for low-income participants, including elderly citizens.

#10 Authorized to enter into a contract with Community Action Program Belknap-Merrimack Counties, Inc., PO Box 1016, 2 Industrial Park Drive, Concord, NH as a grant recipient under the Community

Services Block Grant in an amount not to exceed \$350,189.00 through September 30, 2001 to provide a wide range of services and activities for low-income participants, including elderly citizens.

#11 Authorized to enter into a contract with Rockingham Community Action, Inc., 7 Junkins Street, Portsmouth, NH as a grant recipient under the Community Services Block Grant in an amount not to exceed \$391,999.00 through September 30, 2001 to provide a wide range of services and activities for low-income participants, including elderly citizens.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Executive Council acted as follows:

#12 Authorized Division of Plant & Property Management to AMEND a current contract with C. C. Vending, Inc., Laconia, NH to extend the current term eight months until June 30, 2001 for vending services at the northbound and southbound rest areas in Hooksett.

#13 Authorized Bureau of Purchase and Property to enter into statewide agreements with the vendors as listed in Attachment A of letter of September 22, 2000 for a term of six years.

#13A Authorized an annual salary step to Thomas Manning from Group P, Step 3 (\$69,743) to Group P, Step 4 (\$73,172, effective October 8, 2000.

#13B Authorized to exercise a renewal option of contract with CIGNA Health Care (formerly Healthsource NH), Hooksett, NH to provide fully-insured managed health insurance coverage for active state employees, their eligible spouses and dependents. [Initially approved on September 15, 1999 (Item #34E)]. The term of the contract was one year of October 1, 1999 through September 30, 2000. The effective dates of the renewal will be October 1, 2000 through January 31, 2001. The contract price is limited to the per month cost per employee, per membership type, as listed in attachment to letter of September 27, 2000.

OFFICE OF THE ADJUTANT GENERAL

The Governor and Executive Council acted as follows:

#14 Authorized the confirmation of Captain James B. Pettigrew to the rank of Major, New Hampshire Air National Guard.

#15 Authorized to enter into an agreement with Zero Waste & Recycling Services, Inc., 74 River Road, Bow, NH through September 30, 2001 at a price not to exceed \$22,055.00 for rubbish removal and disposal for the State Military Reservation, Concord, NH, State Armories at Manchester and Peterboro, NH New Hampshire National Guard Training Site, Center Strafford, and the NH State Veterans Cemetery, Boscawen, NH.

#16 Authorized to establish one Buildings and Ground Utility Person position through June 30, 2001 as specified in letter dated August 28, 2000. FISCAL COMMITTEE APPROVED

TREASURY DEPARTMENT

The Governor and Executive Council acted as follows:

#17 Authorized to accept and place on file the Treasurer's Annual Report for the fiscal year ended June 30, 2000.

#18 Authorized to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of \$5,094.63.

ATTORNEY GENERAL

The Governor and Executive Council acted as follows:

#19 Authorized a RETROACTIVE salary increment of \$2,663 to Assistant Attorney General Mary E. Schwarzer, Position #9U358 effective September 28, 2000.

#20 Authorized Department of Justice to accept and expend a grant in the amount of \$66,000 from the federal Office of Victims of Crime through September 30, 2001.

#21 Authorized the Department of Justice to expend up to \$720,000 from the general fund to pay unanticipated litigation costs incurred in the defense of the Public Utilities Commission's Final Plan and interim orders on stranded costs, as specified in letter dated August 29, 2000. FISCAL COMMITTEE APPROVED

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

The Governor and Executive Council acted as follows:

#22 Authorized Division of Plant Industry to accept and expend grant funds in the amount of \$4,999 from the NHDAMF, Division of Pesticide Control, Integrated Management through February 2001.

#23 Authorized Division of Plant Industry to accept and expend grant funds in the amount of \$1,500 from the NHDAMF, Division of Pesticide Control, Integrated Management through December 2001.

DEPARTMENT OF CULTURAL RESOURCES

#24 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, authorized Division of the Arts to award The Concord Community Music School an Annual Advancement Grant in the amount of \$8,000 upon Governor and Council approval.

EMPLOYMENT SECURITY

The Governor and Executive Council acted as follows:

#25 Authorized to enter into a service agreement with Language Line, LLC in the amount not to exceed \$15,000.00 annually through June 30, 2003 for telephone language translation services at the NHES offices statewide.

#26 Authorized to establish one Research Analyst position through June 30, 2001 as specified in letter of August 28, 2000. FISCAL COMMITTEE APPROVED

#27 Authorized to establish one Statistical Assistant position, two Labor Market Analyst II positions, and one Program Specialist III position through June 30, 2001 as specified in letter dated August 30, 2000.

INSURANCE DEPARTMENT

#28 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, authorized RETROACTIVELY the starting salary of Deputy Insurance Commissioner Alexander K. Feldvebel effective September 1, 2000 at Group P Maximum \$74,372.

DEPARTMENT OF CORRECTIONS

#29 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Griffin voting NO, authorized a salary enhancement of ten percent to be added to the base salaries of Corrections Officers, Corrections Corporals, Corrections Sergeants, Corrections Lieutenants and Corrections Captains effective October 4, 2000 for a period not to exceed two years.

#30 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Griffin voting NO, authorized to accept a donation of 176 books from the Pembroke Town Library, 361 Pembroke Street, Pembroke, NH 03275. The approximate value of the books is \$1 per book for a total of \$176.

#31 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Griffin voting NO, authorized to expend up to \$43,060 from the Correctional Industries Revolving Account to purchase equipment, as specified in letter dated August 28, 2000.
FISCAL COMMITTEE APPROVED

LIQUOR COMMISSION

#32 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, authorized to utilize the banking services of Citizens Bank, 61 Crystal Avenue, Derry, NH as the depository of funds for the New Hampshire State Liquor Store #20, Clearbook Center, 11 Manchester Road, Derry, NH.

FISH AND GAME DEPARTMENT

The Governor and Executive Council acted as follows:

#33 Authorized to accept an additional \$50,000 in FY 2001 Federal Sport Fish Restoration funds.

#34 Authorized to increase the salary of the Executive Director to \$72,120.50 from \$63,908.26 (an increase of \$8,212.24) effective upon Governor and Council approval, thereby placing him at an annual salary of \$1,000.00 more than his subordinate classified employee.

#35 Authorized to transfer 0.29 acres of land on the Squamscott River in the Town of Stratham, NH to the New Hampshire Department of Transportation; appraised value being \$41,300.00. (2A) Authorized the New Hampshire Department of Transportation to transfer 0.97 acres of land on the Squamscott River in the Town of Stratham, New Hampshire to the New Hampshire Fish and Game Department; appraised value being \$142,700.00

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Executive Council acted as follows:

#36 Authorized to enter into an agreement with Jones and Beach Engineers, Inc., Stratham, NH in the amount of \$4,000.00 through June 30, 2001 for the site and utilities design to replace the sanitary facilities at Hampton Beach State Park, Hampton, NH.

#37 Authorized Division of Park and Recreation, Cannon Mountain to establish the second year rental cost of \$139,593.64 for the aged fleet lease rotation program agreement with Bombardier Capital, Inc. of Colchester, Vermont.

#38 Authorized Division of Forests and Lands to transfer \$10,000 from the Stone Property Trust Fund Control Account into the Stone Property Operating Budget for the purpose of replacing the security system in the Forestry Learning Center at the Urban Forestry Center in Portsmouth, New Hampshire.

#39 Authorized Division of Forests and Lands to transfer \$3,500 from the Shieling Trust Fund Control Account into the Shieling Forest Operating Budget for the purpose of installing propane heaters in the Forestry Learning Center at the Shieling Forest in Peterborough, NH.

#40 Authorized to accept a Conservation Easement on 3.88 acres of land in Kingston abutting Rock Rimmon State Forest from Homeplate II, Inc. (2) Further Authorized to accept a Trail Easement providing pedestrian access across land of Frank Caparco in Danville to Rock Rimmon State Forest. (3) Further to release all interests of the State in the right-of-way crossing land of Frank Caparco and Homeplate, Inc., in Danville and Kingston, being the road to the former fire tower site in Rock Rimmon State Forest.

#41 Authorized to enter into an agreement with Ski New Hampshire in an amount of \$5,000.00 to represent the NHDTTD at eight travel trade shows in the United Kingdom through June 30, 2001.

#42 Authorized Office of Travel and Tourism Development to AMEND contract with Plymouth State College, Institute for New Hampshire Studies for research by \$2,997.43 for a new total of \$73,727.43 through June 30, 2001.

#43 Authorized Office of Travel and Tourism Development to award the grants to the organizations and in the amounts as specified in letter of September 8, 2000.

#44 Authorized to establish one Civil Engineer II position through June 30, 2001 as specified in letter dated July 26, 2000. FISCAL COMMITTEE APPROVED

#45 Authorized to establish one Civil Engineer IV position through June 30, 2001 as specified in letter dated August 29, 2000. FISCAL COMMITTEE APPROVED

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Executive Council acted as follows:

#46 Authorized Waste Management Division to enter into a grant agreement with the City of Manchester for an amount not to exceed \$26,305.25 through January 15, 2001 for the purpose of conducting a household hazardous waste collection project.

#47 Authorized Waste Management Division to enter into a grant agreement with the Lakes Region Planning Commission, 103 Main Street, Suite 3, Meredith, NH for an amount not to exceed \$25,000.00 through June 30, 2001 in order to implement the fourth year of the Regional Environmental Planning Program.

#48 Authorized the State Grants to the Municipalities for the projects and amounts as specified in letter of September 13, 2000.

#49 Authorized Water Division to AMEND a grant agreement with the Littleton Water and Light Department, 65 Lafayette Road, Littleton, NH through June 30, 2001 to provide for additional time to complete the agreed upon scope of services.

#50 Authorized the loan agreement between the Department and the Town of Charlestown in the amount of \$1,500,000 under the provisions of RSA 486:14 and NH Admin Rules Env-C 500 effective upon approval by Governor and Council for the design and construction of improvements to the Town's WWTP and collection system.

#51 Authorized AMENDMENT to the original loan agreement between the Department and the City of Manchester in the amount of \$897,000 under the provisions of RSA 486:14 and NH Admin Rules Env-

C 500 effective upon approval by Governor and Council for the completion of the combined sewer overflow reports.

#52 Authorized Water Division to expend funds not to exceed \$52,000 from the State Dam Maintenance Fund for the repair of the Fullam Pont Dam in Chesterfield through December 31, 2002.

BOARD OF NURSING

#53 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Griffin, with Councilor Streeter voting NO, authorized to enter into a contract with Margaret Lee Leppanen, RN, MN, JD, 26 South Main Street, Concord, NH in the amount not to exceed \$45,357 through September 30, 2001 to provide investigative and prosecutorial functions for the Board. SOLE SOURCE

DEPARTMENT OF HEALTH AND HUMAN SERVICES

#54 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Colantuono, authorized to RETROACTIVELY AMEND an existing Agreement with the City of Manchester, New Hampshire [Initially approved on June 13, 1995 (Item #143)], by extending the termination date from June 30, 2000 to June 30, 2003 effective RETROACTIVE to June 30, 2000.

Office of Administration

#55 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, authorized to enter into a RETROACTIVE lease renewal agreement with BPS Realty, LLC, 65 Water Street, Laconia, NH in the total amount of \$1,068,731.73 effective RETROACTIVE to July 1, 2000 and to end sixty months thereafter.

Office of Community & Public Health

The Governor and Executive Council acted as follows:

#56 Authorized to accept and expend \$165,361 in federal funds and transfer \$5,000 as specified in letter dated May 16, 2000. FISCAL COMMITTEE APPROVED

#57 Authorized to accept and expend \$36,106 in federal funds as specified in letter dated August 15, 2000. FISCAL COMMITTEE APPROVED

#58 Authorized to accept and expend \$1,500,069 in federal funds and establish a Public Health Program Chief position through June 30, 2001 as specified in letter dated July 24, 2000. FISCAL COMMITTEE APPROVED

#59 Authorized to accept and expend \$82,500 in federal funds and establish one Program Specialist III position through June 30, 2001 as specified in letter dated August 23, 2000. FISCAL COMMITTEE APPROVED

#60 Authorized to accept and expend \$109,888 in federal funds and establish one Program Planner III position and one Word Processor II position through June 30, 2001 as specified in letter dated July 14, 2000. FISCAL COMMITTEE APPROVED

#61 Authorized to transfer \$178,200 as specified in their letter dated August 28, 2000. FISCAL COMMITTEE APPROVED

#62 Authorized to enter into an agreement with Health Management Associates Inc., 6689 Orchard Lake Road, West Bloomfield, Michigan in the amount of \$150,179 through June 30, 2001.

#63 Authorized Bureau of Health Risk Assessment to RETROACTIVELY enter into a contract with The Trustees of Tufts University, Medford, MA in the amount of \$119,996, RETROACTIVE to July 1, 2000 through June 30, 2001 to provide support to the New England Lead Coordinating Committee.

#64 The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Streeter abstaining, authorized to RETROACTIVELY AMEND an existing contract with the City of Nashua, NH [Initially approved on June 22, 1999 (Item #196) amended on April 26, 2000 (Item #85) and June 8, 2000 (Item #57)], by extending the completion date to September 30, 2000 effective July 1, 2000.

Office of Program Support

#65 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, authorized to transfer \$15,000 as specified in letter dated September 1, 2000. FISCAL COMMITTEE APPROVED Office of Family Services

The Governor and Executive Council acted as follows:

#66 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Streeter voting NO, authorized to RETROACTIVELY accept and expend \$68,867 in federal funds as specified in letter dated August 17, 2000. FISCAL COMMITTEE APPROVED/SOLE SOURCE

#67 Authorized to accept and expend \$618,734 in federal funds as specified in letter dated August 28, 2000. FISCAL COMMITTEE APPROVED

#68 Authorized to accept and expend \$124,859 in additional revenue from the State of Utah as specified in in letter dated August 31, 2000. FISCAL COMMITTEE APPROVED

#69 Authorized to accept and expend \$205,203 in federal funds as specified in letter dated August 28, 2000. FISCAL COMMITTEE APPROVED

#70 Authorized to accept and expend \$20,000 in federal funds as specified in letter dated August 18, 2000. FISCAL COMMITTEE APPROVED

#71 Authorized to accept and expend \$1,581,306 in federal funds, transfer and expend \$264,494 (50% general, 50% federal) for training of Child Protective Workers and Juvenile Probation and Parole Officers, as specified in letter dated August 17, 2000. FISCAL COMMITTEE APPROVED

#72 Authorized to accept and expend \$82,459.12 in agency income from marriage license fee assessments as specified in letter dated August 28, 2000. FISCAL COMMITTEE APPROVED

#73 Authorized Children, Youth & Families to enter into an agreement with AHurd Consultant, LLC Kingston, NH in the amount of \$20,000.00 through September 15, 2001 to retain the adoption search consultant services of Ms.Hurd.

#74 Authorized Children, Youth & Families to enter into an agreement with Lutheran Social Services of New England, Natick, MA and Concord, NH in the amount of \$6,000 through September 15, 2001 to perform adoptive home studies and home study updates pursuant to child placing standards upon referral from DCYF.

#75 Authorized Children, Youth & Families to enter into an agreement with Child and Family Services of NH, Manchester, NH in the amount of \$12,000 through September 15, 2001 to perform adoptive home studies and home study updates pursuant to child placing standards upon referral from DCYF.

NEW HAMPSHIRE HOSPITAL

The Governor and Executive Council acted as follows:

#76 Authorized to increase the annual salary of Michael Coudreaut, MD, Physician/Psychiatrist/Medical by \$3,000.00 for being board certified.

#77 Authorized to increase the annual salary of Richard Hattan, MD. Physician/Psychiatrist/Medical by \$3,000.00 for being board certified.

#78 Authorized to accept and expend \$20,751.87 in federal funds as specified in their letter dated August 1, 2000. FISCAL COMMITTEE APPROVED

DEPARTMENT OF EDUCATION

The Governor and Executive Council acted as follows:

#79 Authorized the reclassification of Position #13076 Claims Processor I, Salary Grade 8 to Program Specialist III, Salary Grade 22.

#80 Authorized to accept and expend additional grant funds in the amount of \$34,174.77 from the US Department of Education during the fiscal year ending June 30, 2001.

#81 Authorized to enter into a contract with High Point Communications Group, Inc., Bow, NH in an amount not to exceed \$66,340 through June 30, 2002 to provide the Department with public information assistance for the NH Educational Improvement and Assessment Program.

#82 Authorized to exercise the renewal option and grant funds to the North Country Education Foundation, Gorham, NH in an amount not to exceed \$100,000 through September 30, 2001 to provide supplemental educational services to highly mobile children who have unique educational needs.

NH COMMUNITY TECHNICAL COLLEGE SYSTEM

The Governor and Executive Council acted as follows:

#83 Authorized to RETROACTIVELY approve the request of the NHCTC-Manchester/Stratham to establish Consultant positions, two Non-traditional Initiative Coordinator positions, one Program Specialist II position and one Secretary II position and one Curriculum Specialist position through June 30, 2001 as specified in letter dated August 30, 2000. FISCAL COMMITTEE APPROVED

#84 Authorized to RETROACTIVELY approve the request of the NHCTC-Berlin/Laconia to establish one TI/C Assistant Professor position through June 30, 2001 as specified in letter dated August 30, 2000. FISCAL COMMITTEE APPROVED

#85 Authorized request of NHCTC-Manchester/Stratham to expend \$59,973 from the Non-Lapsing Account to establish and staff an eCommerce Program and establish one TI/C Associate Professor position and one TI/C Professor position, as specified in letter dated August 8, 2000. FISCAL COMMITTEE APPROVED

#86 Authorized to RETROACTIVELY AMEND request of the NHCTC-Concord to continue one Evaluation consultant position through June 30, 2001 not September 30, 2001 as specified in letter dated August 30, 2000.

#87 Authorized NH Technical Institute, Concord to accept and expend grant funds from the County of Merrimack, NH in the amount of \$322,000.00 through June 30, 2002.

SWEEPSTAKES COMMISSION

#88 The Governor and Executive Council, on motion of Councilor Streeeter, seconded by Councilor Burton, authorized to accept and place on file the Annual Report for the fiscal year ended June 30, 2000.

DEPARTMENT OF SAFETY

The Governor and Executive Council acted as follows:

#89 Authorized to AMEND the request to continue one Paralegal I position through June 30, 2001 not September 30, 2001 as specified in letter dated August 23, 2000. FISCAL COMMITTEE APPROVED

#90 Authorized to AMEND the request to continue one Attorney position through June 30, 2001 not September 30, 2001 as specified in letter dated August 23, 2000. FISCAL COMMITTEE APPROVED

#91 Authorized to enter into a long term lease agreement with the Town of Salem for additional office space at 33 Geremonty Drive in the Salem Municipal Building. The AMENDMENT is for a period of ten years commencing January 2001 with an annual rent of \$20,424.00 and a total cost of \$204,240.00.

#92 Authorized to enter into the first of two 3 year lease extensions with Mareld Company, Inc., Nashua, NH with an annual rent of \$20,470.00 for Motor Vehicle Office space in Merrimack, NH for the term January 1, 2001 through December 31, 2003.

#92A Authorized request to transfer \$20,000 as specified in letter dated August 1, 2000.

#92B Authorized the Director of the Division of State Police to restore 48.11 hours sick leave to Trooper First Class Barry Jones.

DEPARTMENT OF TRANSPORTATION

The Governor and Executive Council acted as follows:

#93 Authorized a three-month extension on a leave of absence (without pay) for Debra Dutra, effective October 24, 2000 through January 24, 2001.

#94 Authorized to accept and place on file the Informational Item "Equipment Acquisition Plan Status Report" for the period ending August 31, 2000.

#95 Authorized the Contemplated Award List for the period August 30, 2000 through September 12, 2000.

#96 Authorized to Quitclaim whatever interest the State of New Hampshire may have in the Old US Route 302 Highway Easement that is more than 33 feet Southerly of the US Route 302 highway center line, as now traveled, located in the Town of Littleton to Connecticut River Bank, N. A. where it abuts other land of said Connecticut River Bank, N. A.

#97 Authorized to enter into structural steel inspection service Agreements with NDT Non-Destructive Testing Group, Inc., Pittsburgh, PA in an amount not to exceed \$400,000.00; Pennoni Associates, Inc., Bridgeport PA, in an amount not to exceed \$350,000.00; and Robert W. Hunt Co., Pittsburgh, PA in an amount not to exceed \$300,000.00.

#98 Authorized to lease 50 linear feet and to grant a pedestrian crossing to Paul and Cynthia Gillis, 10 Pinewood Road, Plymouth, MA on the State-owned Concord to Lincoln Railroad Line in Laconia for \$300.00 per year for a period of five years and a one-time administrative fee of \$300.00.

#99 Authorized to enter into a grant agreement with the Town of Haverhill, NH owner of the Dean Memorial Airport to provide state funds in the amount of \$6,500.00 to reconstruct the ramp area and new fuel farm area for year round operation.

#100 Authorized to accept Federal Funds in the amount of \$2,500,000.00 for Manchester Airport Residential Sound Insulation Program AIP-40 project.

#101 Authorized to accept Federal Funds in the amount of \$2,500,000.00 for Manchester Airport Residential Sound Insulation Program AIP-42 project.

#102 Authorized to accept Federal Funds in the amount of \$570,800.00 for Lebanon Airport Development Project to reconstruct the general aviation north apron (Phase II) and associated projects AIP-21.

#103 Authorized to accept Federal Funds in the amount of \$79,200.00 for Lebanon Airport Planning Project to conduct an airport master plan update AIP-20.

#104 Authorized to accept Federal Funds in the amount of \$256,680.00 for a Nashua Airport, Boire Field, airport development project to install taxiway lighting and signage, AIP-20.

#105 Authorized to accept Federal Funds in the amount of \$341,100.00 for Claremont Airport development project to reconstruct six hilltop hazard beacons AIP-10.

#106 Authorized contract with L. G. Cushing & Sons, Inc., Walpole, NH on the basis of a low bid of \$18,967.00 for the construction of drilled wells and pumps on the properties of Leo Barrriault, 313 State Route 101, Amherst and Lynn Wagner, 2 Peabody Row, Londonderry.

#107 Authorized contract with R. J. Olszak Construction, d/b/a All-Ways Wrecking, Bridgewater, NH on the basis of a low bid of \$31,110.00. The contract consists of three building demolitions.

#108 Authorized contract with Pilot Construction, Inc., 24 Ladd Street, Portsmouth, NH for a lump sum price of \$930,000.00 for the Early Childhood Laboratory, NH Technical Institute, Concord, NH.

#109 Authorized to increase the contingency by \$15,000.00 with M. B. Maintenance, Inc., 218 River Road, New Boston, NH for a total contingency of \$32,642.00 for Fuel Tank Replacement, Statewide, NH.

#110 Authorized contract with G. A. Laflamme, Inc., PO Box 5706, Manchester, NH for a lump sum price of \$9,700.00 for the purpose of installation of City Master Box, State House Annex, Concord, NH.

#110A Authorized contract with Severino Trucking Co., Inc., Candia, NH on the basis of a low bid of \$1,988,544.35 to provide for expanding the Portsmouth Transportation Center at the south end of the Pease Tradeport.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Executive Council acted as follows:

#111 Authorized request of Dale S. Pike to construct a permanent pier to a seasonal ramp to a season "T" float on property located at the Lamprey River in Newmarket.

#112 Authorized request of Jay S. Eaton to reconstruct an existing breakwater and construct associated structures on property located at Lake Winnepesaukee in Alton.

#113 Authorized request of Warren & Monica Smith to AMEND permit to relocate an existing hinged aluminum seasonal pier to a new location and construct a breakwater on property located at Locke Island on Lake Winnepesaukee.

#114 Authorized request of Split Cove Trust to rip-rap 220 linear feet of eroded shoreline along Sagamore Creek in Rye.

#115 Authorized request of Rose Revocable Trust to construct a 36ft x 48ft four slip boathouse at Meredith Bay on Lake Winnepesaukee in Meredith.

#116 Authorized request of KD Realty Trust to increase an existing breakwater with a 10ft gap at the shoreline and construct associated structures on property located at Hopewell Point on Lake Winnepesaukee in Wolfeboro.

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

#118 **TUITION REQUESTS**

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Colantuono voting NO on Item #C-L, R approved the following tuition requests:

A. COMMUNITY TECHNICAL COLLEGE - Request permission to pay Plymouth State College, Plymouth, NH, the sum of \$786.00 for the sole purpose of enrolling Thomas Goulette, VP of Academic Affairs, in the course entitled "Transforming the Education Agenda".

B. COMMUNITY TECHNICAL COLLEGE - Request permission to pay Franklin Pierce College, Nashua, NH, the sum of \$362.34 for the sole purpose of enrolling Wesley Lavigne, Resident Director, in the course entitled "Seminar on Addiction".

C. EDUCATION - Request permission to pay Springfield College, Springfield, MA, the sum of \$500.00 for the sole purpose of enrolling Phyllis Bartlett, Rehabilitation Counselor II, in the course entitled "Psychosocial Evaluation and Assessment".

D. EDUCATION - Request permission to pay Springfield College, Springfield, MA, the sum of \$500.00 for the sole purpose of enrolling Wayne Blanchard, Rehabilitation Counselor I, in the course entitled "Psychosocial Evaluation and Assessment".

E. EDUCATION - Request permission to pay Springfield College, Springfield, MA, the sum of \$500.00 for the sole purpose of enrolling Barbara Bock, Rehabilitation Counselor I, in the course entitled "Psychosocial Evaluation and Assessment".

F. EDUCATION - Request permission to pay Springfield College, Springfield, MA, the sum of \$500.00 for the sole purpose of enrolling Debra Bunn, Rehabilitation Counselor II, in the course entitled "Psychosocial Evaluation and Assessment".

G. EDUCATION - Request permission to pay Springfield College, Springfield, MA, the sum of \$500.00 for the sole purpose of enrolling Laurie Corbett, Supervisor III, in the course entitled "Psychosocial Evaluation and Assessment".

H. EDUCATION - Request permission to pay Springfield College, Springfield, MA, the sum of \$500.00 for the sole purpose of enrolling William Earley, Rehabilitation Counselor II, in the course entitled "Psychosocial Evaluation and Assessment".

I. EDUCATION - Request permission to pay Springfield College, Springfield, MA, the sum of \$500.00 for the sole purpose of enrolling Richard Friedman, Rehabilitation Counselor II, in the course entitled "Psychosocial Evaluation and Assessment".

J. EDUCATION - Request permission to pay Springfield College, Springfield, MA, the sum of \$500.00 for the sole purpose of enrolling Willis Ingram, Facility Specialist, in the course entitled "Psychosocial Evaluation and Assessment".

K. EDUCATION - Request permission to pay Springfield College, Springfield, MA, the sum of \$500.00 for the sole purpose of enrolling Sandra Lee, Rehabilitation Counselor II, in the course entitled "Psychosocial Evaluation and Assessment".

L. EDUCATION - Request permission to pay Springfield College, Springfield, MA, the sum of \$500.00 for the sole purpose of enrolling Terrence Stapleton, Rehabilitation Counselor II, in the course entitled "Psychosocial Evaluation and Assessment".

M. ENVIRONMENT SERVICES - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$957.00 for the sole purpose of enrolling Timothy R. Denison, Supervisor VII, in the course entitled "Strategic Management".

N. ENVIRONMENT SERVICES - Request permission to pay Franklin Pierce College, Rindge, NH, the sum of \$1098.00 for the sole purpose of enrolling Kathy Ann LaBonte, Accountant II, in the courses entitled "Advanced Accounting II" and "Microeconomics".

O. ENVIRONMENT SERVICES - Request permission to pay New Hampshire College, Gilford, NH, the sum of \$615.00 for the sole purpose of enrolling Lorien Wilson, Accountant I, in the course entitled "Human Relations in Administration".

P. HEALTH & HUMAN SERVICES, Office of Program Support - Request permission to pay Hesser College, Concord, NH, the sum of \$555.00 for the sole purpose of enrolling Denise Sherburne, Administrative Assistant I, in the course entitled "Accounting I".

Q. HEALTH & HUMAN SERVICES, Office of Program Support - Request permission to pay Hesser College, Concord, NH, the sum of \$555.00 for the sole purpose of enrolling Denise Sherburne, Administrative Assistant I, in the course entitled "Principles of Management".

R. YOUTH DEVELOPMENT SERVICES - Request permission to pay American Institute of Creative Education, Augusta, ME, the sum of \$670.00 for the sole purpose of enrolling John Meehan, Teacher, in the course entitled "Discovering Mathematics (K-8+)".

#119 TRAVEL REQUESTS

The Governor and Executive Council accepted the following travel requests:

A. SAFETY - Request permission for (1) employee, Sheila Young, FARS Analyst, or designee, to travel to Las Vegas, NV, on October 15 - 20, 2000, to attend the FARS System Wide Training Conference.

ALSO A CASH ADVANCE OF \$881.00 IS REQUESTED FOR Sheila Young. Total Cost: \$1453.00. Source of Funds: 100% Federal Funds. No Registration Fees.

B. SAFETY, Field Audit Bureau - Request permission for (2) employees, Audrey Martel, Auditor II, and Susan Fellows, Auditor II, or designee, to travel to Jericho, NY, on November 12 - 17, 2000, to perform an audit of Getty Petroleum's Motor Fuel Distributor and Oil Discharge and Pollution Control accounts. ALSO A CASH ADVANCE OF \$920.00 IS REQUESTED FOR Audrey Martel and ALSO A CASH ADVANCE OF \$825.00 IS REQUESTED FOR Susan Fellows. Total Cost: \$1745.00. Source of Funds: 100% Highway Funds. No Registration Fees.

C. SAFETY, Field Audit Bureau - Request permission for (2) employees, Kathy Morrill, Auditor III, and Abigail Blanchard, Auditor II, or designee, to travel to Norfolk, VA, on November 13 - 19, 2000, to attend the FTA/FHWA Advanced Motor Fuel Tax Training. ALSO A CASH ADVANCE OF \$875.00 IS REQUESTED FOR Kathy Morrill and ALSO A CASH ADVANCE OF \$875.00 IS REQUESTED FOR Abigail Blanchard. Total Cost: \$2260.00. Source of Funds: 100% Federal Funds. Registration Fee: \$500.00.

D. TREASURY, Abandoned Property Division - Request permission for (3) employees, Jill McDaniel, Claims Processor III, Carolyn Muller, Secretary II, and Dawn Allen, Technical Support Specialist II, or designee, to travel to Boulder, CO, on October 15 - 18, 2000, to attend the Unclaimed Property Users' Conference. ALSO A CASH ADVANCE OF \$600.00 IS REQUESTED FOR Jill McDaniel and ALSO A CASH ADVANCE OF \$600.00 IS REQUESTED FOR Carolyn Muller and ALSO A CASH ADVANCE OF \$600.00 IS REQUESTED FOR Dawn Allen. Total Cost: \$3790.00. Source of Funds: 100% Abandoned Property Revenues. Registration Fee: \$750.00.

LATE ITEM

A. DEPARTMENT OF ENVIRONMENTAL SERVICES

Authorized request of J. Willard, Jr., David S., and Carrie Marriott's to dredge and excavate for the purposes of constructing a dug-in boathouse providing 4 interior slips on Tuftonboro Neck, Lake Winnepesaukee.

Item removed from Table

#62 The Governor and Executive Council, on motion of Councilor Colantuono, seconded by Councilor Burton, voted to remove Item

#62 which was tabled at the September 20, 2000 Governor and Executive Meeting. Councilor Colantuono, seconded by Councilor Burton with Councilors Spaulding and Griffin voting NO, the request to enter into a contract with Fay's Boat Yard, 71 Varney Point Road, Gilford, NH in the amount of \$19,165 through September 30, 2001 to develop boat pump out facilities for inland and coastal waters.

The Governor set the next Governor and Executive Council Meeting on Wednesday, October 18, 2000 at 10:30 a.m. at the Nashua City Hall, Nashua, NH.

The Honorable Board then adjourned.