

## **Minutes March 28, 2001**

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

State House, Concord, New Hampshire  
March 28, 2001  
10:30 a.m.  
#5

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

The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Spaulding, accepted the minutes of February 14, 2001.

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Colantuono, confirmed the appointment of several persons nominated for Civil Commissions from the February 14, 2001 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 resignations:

#### **STATE COMMITTEE ON AGING**

Norman P. Malloy, Berlin (d)  
Coos County  
Effective: Upon acceptance of resignation  
Reason: Personal

#### **AIR RESOURCES COUNCIL**

David Harrington, New Boston  
Petroleum Industry  
Effective: March 31, 2001  
Reason: Moving out of state

#### **OIL FUND DISBURSEMENT BOARD**

David Harrington, New Boston  
Petroleum Refiners  
Effective: March 31, 2001  
Reason: Moving out of state

#### **POSTSECONDARY EDUCATION COMMISSION**

David Boisvert, Bow  
Representing a college not a member of the NH College and University Council  
Effective: March 19, 2001  
Reason: No longer representing a college not a member of the NH College and University Council

#### **TRAFFIC SAFETY COMMISSION**

Frank R. Dickinson, Ossipee  
Effective: Upon acceptance of resignation  
Reason: Personal

### **CONFIRMATIONS**

The Governor and Executive Council confirmed the following:

**AGRICULTURAL ADVISORY BOARD**

John H. Amey, Pittsburg  
Coos County  
Succeeding: Colin Christie, Lancaster (reached term limit)  
Effective: March 28, 2001  
TERM: January 31, 2005

William B. Bartlett, Newport  
Sullivan County  
Succeeding: Fred Sullivan, Cornish  
Effective: March 28, 2001  
TERM: January 31, 2002

Ellen R. Clement, Westmoreland  
Cheshire County  
Succeeding: Archie Coll, Jaffrey (reached term limit)  
Effective: March 28, 2001  
TERM: January 31, 2004

Douglas Cole, Loudon  
Merrimack County  
Succeeding: Diane Souther, Concord (reached term limit)  
Effective: March 28, 2001  
TERM: January 31, 2005

Lisa Knapton, Piermont  
Grafton County  
Succeeding: David Keith, North Haverhill (reached term limit)  
Effective: March 28, 2001  
TERM: January 31, 2006

Charles Moulton, New Hampton  
Belknap County  
Succeeding: Martina Howe, Gilford  
Effective: March 28, 2001  
TERM: August 18, 2002

Benjamin D. Shambaugh, N Sandwich  
Carroll County  
Succeeding: Eugene Hussey, Conway  
Effective: March 28, 2001  
TERM: January 31, 2003

Maria Southworth, Madbury  
Strafford County  
Reappointment  
Effective: March 28, 2001  
TERM: January 31, 2003

**ATHLETIC TRAINERS BOARD**

Laura C. Decoster, Manchester  
Succeeding: Daniel Sedory, Stratham  
Effective: March 28, 2001  
TERM: January 8, 2004

Maren C. McElwee, Concord  
Succeeding: Mark D. Legacy, Enfield (resigned)  
Effective: March 28, 2001  
TERM: January 8, 2002

**BOARD OF LICENSED DIETITIANS**

Alan S. Grigsby, Lebanon  
(Public member)  
Vacancy  
Effective: March 28, 2001  
TERM: March 28, 2003

**BOARD OF EDUCATION**

Chris C. Houpis, Amherst  
(at large)  
Succeeding: Jeffrey Pollock, Bedford (resigned)  
Effective: March 28, 2001  
TERM: January 31, 2003

**DIRECTOR OF FIRE STANDARDS AND TRAINING**

Richard A. Mason, Portsmouth  
Reappointment  
Effective: March 28, 2001  
Salary: Group N, Step 5-\$64,036  
TERM: March 31, 2005

**HUMAN RIGHTS COMMISSION**

Nancy Allen, Canaan  
Succeeding: Loren Jean, Litchfield  
Effective: March 28, 2001  
TERM: November 1, 2005

**MOORINGS APPEAL BOARD**

Melvin Borrin, Center Harbor  
Reappointment  
Effective: March 28, 2001  
TERM: December 16, 2003

**MOTOR VEHICLE INDUSTRY BOARD**

Robert M. Copeland, Wolfeboro  
Reappointment  
Effective: March 28, 2001  
TERM: January 9, 2005

Charles Frank Yanco, North Hampton  
Reappointment  
Effective: March 28, 2001  
TERM: January 9, 2005

**OCCUPATIONAL THERAPY BOARD**

Linda J. Thyne, Londonderry  
(Certified Occupational Therapy Assistant)  
Reappointment  
Effective: March 28, 2001  
TERM: March 4, 2004

## **REGIONAL COMMUNITY-TECHNICAL COLLEGES BOARD OF TRUSTEES**

Claudette L. Mahar, Amherst  
(Health)  
Reappointment  
Effective: March 28, 2001  
TERM: February 3, 2005

David C. Paquette, Suncook  
(Labor)  
Reappointment  
Effective: March 28, 2001  
TERM: February 3, 2005

Alan Robichaud, Gilford  
(Alumni Member)  
Reappointment  
Effective: March 28, 2001  
TERM: March 3, 2005

Ann M. Torr, Dover  
(General Public)  
Reappointment  
Effective: March 28, 2001  
TERM: February 3, 2005

Thomas E. Wilhelmsen, Jr., Hollis  
(Business and Industry)  
Reappointment  
Effective: March 28, 2001  
TERM: February 17, 2005

## **RESPIRATORY CARE PRACTITIONERS BOARD**

Mark E. Favorite, Rochester  
Reappointment  
Effective: March 28, 2001  
TERM: March 4, 2004

Barbara St. George, Derry  
(Public Member)  
Reappointment  
Effective: March 28, 2001  
TERM: March 24, 2004

## **SPEECH-LANGUAGE PATHOLOGY GOVERNING BOARD**

Amy S. Plante, West Nottingham  
Reappointment  
Effective: March 28, 2001  
TERM: March 4, 2004

## **TRAFFIC SAFETY COMMISSION**

Daniel P. Auger, Farmington  
Succeeding: Walter Morse, Hillsborough  
Effective: March 28, 2001  
TERM: September 16, 2005

William C. Simons, Dover  
Succeeding: William W. Fenniman, Jr., Dover  
Effective: March 28, 2001  
TERM: September 10, 2005

**ACTING COMMISSIONER: YOUTH DEVELOPMENT SERVICES**

Joseph Diament, Newfields  
Succeeding: Peter Favreau, Manchester  
Effective: April 1, 2001  
Salary: \$76,603  
TERM: To serve at the pleasure of the Governor

**NOMINATIONS**

The Governor nominated the following:

**BOARD OF ACCOUNTANCY**

Deborah B. Butler, Concord  
Certified Public Accountant  
Succeeding: Kevin Howe, Manchester  
Effective: Upon confirmation  
TERM: December 2, 2005

**STATE COMMITTEE ON AGING**

Margaret McClellan, Berlin (d)  
Coos County  
Succeeding: Norman Malloy, Berlin (d)  
Effective: Upon confirmation  
TERM: June 24, 2004

**BOARD OF BARBERING, COSMETOLOGY AND ESTHETICS**

Sylvia Donah, Litchfield  
Cosmetologist  
Reappointment  
Effective: Upon confirmation  
TERM: March 25, 2006

**BUSINESS FINANCE AUTHORITY**

Katherine Williams, North Hampton  
Succeeding: Katherine Paine, Durham  
Effective: Upon confirmation  
TERM: November 3, 2003

**COMPENSATION APPEALS BOARD**

Hamilton R. Krans, Jr., Dover  
Attorney  
Reappointment  
Effective: Upon confirmation  
TERM: May 26, 2005

**STATE BOARD OF EDUCATION**

Judith T. Reeve, Laconia  
At large  
Succeeding: Ann McArdle, Manchester (resigned)  
Effective: Upon confirmation  
TERM: January 31, 2004

**STATE BOARD OF FIRE CONTROL**

Richard J. Pauley, Jr., Milford  
Chief of Municipal Fire Dept.  
Succeeding: Michael D. Mooney, Laconia  
Effective: Upon confirmation  
TERM: July 8, 2005

**HEATING SYSTEM CERTIFICATION ADVISORY BOARD**

Kevin Pratt, Raymond  
NH Association of Fire Chiefs  
Vacancy  
Effective: Upon confirmation  
TERM: September 1, 2002

**MERRIMACK RIVER VALLEY FLOOD CONTROL COMMISSION**

Merton L. Mann, Dunbarton  
Reappointment  
Effective: Upon confirmation  
TERM: March 1, 2004

**NEW MOTOR VEHICLE ARBITRATION BOARD**

Kenneth Batchelder, Bridgewater  
Representing Consumers  
Reappointment  
Effective: Upon confirmation  
TERM: March 25, 2004

**OIL FUND DISBURSEMENT BOARD**

James E. Connolly, Jr., Candia  
Public Member  
Succeeding: Wesley J. Colby, Laconia (resigned)  
Effective: Upon confirmation  
TERM: January 1, 2002

Ronald R. Poirier, Manchester  
Petroleum Dealer  
Succeeding: James E. Connolly, Candia  
Effective: Upon confirmation  
TERM: January 1, 2004

**PENALTY APPEAL BOARD**

David W. Laughton, Auburn  
Labor  
Reappointment  
Effective: Upon confirmation  
TERM: January 5, 2004

**STATE COMMISSION ON THE STATUS OF WOMEN**

Judith Hynes, Concord  
Reappointment  
Effective: Upon confirmation  
TERM: October 20, 2003

**BUSINESS FINANCE AUTHORITY**

#1 Authorized to hold a Public Hearing with respect to an award of a State Guarantee under RSA 162-A:13 with respect to a loan from Bank of New Hampshire to Aviation Technology, Inc., in Manchester, NH. Action will authorize 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 - Yes:

Councilor Colantuono - Yes:

Councilor Wheeler - Yes.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD ON MARCH 28, 2001 COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE

At approximately 11:00 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Working Capital Line of Credit Guarantee Program of the Business Finance Authority in connection with a loan to be made by Bank of New Hampshire to Aviation Technology, 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 loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Michael Donahue, Senior Credit Officer of the Authority who briefly explained the project and introduced Carolyn Cloutier, Senior Vice President of Bank of New Hampshire and Anthony Verderame, President of Aviation Technology, Inc. and Don Toland, Financial Consultant to Aviation Technology, Inc. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Colantuono introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM BANK OF NEW HAMPSHIRE TO AVIATION TECHNOLOGY, INC." and moved its adoption, which was seconded by Councilor Burton. 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 Wheeler; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

A RESOLUTION UNDER RSA 162-A:18 AWARDDING A STATE GUARANTEE UNDER RSA 162-A:13-a WITH RESPECT TO A LOAN FROM BANK OF NEW HAMPSHIRE TO AVIATION TECHNOLOGY, INC.

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") 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 determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to seventy-five percent (75%) of the principal amount of a loan up to \$400,000 from Bank of New Hampshire to Aviation Technology, Inc. pursuant to RSA 162-A:13-a (the Working Capital Loan Guarantee Program or the "WAG Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed seventy-five percent (75%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is Authorizedd to approve the recommendation of the Authority and to award the recommended guarantee upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

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

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of 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 award of the guarantee as proposed will contribute significantly to the success of the financing.

(ii) Reasonable and appropriate measures have been taken to minimize the risk of loss to the Authority and to ensure that any private benefit from the award of the guarantee will be only incidental to the public purpose served thereby.

(b) General Findings.

(i) The award of the guarantee as proposed will serve a public use and provide a public benefit.

(ii) The award of the guarantee as proposed is within the policy of, and the authority conferred by RSA Chapter 162-A.

(iii) The award of the guarantee as proposed 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.

(iv) The award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and Authorized the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

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

Passed and Agreed to March 28, 2001.

#### **OFFICE OF STATE PLANNING**

The Governor and Executive Council acted as follows:

#2 Authorized to conduct a one-day Planning and Zoning Workshop to be held on Saturday, May 12, 2001 at the New Hampshire Technical Institute in Concord, New Hampshire at a total cost not to exceed \$6,100.00.

(A) Further authorized to enter into an Agreement in an amount not to exceed \$2,000.00 with the New Hampshire Technical Institute for the use of individual classrooms, lecture hall, audio-visual equipment and the cafeteria. The funds are to be encumbered in account 010-002-8216-003-0415.

(B) Further authorized to enter into an Agreement in an amount not to exceed \$3,300.00 with the New Hampshire Technical Institute's food service provider, Chartwells Dining Service for the provision of a buffet luncheon and coffee breaks for no more than 300 participants. These funds are to be encumbered in account 010-002-8216-003-0207.

(C) To accept and expend registration fees and donations from private individuals and organizations to be deposited in the Municipal/Regional Training Revolving account 010-002-8216-003-2141.

(D) To approve \$800 for speaker expenses. These funds are to be expended from account 010-002-8216-003.



#3 Authorized to AMEND a grant agreement with the US Environmental Protection Agency [Initially approved on April 26, 2000, (Item #1A)], by extending the end date from June 30, 2001 to September 30, 2001.

(2) Authorized the Director, Division of Accounting Services, to AMEND the budget as specified in letter of March 28, 2001.

#4 Authorized to RETROACTIVELY AMEND an existing agreement with the Northeast Resource Recovery Association, 9 Bailey Road, Chichester, NH [Initially approved on January 5, 2000 (Item #4)], by increasing the contract amount by \$11,033 for a new total of \$93,033 and extending the end date from December 31, 2000 to June 30, 2001. Funds for this additional amount are available in account number 025-002-3646-090.

#5 Authorized to AMEND an existing Agreement with the County of Merrimack, NH [Initially approved on September 6, 2000 (Item #7)], to add a Sub-recipient Agreement to the original contract and separate the joint Employment Commitment Agreement into two separate agreements. 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:

#6 Authorized to enter into a Memorandum of Agreement with the Department of Environmental Services in the amount of \$13,000 for the purchase of two alternatively fueled natural gas vehicles effective upon approval by Governor and Council.

(2) Authorized DES to accept an expend such funds as stipulated by this resolution and the joint Memorandum of Agreement, and Authorized the Comptroller to increase appropriation account #010-044-4797 as specified in letter of February 18, 2001.

(3) Further Authorized a waiver of Administrative Rule 607.03(c) to allow DES to increase it's fleet by two vehicles.

#7 Authorized to accept and expend additional funds from the US Department of Energy Weatherization Assistance Program in the amount of \$188,312.35 through June 30, 2001 and direct the Director, Division of Accounting Services, to adjust the budget in account 025-002-7704 as specified in letter of March 15, 2001.

#8 Authorized to AMEND the budget for funds authorized on August 23, 2000 Governor & Council Item #174. Further Authorized the Director, Division of Accounting Services to adjust the FY 2001 budget in appropriation account 025-002-1206 as specified in letter of March 19, 2001.

#9 Authorized to enter into a contract with Southern New Hampshire Services, Inc., Manchester, NH as a grant recipient under the Weatherization Assistance Program during the period April 1, 2001 to March 31, 2002 in an amount not to exceed \$322,836.00 chargeable to account #025-002-7704-094-0415.

#10 Authorized to enter into a contract with Rockingham Community Action, Inc. of Portsmouth, NH as a grant recipient under the Weatherization Assistance Program during the period April 1, 2001 to March 31, 2002 in an amount not to exceed \$117,089.00 chargeable to account #-025-002-7704-094-0415.

#11 Authorized to enter into a contract with Tri-County Community Action Programs, Inc., Berlin, NH as a grant recipient under the Weatherization Assistance Program during the period April 1, 2001 to March 31, 2002 in an amount not to exceed \$184,377.00 chargeable to account #025-002-7704-094-0415.

#12 Authorized to enter into a contract with Community Action Program Belknap-Merrimack Counties, Inc., Concord, NH as a grant recipient under the Weatherization Assistance Program during the period

April 1, 2001 to March 31, 2002 in an amount not to exceed \$147,910.00 chargeable to account #025-002-7704-094-0415.

#13 Authorized to enter into a contract with Southwestern Community Services, Inc., Keene, NH as a grant recipient under the Weatherization Assistance Program during the period April 1, 2001 to March 31, 2002 in an amount not to exceed \$114,751.00 chargeable to account #025-002-7704-094-0415.

#14 The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, with Councilors Colantuono and Wheeler voting NO, authorized to enter into an agreement with Alternate Energy Corporation, d/b/a NRG dot com through June 28, 2002 in an amount not to exceed \$60,695 to upgrade the State's natural gas refueling station on Stickney Avenue in Concord. Funding for this agreement is available in, and should be charged against account #025-002-1206-092-0252. SOLE SOURCE

#### **OFFICE OF EMERGENCY MANAGEMENT**

The Governor and Executive Council acted as follows:

#15 Authorized to accept and expend Hazard Mitigation Grant Program funds from the Federal Emergency Management Agency in the amount of \$38,818 through March 31, 2003.  
(2) Further Authorized the Administrator of the Bureau of Accounting to budget the funds according to the exhibit in letter of February 26, 2001.  
(3) Further Authorized a grant agreement in the amount of \$38,057 with the Town of Meredith, NH through December 20, 2002.  
(4) Further Authorized the Administrator of the Bureau of Accounting to encumber funds as exhibited in letter of February 26, 2001.

#16 Authorized to enter into grant agreements with each of the New Hampshire Regional Planning Commissions listed in letter of March 15, 2001 for a total of \$280,000 through September 30, 2002.  
(2) Further Authorized the Director of Accounting Services to encumber funds for the contractors listed in letter of March 15, 2001 from Account 025-088-7831-092-0415.

#### **OFFICE OF THE ADJUTANT GENERAL**

The Governor and Executive Council acted as follows:

#17 Authorized to accept and expend monetary contributions in the amount of \$100.00 for the New Hampshire State Veterans Cemetery to be used for the betterment of the cemetery. These donations were received during the period of December 1, 2000 through February 28, 2001.

#18 Authorized to accept material donations in the estimated amount of \$1,056.94 for the New Hampshire State Veterans Cemetery to be used for the betterment of the cemetery as listed on the attachment of letter of March 1, 2001.

#19 Authorized to enter into a memorandum of agreement with the Department of Fish and Game and the Department of Resources and Economic Development with a maximum price of \$49,100.00 through March 31, 2002 to perform Habitat Management and Monitoring of the Concord Municipal Airport Conservation Zones. The cost of this contract shall be reimbursed to the State by the federal government at a rate of 100%.  
(2) Authorized the comptroller to encumber the funds cited in letter of February 15, 2001.  
(3) Further, Authorized the NH Fish and Game Department to accept and expend \$46,600.00 of the above-mentioned funding in the MOA through March 31, 2002. Further Authorized the Director of Accounting Services to establish the budget in the NH Fish and Game Department as specified in letter of February 15, 2001.

#20 Authorized the nomination of Colonel Kenneth R. Clark, 71 Wallis Road, No. 2, Rye, NH to the rank of Brigadier General, New Hampshire Air National Guard.

#21 Authorized the nomination of Major Ricky J. Maffei, 23 Stevens Hill Road, Nottingham, NH to the rank of Lieutenant Colonel, New Hampshire Air National Guard.

#22 Authorized the nomination to Major Robert T. Monahan, 357A Meaderboro Road, Farmington, NH to the rank of Lieutenant Colonel, New Hampshire Air National Guard.

#23 Authorized the confirmation Major Peter L. Corey, 38 South Whitefield Road, Whitefield, NH to the rank of Lieutenant Colonel, New Hampshire Army National Guard.

#24 Authorized the confirmation of Colonel Michael J. Madison, 415 East High Street, Manchester, NH to the rank of Colonel, New Hampshire Army National Guard.

#25 Authorized the confirmation of Captain David R. Routhier, 420 Milbrook Road, Grafton, NH to the rank of Major, New Hampshire Air National Guard.

#26 Authorized the confirmation of Lieutenant Colonel Stephen C. Burritt, 8 Goss Drive, Henniker, NH to the rank of Colonel, New Hampshire Army National Guard.

#27 Authorized to accept and expend funds in the amount of \$36,185.49 from the federal government (National Guard Bureau) through September 30, 2001 to cover the cost of utilities at the buildings occupied by tenants at Pease Air National Guard Base to be reimbursed 100% by the federal government.

#28 Authorized to enter into an agreement with Country Squire Investigations and Security, Concord, NH for a total cost of \$15,384.60 through June 30, 2001 to provide security service at the State Military Reservation, Concord, NH. [Initially approve on March 18, 1998 (Item #26) and AMENDED on May 26, 1999 (Item #22)] to correct an erroneous completion date of March 31, 1999 to March 31, 2001.

(2) Authorized the Comptroller to budget the above-cited funds in an already existing account as specified in letter of March 13, 2001.

## **DEPARTMENT OF ADMINISTRATIVE SERVICES**

The Governor and Executive Council acted as follows:

#29 Authorized Division of Personnel an annual step increase for Sara J. Willingham, Manger of Employee Relations, from the third step in Group N at an annual salary of \$58,552 to the fourth step in Group N at an annual salary of \$61,295 effective April 26, 2001.

#30 Authorized Division of Plant and Property Management to AMEND an existing contract with MCI WorldCom Communications, Inc., Boston, MA for Interstate Long Distance with Attendant Services, Telephone Calling Cards and Interstate 800 Service. This amendment will begin on April 11, 2001 and terminate on October 10, 2002.

#31 Authorized list of agency transfers for Fiscal Year 2001 during the month of February 2001.

#32 Authorized Salary and Benefit Adjustment transfers for the month of February 2001.

#33 Authorized Bureau of Court Facilities to transfer \$23,206, as specified in letter dated March 7, 2001. FISCAL COMMITTEE APPROVED

#34 Authorized to appoint Council David K. Wheeler as a designee of the Executive Council to hold a hearing on the proposal for construction, renovation, equipment and refinancing of existing indebtedness project for Cedarcrest Foundation, Inc., Keene, NH.

#34A Authorized Division of Personnel to enter into an AMENDMENT to a service contract with Susan C. Gunther, by increasing the price limitation from \$10,000 to \$20,000 and increase of \$10,000. [Initially approved on August 9, 2000 (Item #41)]. The cost of this training will be charged to account 010-014-1048-003-0104 and will not exceed \$20,000.

#34B Authorized Bureau of Purchase and Property to enter into statewide agreements with the vendors listed in Attachment A of letter of March 16, 2001 effective the date of Governor and Council approval as well as grant permission to implement these agreements under an approved process. These agreements have a 6-year term, ending June 30, 2005 contingent upon performance reviews to occur every two years.

#34C Authorized Data Center to RETROACTIVELY enter into an agreement with Compuware Corporation, Farmington Hills, Michigan for software maintenance through June 30, 2002. Funds are available as follows: FY 2001 DAS 010-014-1462-096-0230 for \$71,283.00 and FY 2002 DAS 010-014-1462-096-0230 for \$78,413.00.

#### **DEPARTMENT OF CULTURAL RESOURCES**

#35 The Governor and Executive Council, on motion of Councilor Colantuono, seconded by Councilor Burton with Councilor Wheeler voting NO, authorized Division of Historical Resources to accept and expend a grant of \$4,500.00 from the Badger Fund of the New Hampshire Charitable Foundation for the biennium ending June 30, 2001, and direct the Director, Division of Accounting Services to budget the funds as specified in letter dated February 28, 2001.

#### **TREASURY DEPARTMENT**

#36 The Governor and Executive Council, on motion of Councilor Colantuono, seconded by Councilor Burton, authorized the comptroller to issue a warrant from funds not otherwise appropriated and the State to issue checks in the amount of \$11,600.21.

#### **ATTORNEY GENERAL**

The Governor and Executive Council acted as follows:

#37 Authorized to expend up to \$75,000 from the general fund to pay unanticipated litigation costs incurred in connection with the Litigation matter, Evelyn Sirrell, et al. v State of New Hampshire, as specified in letter dated February 28, 2001. FISCAL COMMITTEE APPROVED

#38 TABLED-The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Wheeler, voted to TABLE the request of the Department of Justice to enter into a sub-grant with the Cheshire County Attorney in the amount of \$3,000 from April 1, 2001 to June 30, 2002 and further Authorized the Director, Bureau of Accounting Services to encumber same in account 025-010-1993-090 as specified in letter of March 15, 2001.

(2) Authorized the Department of Justice to enter into sub-grants, with the agencies for a total amount of \$701,500 from April 1, 2001 to June 30, 2002 as specified in letter of March 15, 2001. Further Authorized the Director, Bureau of Accounting Services to encumber same in account 025-020-2003-090 as specified in letter of March 15, 2001.

#38A Authorized to appoint Anthony S. Fowler as a Criminal Justice Investigator (Position #9U274) at a salary of \$45,735, Maximum for Group J, effective upon Governor and Council approval. Mr. Fowler

will initially be completing the term of the incumbent in this position which ends May 27, 2001 and then serving a full term to expire May 27, 2006.

#### **HIGHWAY SAFETY AGENCY**

#39 The Governor and Executive Council, on motion of Councilor Colantuono, seconded by Councilor Griffin with Councilor Wheeler voting NO, authorized to AMEND a contractual agreement with Burton E. Nichols [Initially approved on April 12, 2000 (Item #34)], by extending the termination date from June 30, 2001 to June 30, 2002 and increasing the contract amount by \$42,023.75 from \$41,255.00 to \$83,278.75 and funded under appropriation 025 025 3200 090 0415. Direct the director of the Accounting Services to increase contact encumbrance #522214 to \$83,278.75. SOLE SOURCE

#### **DEPARTMENT OF LABOR**

#40 The Governor and Executive Council, on motion of Councilor Colantuono, seconded by Councilor Burton with Councilor Wheeler voting NO, authorized to increase the salary of the Deputy Commissioner of Labor by \$3,003.00 thereby placing him at an annual salary of \$1,000.00 more than a subordinate classified employee retroactively effective February 23, 2001.

(2) Further Authorized to increase the salary of the Deputy Commissioner of Labor effective April 20, 2001 an additional \$2,769.00 thereby placing him at an annual salary of \$1,000.00 more than a subordinate classified employee who will be receiving an annual incremental salary increase on that date.

#### **PUBLIC UTILITIES COMMISSION**

The Governor and Executive Council acted as follows:

#41 Authorized to transfer \$8,448, as specified in letter dated February 15, 2001.

(2) Further to direct the Director, Division of Accounting Services to adjust the budget as specified in letter of February 15, 2001. FISCAL COMMITTEE APPROVED

#42 Authorized to accept and expend US Department of Transportation grant funds in the amount of \$34,158.00 through December 31, 2001 and to direct the Director, Division of Accounting Services to adjust the budget as specified in letter of March 15, 2001.

#### **PARI-MUTUEL COMMISSION**

#43 Authorized to enter into a lease agreement with McCarthy Properties in the amount of \$22,932 annually for a total amount not to exceed \$114,660 through May 7, 2006 for office space located on the third floor at 244 North Main Street, Concord, NH.

(2) Further Authorized the Director, Division of Accounting Services to encumber funds under appropriation 010-086-2210-022-0248 as specified in letter of March 8, 2001.

#44 Authorized to accept and place on file The New Hampshire Pari-Mutuel Commission Annual Report for the Calendar Year ending December 31, 2000.

#### **LIQUOR COMMISSION**

#45 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, authorized to transfer \$67,161.16 as specified in letter of February 28, 2001. FISCAL COMMITTEE APPROVED

#### **EMPLOYMENT SECURITY**

The Governor and Executive Council acted as follows:

#46 Authorized to sign a Quitclaim deed and Easement to the City of Portsmouth for the purpose of establishing a public right-of-way-running north and south along the westerly boundary of property of NHES located in Portsmouth, New Hampshire.

#47 Authorized to enter into a RETROACTIVELY AMENDED service agreement with Salem Construction Corporation, for the additional amount of \$5,000.00 annually for a revised total of \$15,000.00 annually for the 2 year period from February 5, 2001 through June 30, 2002 for snow plowing and removal services at NHES's Salem "NH Works" Job & Information Center. Existing Federal funds for this service will be expended as specified in letter of March 14, 2001. SOLE SOURCE

#48 Authorized to enter into a service agreement with Johnson's Office Furniture, Inc. in the amount of \$25,000.00 annually for the total agreement limitation of \$75,000.00 through June 30, 2003 for office furniture moving and repair services at NHES's offices statewide. Existing Federal funds for this service will be expended as specified in letter of March 15, 2001.

#49 Authorized to enter into RETROACTIVELY AMENDED Memorandum's of Understanding with the NH Department of Health and Human Services and NH Department of Resources and Economic Development and NH Department of Labor not to exceed \$10,000.00 each for a total not to exceed \$30,000.00 for services to be provided in support of NHES's One-Stop Career Center Implementation Grant award from the US Department of Labor. The current period of these MOU's which are effect for the period from February 5, 1999 through December 31, 2000 for DHHS and for the period from January 5, 2000 through December 31, 2000 for NHDOL and DRED will be extended through March 31, 2001. Federal funds are budgeted under 025-027-8040-097-0252.

#50 Authorized to enter into a service agreement with Slawsby Insurance in an amount not to exceed \$39,000.00 for the three year period from April 1, 2001 through March 31, 2004 for property (building & contents) insurance coverage for NHES properties statewide. Existing funds for this service will be expended as specified in letter of March 14, 2001.

## **DEPARTMENT OF CORRECTIONS**

The Governor and Executive Council acted as follows:

#51 Authorized the AMENDED and approved request of the Department for \$500,000 not \$1,737,000 in additional general funds to cover inmate and dental cost through April 11, 2001, not June 30, 2001, as specified in letter of March 2, 2001. FISCAL COMMITTEE APPROVED

#52 Authorized to reclassify Position #16280, Corrections Officer, A130, salary grade 13, to Supervisor II, A000, salary grade 20, effective upon Governor and Council approval.

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

The Governor and Executive Council acted as follows:

#53 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Griffin, with Councilor Wheeler voting NO, authorized Division of Economic Development to establish a Program Specialist III position through June 30, 2001 as specified in letter dated February 14, 2001. FISCAL COMMITTEE APPROVED

#54 Authorized Division of Parks and Recreation to accept a federal grant from the Land and Water Conservation Fund for the period ending December 30, 2001 for a state park project, "State Park Support Facilities" LWCF project #33-00614, in the amount of \$396,787.

(2) Authorized the Comptroller to establish the accounts as specified in letter of February 15, 2001.

#55 Authorized the Division of Parks and Recreation to enter into a Land/Facility Use Agreement with the Franconia Ski Club to provide various services and activities at Cannon Mountain through June 30, 2002. In exchange for the services provided, the State will provide for promotional consideration five complimentary season ski tickets each season for an approximate value of \$7,000.

#56 Authorized the Division of Travel and Tourism Development to award the grants under the Joint Promotional Program to Monadnock Travel Council for \$1,906.00 and Greater Laconia Weirs Beach Chamber of Commerce for \$11,934.65 through June 30, 2001.

#57 Authorized the Division of Forests and Lands to enter into an agreement with New Hampshire Project Learning Tree, 54 Portsmouth Street, Concord, NH in the amount of \$10,000 for an Ice Storm related program "Connecting Our Educators With Their Local Forests" through August 30, 2001. Funds are available in 025-035-3580-091-0114.

#58 Authorized Division of Parks and Recreation, Trails Bureau to enter into a Recreational Trails Program contract with the Andover Snowmobile Club, for work on the Northern Rail Trail. Funds are available in the amount of \$9,227.25 through September 30, 2002, from appropriation code 025-035-3759-094-0415.

#59 Authorized Division of Parks and Recreation, Bureau of Trails to AMEND the Grant-in-Aid Trail Maintenance Contracts (Winter Trail Grooming) with the OHRV clubs shown in the attachment of letter of March 12, 2001, with an increase not to exceed 25% of original contract. Funds in the amount of \$170,924.00 are appropriated and available in account 025-035-3414-091.

#60 Authorized Division of Parks and Recreation to AMEND the Cannon Mountain Aerial Tramway coop promotional program agreement with White Mountain Attractions Association in the amount of \$3,995.00 for a new total of \$14,164.05. Funds are available in account 025-035-3703-092.

## **FISH AND GAME DEPARTMENT**

The Governor and Executive Council acted as follows:

#61 Authorized the reclassification of position number 13854, Labor Grade 29, which is currently a vacant Public Works Project Manager IV position, to Administrator II position, Labor Grade 28, in the Fish and Game Account 020-075-2160-010.

#62 Authorized to RETROACTIVELY pay an invoice received from Squam Boat Livery, Inc., Holderness, NH for services provided to the New Hampshire Fish and Game Department on November 28 and 29, 2000 in the amount of \$4,575. Funds are available from the appropriation account #020-075-2117-048-0240 for fiscal year 2001.

#63 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized the request to expend \$8,000 in excess OHRV fees for additional safety and alcohol deterrent enforcement details, as specified in letter of February 27, 2001. Further Authorized the Director of Accounting Services to allocate this amount to the amount of \$020-075-1183-018. FISCAL COMMITTEE APPROVED

## **DEPARTMENT OF ENVIRONMENTAL SERVICES**

The Governor and Executive Council acted as follows:

#64 Authorized Air Resources Division to accept funds in the amount for \$105,978 from the US Environmental Protection Agency through its Performance Partnership Agreement and as authorized under Section 105 of the Federal Clean Air Act through September 30, 2001. Further Authorized the Director of Accounting Services to budget as specified in letter of March 1, 2001.

#65 Authorized to accept \$4,650 in federal clean lakes program funds and \$17,000 in federal bio-monitoring funds through June 30, 2001. Further Authorized the Director of Accounting Services to budget the funds as specified in letter of March 3, 2001 according to the state fiscal year with authority to adjust through the Budget Office is needed and justified between the state and federal fiscal year.

#66 Authorized the Oil Fund Disbursement Board to budget additional funds in the amount of \$400,000 through June 30, 2001 for purposes of reimbursement to owners of facilities for fuel oil discharge clean up under the provisions of RSA 146-E:6. Further, Authorized the Director of Accounting Services to budget as specified in letter of March 15, 2001.

#67 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Griffin, with Councilor Colantuono voting NO, authorized to enter into an agreement with The Society for the Protection of New Hampshire Forests, 54 Portsmouth Street, Concord, NH in the amount of \$64,650 through January 1, 2003 to provide technical assistance to municipalities seeking water supply land protection loan and grant funds. Further Authorized the Director of Account Services to encumber funds in account 025-044-4718-091-0515. SOLE SOURCE

#68 Authorized to enter into a grant agreement with the Belknap Heights Water System Association, PO Box 7076, Gilford, NH in the amount of \$9,000.00 through December 31, 2001 to complete a project to protect drinking water from contamination. Further Authorized the Director of Accounting Services to encumber funds in the amount of \$9,000.00 in account 025-044-4718-092-0515.

#69 Authorized to enter into a grant agreement with the Town of Milford, 1 Union Square Milford, NH in the amount of \$20,000.00 through December 31, 2001 to complete a project to protect drinking water from contamination. Further Authorized the Director of Accounting Services to encumber funds in the amount of \$15,000.00 in account 025-044-4718-092-0515 and \$5,000.00 in account 025-044-2025-092-0515.

#70 Authorized to enter into a grant agreement with the UNH Water Utilities, 42 Water Works Road, Durham, NH in the amount of \$14,150.00 through September 1, 2002 to complete a project to protect drinking water from contamination. Further Authorized the Director of Accounting Services to encumber funds in the amount of \$14,150.00 in account 025-044-4718-092-0515.

#71 Authorized to enter into a grant agreement with the Granite State Designers and Installers Association, 76 South State Street, Concord, NH in the amount of \$14,379.00 through December 31, 2002. Further Authorized the Director of Accounting Services to encumber \$14,379.00 from Federal Funds in account #025-044-2025-090-0515.

#72 Authorized to enter into a grant agreement with the Upper Merrimack River Local Advisory Committee, Box 3019, Boscawen, NH in the amount of \$3,514.00 through December 31, 2002. Further Authorized the Director of Accounting Services to encumber \$3,514.00 from Federal Funds in account #025-044-2025-090-0515.

#73 Authorized to enter into a grant agreement with the Androscoggin Valley Regional Refuse District for an amount not to exceed \$5,396.75 through September 20, 2001 for the purpose of conducting a household hazardous waste collection project. Further Authorized the Director of Accounting Services to encumber the monies in FY 2001 from account 025-044-5392-090-0415.

#74 Authorized Waste Management Division to enter into a grant agreement with the Upper Valley Lake Sunapee Regional Planning Commission for an amount not to exceed \$6,075.00 through September 20, 2001 for the purpose of conducting a household hazardous waste collection project. Further Authorized the Director of Accounting Services to encumber the monies in FY 2001 form account 025-044-5392-090-0415.



#75 Authorized the loan agreement between the Department and the Town of Newport in the amount of \$30,000 under the provisions of RSA 486:14 and NH Admin. Rules Env-C 500 effective upon approval by Governor & Executive Council.

#76 Authorized Water Division to expend funds not to exceed \$50,000 from the State Dam Maintenance Fund, account #030-044-9865-090 for the repair of the Gunnerson Lake Dam in Goshen. Further Authorized that the work be done on a force account basis and Authorized the Director of Accounting Services to encumber the amount of \$50,000 through May 31, 2002 for inter-governmental drawdowns for fund 025.

#77 Authorized the Supplemental Loan Agreement between the Department and the Gunstock Acres Village Water District in the principal amount of \$52,000 under the provisions of RSA 486:14 and NH Admin rules Env-C 500 effective upon approval by the Governor and Council.

#78 Authorized the estimated "not to exceed" grant to the Municipality of Moultonborough in the amount of \$1,050,000.00 for the costs associated with the closure of their unlined Municipal landfill.

#79 Authorized to AMEND the existing contract with AMRO Environmental Laboratories Corporation, Merrimack, NH [Initially approved on June 8, 2000 (Item #39)], to increase the amount by \$150,000 (from \$50,000 to \$200,000) effective upon approval by Governor & Council and to extend the contract to June 30, 2002. The purpose of this contract amendment is to provide laboratory analyses. Further Authorized the Comptroller to encumber \$25,000 in FY2002 in account 010-044-1011-092-0515 and \$125,000 (\$50,000 in FY 2001 and \$75,000 in FY 2002) in account 025-044-1435-092-0515. SOLE SOURCE

#80 Authorized to RETROACTIVELY AMEND a contract with Dorrs Pond Preservation Society, 451 Campbell Street, Manchester, NH retroactive to December 31, 2000 through December 31, 2001. The funds are to be paid entirely from federal funds in Account 025-044-2025-090-0515. This is a time extension request and involves no new funds.

#81 Authorized to RETROACTIVELY AMEND a contract with Pennichuck Water Works, 4 Water Street, Nashua, NH retroactive to December 31, 2000 through December 31, 2001. The funds are to be paid entirely from federal funds in Account 025-044-2025-090-0515. This is a time extension request and involves no new funds.

#82 Authorized to accept federal funds in the amount of \$150,000 under the US Environmental Protection Agency, Brownfields Assessment Pilot Demonstration Program Cooperative Agreement effective upon approval by Governor and Council. Further authorized the comptroller to budget as specified in letter of March 9, 2001.

(2) Authorized Waste Management Division to AMEND the existing contract with Sanborn, Head & Associates, Inc., 6 Garvins Falls Road, Concord, NH by increasing the contract value by \$386,650 from \$820,000 to \$1,206,650 through June 30, 2002. Further Authorized the Director of Accounting Services to encumber funds in the amount of \$94,650 in account 025-044-2215-090-0114, Brownfields Assessment Demonstration Pilot Program \$242,000 in account 025-444-2570-092-0114, Multi Site Cooperative Agreement Fund, and \$50,000 in account 025-044-2075-090-0114, LUST Trust Fund, Contractual. SOLE SOURCE

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

The Governor and Executive Council acted as follows:

#83 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized to accept and expend \$2,078,955 in federal funds and \$195,351 in county funds and transfer \$1,881,527, as specified in letter dated March 2, 2001. FISCAL COMMITTEE APPROVED

#84 Authorized to transfer \$2,965,734 of unappropriated general funds, accept and expend \$4,432,261 in federal funds, and transfer \$1,462,099 in general fund unrestricted revenue as specified in letter dated March 2, 2001. FISCAL COMMITTEE APPROVED

### **Office of Community & Public Health**

#85 Authorized to accept and expend \$85,148 in federal funds as specified in letter dated February 8, 2001. FISCAL COMMITTEE APPROVED

#86 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilors Colantuono and Wheeler voting NO, authorized Bureau of Maternal and Child Health to AMEND an existing agreement with Weeks Medical Center, Lancaster, NH [Initially approved on June 8, 2000 (Item #51) and amended on November 9, 2000 (Item #106)], by increasing the dollar amount by \$6,527 from \$30,739 to \$37,266 through June 30, 2001 to provide additional family planning services.

#87 The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Tobacco Prevention Program to reimburse Susan Knight, MPH, for relocation expenses of up to \$3,000.00 based upon actual expenses incurred. Funds are available in account 025-090-5608-020-0252.

#88 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Division of Disease Prevention and Health Promotion to contract with University of New Hampshire Office of Sponsored Research in the amount of \$5,000 through June 30, 2001 to conduct a Smoke-Free Restaurant Survey. Funds for this purpose are available appropriation 025-090-5608-092.

#89 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Division of Disease Prevention and Health Promotion to award a 15 month contract totaling \$29,976 to the North Country Health Consortium, Inc. 116 Mt. Eustis Road, Littleton, NH through June 30, 2002 to develop a Tobacco Intervention Program. Funds for this purpose are available and shall be encumbered as follows with authority to adjust amounts through the Comptroller, if needed and justified, between state fiscal years: 025-909-5608-090 Community Grants, SFY 01 \$7,494 and SFY 02 \$22,482.

(2) Authorized an advance payment up to a maximum of one quarter of the contract award.

#90 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Division of Disease Prevention and Health Promotion to award a 15 month contract totaling \$19,764, to the School Administrative Unit #61, 41 S Main Street, Farmington, NH through June 30, 2002 to develop a Tobacco Intervention Program. Funds for this purpose are available and shall be encumbered as follows with authority to adjust amounts through the Comptroller, if needed and justified, between state fiscal years: 025-090-5608-090 Community Grants SFY01 \$4,941 and SFY02 \$14,823.

(2) Authorized an advance payment up to a maximum of one quarter of the contract award.

#91 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Division of Disease Prevention and Health Promotion to award a 15 month contact totaling \$12,000 to the Community Diversion Program, Inc., 440 Portsmouth Ave., Greenland, NH through June 30, 2002 to develop a Tobacco Intervention Program. Funds for this purpose are available and shall be encumbered as follows with authority to adjust amounts through the Comptroller, if needed and justified, between state fiscal years: 025-090-5608-090 Community Grants SFY 01 \$3,000 and SFY 02 \$9,000.

(2) Authorized an advance payment up to a maximum of one quarter of the contract award.

#92 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Division of Disease Prevention and Health

Promotion to award a 15 month contract totaling \$30,000 to the Upstream, 95 Water Street, Laconia, NH through June 30, 2002 to develop a Tobacco Intervention Program. Funds for this purpose are available and shall be encumbered as follows with authority to adjust amounts through the Comptroller, if needed and justified, between state fiscal years: 025-090-5608-090 Community Grants SFY 01 \$7,500 and SFY 02 \$22,500.

(2) Authorized an advance payment up to a maximum of one quarter of the contact award.

#93 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Division of Disease Prevention and Health Promotion to award a 15 month contract totaling \$25,000 to the Newfound Area Nursing Association, 214 Lake Street, Bristol, NH through June 30, 2002 to develop a Tobacco Intervention Program. Funds for this purpose are available and shall be encumbered as follows with authority to adjust amounts through the Comptroller, if needed and justified, between state fiscal years: 025-090-5608-090 Community Grants SFY 01 \$6,250 and SFY 02 \$18,750.

(2) Authorized an advance payment up to a maximum of one quarter of the contract award.

#94 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Division of Disease Prevention and Health Promotion to award a 15 month contract totaling \$30,000 to the Center for Health Promotion, 8 Loudon, Road, Concord, NH through June 30, 2002 to develop a Tobacco Intervention Program. Funds for this purpose are available and shall be encumbered as follows with authority to adjust amounts through the Comptroller, if needed and justified, between state fiscal years: 025-090-5608-090 Community Grants SFY 01 \$7,500 and SFY 02 \$22,500.

(2) Authorized an advance payment up to a maximum of one quarter of the contract award.

#95 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Division of Disease Prevention and Health Promotion to award a 15 month contract totaling \$26,240 to the City of Dover Police Department, 46 Locust Street, Dover, NH through June 30, 2002 to develop a Tobacco Intervention Program. Funds for this purpose are available and shall be encumbered as follows with authority to adjust amounts through the Comptroller, if needed and justified, between state fiscal years: 025-090-5608-090 Community Grants SFY 01 \$6,560 and SFY 02 \$19,680.

#96 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Division of Disease Prevention and Health Promotion to award a 15 month contract totaling \$29,999 to The Cheshire Medical Center, 580 Court Street, Keene, NH through June 30, 2002 to develop a Tobacco Intervention Program. Funds for this purpose are available and shall be encumbered as follows with authority to adjust amounts through the Comptroller, if needed and justified, between state fiscal years: 025-090-5608-090 Community Grants SFY 01 \$7,500 and SFY 02 \$22,499.

(3) Authorized an advance payment up to a maximum of one quarter of the contract award.

#97 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Division of Disease Prevention and Health Promotion to award a 15 month contract totaling \$25,000 to the New London Hospital, 270 Country Road, New London, NH through June 30, 2002 to develop a Tobacco Intervention Program. . Funds for this purpose are available and shall be encumbered as follows with authority to adjust amounts through the Comptroller, if needed and justified, between state fiscal years: 025-090-5608-090 Community Grants SFY 01 \$6,250 and SFY 02 \$18,750.

(4) Authorized an advance payment up to a maximum of one quarter of the contract award.

### **Office of Family Services**

The Governor and Executive Council acted as follows:

#98 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Colantuono, with Councilor Wheeler voting NO, authorized to accept and expend \$6,412,949 in federal funds as specified in letter dated February 2, 2001. FISCAL COMMITTEE APPROVED

#99 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Colantuono, with Councilor Wheeler voting NO, authorized Division of Family Assistance to RETROACTIVELY enter into a contract with the Holiday Inn, 172 North Main Street, Concord, NH in an amount not to exceed \$1,269.90 effective retroactive to October 25, 2000 through October 26, 2000 for training facilities. Funds are available as follows: SFY 2001 025-045-6127-090-0285.

#100 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Colantuono, with Councilor Wheeler voting NO, authorized Children, Youth and Families to pay a membership fee to the American Public Human Services Association, Washington, DC in an amount not to exceed \$6,000 through December 21, 2001 for annual membership renewal. Funds are available in the following account: Title XX Grants 910-040-5850-026-0251.

#101 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Colantuono, with Councilor Wheeler voting NO, authorized Children, Youth and Families to RETROACTIVELY pay a membership fee to the Child Welfare League of America, Washington, DC in an amount not to exceed \$5,123.00 through December 31, 2001 for annual membership renewal. Funds are available in the following account: Title XX Grants 010-040-5850-026-0251.

#102 TABLED-The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, voted to TABLE the request of Children, Youth and Families to enter into an agreement with Kevin J. O'Connell, West Newbury, MA in an amount not to exceed \$73,850 through June 30, 2002. Funds for this purpose should be encumbered in the following account according to State fiscal year, with authority through the Comptroller, if needed and justified, between State fiscal years: Title IVE Grant 010-040-5855-097-041 SFY 2001 \$18,475 and SFY 2002 \$55,375.

### **NEW HAMPSHIRE HOSPITAL**

#103 The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Griffin, authorized to accept and expend \$35,000 additional revenue from school districts, as specified in letter dated January 30, 2001. FISCAL COMMITTEE APPROVED

### **DEPARTMENT OF EDUCATION**

The Governor and Executive Council acted as follows:

#104 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized to pay tuition and associated costs in the amount of \$9,000.00 for eight employees, as specified in attachment A, to attend RHDS 362-Medical Survey from March 28, 2001 to May 9, 2001 for a course being offered through Springfield College, Manchester NH Campus. The total cost of tuition will not exceed \$8,160.00 chargeable to account 025-056-4081-096.

(2) Authorized to reimburse related employee travel expenses to Springfield College, Manchester, NH campus in an amount not to exceed \$120.00 using account number 025-056-4020-070.

(3) Authorized the Department to purchase required books for said course in the amount of \$720.00 using account number 025-056-4082-096, which will become property of the state.

#105 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized to conduct a one-day training session for the Best Schools Leadership Institute Cohort 3 Welcome and Orientation meeting to be held at the Waterville Valley Resort & Conference Center located in Waterville Valley, NH on April 17, 2001 at a total cost not to exceed \$8,871.35 to be charged to account number 010-056-6019-097.

(2) Authorized to enter into a contract with the Waterville Valley Resort & Conference Center,

Waterville, NH to provide appropriate meeting space and meals for team members and employees of the Department on April 17, 2001 in an amount not to exceed \$7,857.05.

#106 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized to conduct a one-day training session for the Best Schools Leadership Institute Cohort 3 Welcome and Orientation meeting to be held at the Wayfarer Inn, Bedford, NH on April 19, 2001 at a total cost not to exceed \$9,492.78 to be charge to account number 010-055-6019-097.

(2) Authorized to enter into a contract with the Wayfarer Inn, Bedford, NH to provide appropriate meeting space and meals for team members and employees of the Department on April 19, 2001 in an amount not to exceed \$9,174.00.

#107 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized Division of Adult Learning and Rehabilitation to enter into contract with Charles W. Robinson, Ed. D., CRC, Sole Proprietor, Peterborough, NH in an amount not to exceed \$41,700 through September 30, 2002 to provide consultation and training in the use of the Job/Person matching assessment tools chargeable to account 025-056-4020-VR-090 with encumbrances in FY 2001 of \$25,000, FY 2002 of \$13,000 and FY 2003 of \$3,700 pending legislative approval of the next biennial budget with further authorization to adjust those encumbrances in each of those encumbrances in each of those state fiscal years through the Budget Office as needed and justified.

(2) Authorized the payment of services rendered and approved in lieu of withholding at least 25% of the total value of the contract.

#108 Authorized to enter into a contract with John L. Davy, sole proprietor, d/b/a Hancock Computer Support, Hancock, NH in an amount not to exceed \$4,500.00 through April 16, 2001 to produce allocation tables for use by the Department chargeable to 025-056-2030-096 (0415) in the amount of \$1,500.00; account 025-056-3095-046 (0415) in the amount of \$1,500.00; and account 025-056-3265-097 (0415) in the amount of \$1,500.00.

#109 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilors Colantuono and Wheeler voting NO, authorized to enter into a contract with Susan Auerbach, d/b/a Engaging Results LLC, Concord, NH in an amount not to exceed \$16,000.00 through June 30, 2001 to provide facilitation services chargeable to Account Number 010-056-6019-097-0415. SOLE SOURCE

(2) Subject to Governor and Council approval and the contractor's performance of the terms herein, authorized the Department to exercise a renewal option on this contract for up to two additional fiscal years.

(3) Authorized the payment for services rendered and approved in lieu of withholding 25% of the total value of the contract.

#110 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized to enter into an AMENDMENT to contract in the amount of \$20,700 with Judith King, Nashua, NH by increasing the contract price from \$20,700 by \$5,000 to an amount not to exceed \$25,700 chargeable to account number 010-056-6019-097-0415 through June 30, 2001. SOLE SOURCE

(2) Subject to Governor and Council approval and the contractor's acceptable performance of the terms therein, Authorized the Department to exercise a renewal option on this contract for up to one additional year.

## **NH COMMUNITY TECHNICAL COLLEGE SYSTEM**

The Governor and Executive Council acted as follows:

#111 Authorized the NH Department of Regional Community Technical Colleges to accept and expend federal funds on behalf of the Workforce Opportunity Council, Inc. in the amount of \$7,578,847.00.

(2) Further Authorized the Comptroller to increase account #025-058-3649 for the program as specified in letter of March 9, 2001.

#112 Authorized the NH Department of Regional Community Technical Colleges to expend up to \$5,000 for the recruitment of a Director of Financial Management through June 30, 2002 from account #010-058-6340.

### **POLICE STANDARDS & TRAINING COUNCIL**

The Governor and Executive Council acted as follows:

#113 Authorized to accept and expend federal funds in the amount of \$22,138.88 from the New Hampshire Highway Safety Agency entitled "Rollover Simulator for the period of 4/1/01 to 9/30/01.

(2) Further Authorized the Comptroller to budget the funds as specified in letter of March 14, 2001.

#114 Authorized to accept and place on file the Annual Report of the NH Police Standards & Training Council for the fiscal year July 1, 1999 - June 30, 2000.

### **DEPARTMENT OF SAFETY**

The Governor and Executive Council acted as follows:

#115 Authorized the Director of the Division of State Police to restore 36.33 hours sick leave to Gaming Investigator Eric M. Broge.

#116 Authorized permit application for renewal of Lake Sunapee Yacht Club located on Sunapee Lake in Sunapee, NH as recommended by the Department of Safety, Division of Safety Services for a congregate mooring field under the authority of RSA 270:67. Lake Sunapee Yacht Club had been previously issued a permit for 21 moorings in 1994. It is recommended that the application be approved for a total of 21 moorings.

#117 Authorized permit application for renewal of Piping Rock Shores Landowner Association located on Lake Winnepesaukee in Wolfeboro, NH as recommended by the Department of Safety, Division of Safety Services for a congregate mooring field under the authority of RSA 270:67. Piping Rock Shores Landowner Association had been previously issued a permit for 5 moorings in 1994. It is recommended that the application be approved for a total a 5 moorings.

#118 WITHDRAWN BY AGENCY

#119 Authorized permit application for renewal of Samoset at Winnepesaukee Condominium Association located on Lake Winnepesaukee in Gilford, NH as recommended by the Department of Safety, Division of Safety Services for a congregate mooring field under the authority of RSA 270:67. Samoset at Winnepesaukee Condominium Association had been previously issued a permit for 35 moorings in 1994. It is recommended that the application be approved for a total of 35 moorings.

### **DEPARTMENT OF TRANSPORTATION**

The Governor and Executive Council acted as follows:

#120 Authorized to accept and place on file the Informational Item "Equipment Acquisition Plan Status Report" for the period ending February 28, 2001.

#121 Authorized the Contemplated Award List for the period February 21, 2001 through March 6, 2001.

#122 Authorized to reclassify the position of Secretary II, Salary Grade 8, which is located in the Bureau of Right-of-Way, be reclassified to Engineering Technician III, Salary Grade 15. Funding for this position will come from Fund 015-096-3028-010.

#123 Authorized to modify the Department's Agreement with Vanasse Hangen Brustlin, Inc., Six Bedford Farms, Suite 607, Kilton Road, Bedford, NH by increasing the total amount payable under the Agreement by \$37,702.06, from \$207,208.57 to \$244,910.63.

#124 Authorized contract with Pike Industries, Inc., Belmont, NH on the basis of a low bid of \$3,463,615.50 and provides for rehabilitation and safety work on NH Route 114 in the Towns of Bradford, Warner and Henniker.

(2) Further to encumber the amount of \$3,463,615.50 from Consolidated Federal Aid Appropriation Account #015-096-3054-090-0309.

(3) Further Authorized a contingency in the amount of \$242,453.08 be approved for payment of latent which may appear during execution of the project. The contingency requested is 7% of the contract amount.

(4) Contract final date of completion is June 7, 2002.

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

The Governor and Executive Council acted as follows:

#125 Authorized request to change name to Kristine M. Trustey, 3 William Fairfield Drive, Wenham, MA and AMEND permit to install two seasonal piers connected by two walkways in an "U" configuration with associated structures on property located at Lake Winnepesaukee in Moultonborough.

#126 Authorized request of Richard & Patricia Hopgood to construct a breakwater with associated structures on property located at Cow Island on Lake Winnepesaukee in Tuftonboro.

#### **#127 TUITION REQUESTS**

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

A. COMMUNITY TECHNICAL COLLEGE - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$957.00 for the sole purpose of enrolling Scott Westover, Director of Marketing, in the course entitled "Legal and Ethical Issues".

B. EDUCATION - Request permission to pay College for Lifelong Learning, Concord, NH, the sum of \$668.00 for the sole purpose of enrolling Susan Roma, Systems Development Specialist I, in the course entitled "The Writing Process".

C. ENVIRONMENTAL SERVICES - Request permission to pay College of Lifelong Learning, Bow, NH, the sum of \$668.00 for the sole purpose of enrolling Spruce C. Wheelock, Sanitarian I, in the course entitled "Critical Thinking".

D. HEALTH & HUMAN SERVICES, Office of Community & Public Health - Request permission to pay College for Lifelong Learning, Bow, NH, the sum of \$644.00 for the sole purpose of enrolling Sandra J. Kelsey, Program Assistant II, in the course entitled "Introduction to Statistics".

E. HEALTH & HUMAN SERVICES, Office of Family Services - Request permission to pay College for Lifelong Learning, Concord, NH, the sum of \$718.00 for the sole purpose of enrolling Debbie E. Marsh, Quality Control Reviewer, in the course entitled "Managing Conflict".

F. HEALTH & HUMAN SERVICES, Office of Finance - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$549.00 for the sole purpose of enrolling Margaret Curtis, Accounting Technician, in the course entitled "Managerial Finance".

G. HEALTH & HUMAN SERVICES, Office of Information Systems - Request permission to pay College for Lifelong Learning, Bow, NH, the sum of \$718.00 for the sole purpose of enrolling Linda Socha, Information Technology Manager III, in the course entitled "Introduction to Human Services".

#### **#128 TRAVEL REQUESTS**

The Governor and Executive Council acted as follows:

A. HEALTH & HUMAN SERVICES, Office of Information Systems - Request permission for (2) employees, Kathleen Robbins, Technical Support Specialist V and Glenn Martinsen, Technical Support Specialist V, or designee, to travel to King of Prussia, PA, on May 7 - 11, 2001, to attend the Crystal Reports and Advanced Living Disaster Recovery Software (LDRPS) Training. Permission is also requested for a waiver to exceed the 300-mile radius by private vehicle. Total Cost: \$1889.00. Source of Funds: 64% General & 36% Federal Funds. No Registration Fees.

#### **LATE ITEMS**

##### **DEPARTMENT OF ADMINISTRATIVE SERVICES**

A. Authorized to accept, with thanks, in the name of the State of New Hampshire a gift of an early 19th Century "Gallery Clock" from Mr. William Gilmore pursuant to RSA 4:8.

##### **DEPARTMENT OF SAFETY-Division of Motor Vehicles**

B. Authorized to enter into a contact with Computer Associates International, Inc., Islandia, NY to conduct a two-day training session on the CA-Culprit report generation system at the Department of Safety in the amount of \$7,000.00 through June 30, 2001.

#### **Item removed from Table**

#59 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Griffin, voted to remove Item #59 which was tabled on the March 14, 2001 Governor and Executive Council Meeting. Councilor Burton, seconded by Councilor Spaulding, voted to approve the request to establish a Historical Archaeologist position through June 30, 2001 as specified in letter dated January 16, 2001. FISCAL COMMITTEE APPROVED

(2) Authorized the Division of Historical Resources to accept and expend additional federal grant award funds in the amount of \$232,171 in account number 010-034-3420 through June 30, 2001 and direct the Director, Division of Accounting Services to adjust the budget as specified in letter of January 16, 2001.

The Governor set the next Governor and Executive Council Meeting on Wednesday, April 11, 2001 at 10:30 a.m. at the State House, Concord, NH.

The Honorable Board then Adjourned