Minutes
November 7, 2001

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
November 7, 2001
10:30 a.m.

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

The Governor and Executive Council, on motion of Councilor Spaulding seconded by Councilor Colantuono, accepted the minutes of October 24, 2001.

The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, confirmed the appointment of several persons nominated for Civil Commissions from the October 24, 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:

ADVISORY PANEL ON CANCER AND CHRONIC DISEASES
Alice Ziegra Calvert, Alton
Belknap County
Effective: Upon acceptance of resignation

CONNECTICUT RIVER VALLEY RESOURCE COMMISSION
Karl Mindemann, Keene
Public Member
Effective: Upon acceptance of resignation

CONFIRMATIONS

The Governor and Executive Council confirmed the following:

AGRICULTURAL LAND PRESERVATION COMMITTEE
Elwin C. Hardy, Hollis
Reappointment
Effective: November 7, 2001
Term: October 10, 2004

AIR RESOURCES COUNCIL
Raymond R. Donald, Exeter
Municipal Government
Reappointment
Effective: November 7, 2001
Term: October 24, 2005

AIR RESOURCES COUNCIL
John MacDonald, Amherst
Steam Powered Generating Industry
Reappointment

Effective: November 7, 2001
Term: October 24, 2005

AIR RESOURCES COUNCIL
Julian Zelazny, New Hampton
Environmental Interests
Reappointment
Effective: November 7, 2001
Term: October 24, 2005

ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION AND TREATMENT COMMISSION
Betsy Abrahams, Merrimack
Drug Abuse Prevention
Reappointment
Effective: November 7, 2001
Term: September 20, 2004

ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION AND TREATMENT COMMISSION
Debra Samaha, Concord
Public Member
Reappointment
Effective: November 7, 2001
Term: October 4, 2004

STATE COUNCIL ON THE ARTS William Hallager, Lincoln
Reappointment
Effective: November 7, 2001
Term: October 14, 2006

STATE COUNCIL ON THE ARTS
Paul W. Hodes, Concord
Reappointment
Effective: November 7, 2001
Term: October 28, 2006

STATE COUNCIL ON THE ARTS
Jacqueline R. Kahle, Wilton
Succeeding: Chester S. Bowles, Sharon
Effective: November 23, 2001
Term: November 23, 2006

STATE COUNCIL ON THE ARTS
James Patrick Kelly, Portsmouth
Reappointment
Effective: November 7, 2001
Term: October 14, 2006

STATE COUNCIL ON THE ARTS
Peter McLaughlin, Hanover
Reappointment
Effective: November 7, 2001
Term: October 28, 2006

STATE COUNCIL ON THE ARTS
Grace Sullivan, Manchester
Reappointment

Effective: November 7, 2001
Term: October 14, 2006

STATE COUNCIL ON THE ARTS
Melissa Walker, Madbury
Reappointment
Effective: November 23, 2001
Term: November 23, 2006

ADVISORY PANEL ON CANCER AND CHRONIC DISEASES
Elizabeth Hale Campoli, Concord
NH Breast Cancer Coalition
Succeeding: Letha Mills, Norwich, VT
Effective: November 7, 2001
Term: December 6, 2003

STATE BOARD OF EDUCATION
The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Colantuono, with Councilor Wheeler voting NO, confirmed:
William E. Boc, Dover
District 3
Succeeding: John M. Lewis, Durham (resigned)
Effective: November 7, 2001
Term: January 31, 2006

BOARD OF MENTAL HEALTH PRACTICE
Judith Coleman, Henniker
Clinical Mental Health Counselor
Reappointment
Effective: November 7, 2001
Term: October 31, 2004

BOARD OF MENTAL HEALTH PRACTICE
Mary Ellen Forrestall-Nicholls, Bow
Certified Clinical Social Worker
Reappointment
Effective: November 7, 2001
Term: October 31, 2004

MIDWIFERY COUNCIL
Monica C. Stevens, New Hampton
Midwife
Reappointment
Effective: November 10, 2001
Term: November 10, 2005

STATE BOARD FOR THE LICENSING AND REGULATION OF PLUMBERS
James Varotsis, Portsmouth
Master Plumber
Reappointment
Effective: November 7, 2001
Term: October 28, 2006

POSTSECONDARY EDUCATION COMMISSION
Michael D. Hatem, Windham
Lay Public
Succeeding: Richard P. Berry, Goffstown (resigned)

Effective: November 7, 2001
Term: June 30, 2003

STATE RADIATION ADVISORY COMMITTEE
James P. Tarzia, East Hampstead
Physical Science
Reappointment
Effective: November 7, 2001
Term: October 14, 2005

STATE RADIATION ADVISORY COMMITTEE
Richard A. Fralick, Plymouth
Life Sciences
Reappointment
Effective: November 7, 2001
Term: October 14, 2005

RIVERS MANAGEMENT ADVISORY COMMITTEE
Deborah O. Hinman, Acworth
Rep. Conservationists
Succeeding: Michele Tremblay, Boscawen
Effective: November 7, 2001
Term: October 12, 2004

ADVISORY COMMITTEE ON SHORE FISHERIES
William N. Bland, Portsmouth
Reappointment
Effective: November 7, 2001
Term: September 29, 2004

ADVISORY COMMITTEE ON SHORE FISHERIES
David T. Goethel, Hampton
Succeeding: Joseph Schanda, Sr. Newmarket
Effective: November 7, 2001
Term: September 29, 2004

ADVISORY COMMITTEE ON SHORE FISHERIES
Geno J. Marconi, Jr., Portsmouth
Reappointment
Effective: November 7, 2001
Term: October 15, 2004

ADVISORY COMMITTEE ON SHORE FISHERIES
Laura E. A. Simmons, North Hampton
Reappointment
Effective: November 7, 2001
Term: September 29, 2004

WASTE MANAGEMENT COUNCIL
Duncan Watson, Walpole
Local Conservation Commission Member
Succeeding: John Rab, Keene
Effective: November 10, 2001
Term: November 10, 2005

WETLANDS COUNCIL
Camilla C. Lockwood, Chester
Member of Municipal Conservation Commission
Succeeding: Carol Hall, Atkinson
Effective: November 21, 2001
Term: November 21, 2004

STATE COMMISSION ON THE STATUS OF WOMEN
Marie Metoyer, Manchester
Reappointment
Effective: November 7, 2001
Term: October 20, 2004

NOMINATIONS

The Governor nominated the following:

STATE BOARD OF AUCTIONEERS
Devin Moisan, Newmarket
Succeeding: Michael G. Little, Concord (reached term limit)
Effective: Upon confirmation
Term: March 1, 2006

DEPUTY BANKING COMMISSIONER
Tara G. Reardon, Concord
Recommended by Banking Commissioner
Vacancy
Effective: Upon confirmation
Term: August 1, 2006
Salary: Group O/Step 2 - $58,555

BUSINESS FINANCE AUTHORITY
Charlton MacVeagh, Jr., Marlborough
Reappointment
Effective: Upon confirmation
Term: November 3, 2004

BUSINESS FINANCE AUTHORITY
Jeannette E. Nichols, Milan
Reappointment
Effective: Upon confirmation
Term: November 3, 2004

BUSINESS FINANCE AUTHORITY
Ralph P. White, North Hampton
Reappointment
Effective: Upon confirmation
Term: November 3, 2004

ADVISORY PANEL ON CANCER AND CHRONIC DISEASES
Marie B. Whedon, West Lebanon
Effective: Upon confirmation
Term: Four years from date of confirmation

JUSTICE OF THE CLAREMONT DISTRICT COURT
John J. Yazinski, Claremont

Vacancy
Effective: Upon confirmation
Term: Until 70 years of age

SPECIAL JUSTICE OF THE MILFORD DISTRICT COURT
Paul S. Moore, Bedford
Vacancy
Effective: Upon confirmation
Term: Until 70 years of age

DEPARTMENT OF EMPLOYMENT SECURITY APPELLATE BOARD
Margaret Ives, Derry
Public Member
Succeeding: Judith S. Galluzzo, Salem (reached term limit)
Effective: Upon confirmation
Term: One year from date of confirmation

DEPARTMENT OF EMPLOYMENT SECURITY APPELLATE BOARD
Scott D. McGuffin, Northfield
Attorney - Chair
Reappointment
Effective: Upon confirmation
Term: Three years from date of confirmation

DEPARTMENT OF EMPLOYMENT SECURITY APPELLATE BOARD
Thomas P. Mullins, Greenfield
Attorney - Vice Chair
Succeeding: Jeffrey R. Crocker, Peterborough (reached term limit)
Effective: Upon confirmation
Term: One year from date of confirmation

DIVISION OF HISTORICAL RESOURCES DIRECTOR
James McConaha, Concord
Nominated by Commissioner of the Department of Cultural Resources
Succeeding: Nancy Dutton, Andover (resigned)
Effective: December 28, 2001
Term: October 14, 2002
Salary: Group DD/ Step 4 - $58,650

MARITAL MEDIATOR CERTIFICATION BOARD
Alan I. Cantor, Concord
Attorney
Reappointment
Effective: Upon confirmation
Term: October 11, 2004

BOARD OF MENTAL HEALTH PRACTICE
Michael R. Mortimer, Hollis
Public Member
Succeeding: Danielle Doran, Nashua
Effective: Upon confirmation
Term: October 31, 2004

MIDWIFERY COUNCIL
Kendall Temper, Contoocook
Public Member
Succeeding: Cynthia Taylor, West Franklin

Effective: Upon confirmation
Term: September 28, 2005

MOORINGS APPEALS BOARD
Walter D. Kilian, Mont Vernon
Reappointment
Effective: Upon confirmation
Term: October 28, 2004

NEW MOTOR VEHICLE ARBITRATION BOARD
Joseph A. Mitchell, Nashua
Knowledgeable in Auto Mechanics
Succeeding: Mark Washburn, Loudon
Effective: Upon confirmation
Term: August 28, 2004

STATE BOARD FOR THE LICENSING AND REGULATION OF PLUMBERS
John T. Pendleton, Nashua
Public Member
Succeeding: Alfred Meyer, Hooksett (resigned)
Effective: Upon confirmation
Term: July 1, 2003

DIVISION OF PORTS AND HARBORS ADVISORY COUNCIL
Debora E. Jordan, Madbury
Succeeding: Robert Snover, Portsmouth (resigned)
Effective: Upon confirmation
Term: August 29, 2003

BOARD OF VETERINARY MEDICINE
Elaine S. Forst, Henniker
Public Member
Succeeding: Barbara Davis, Jaffrey
Effective: Upon confirmation
Term: October 14 2006

BUSINESS FINANCE AUTHORITY

#1 Authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13 with respect to a loan from Citizens Bank to Danielson Realty Trust and Hampshire Hills Racquet and Health Club, Inc., Milford, New Hampshire. Action will authorize a Resolution under RSA 162-I:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD ON NOVEMBER 7, 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 Guaranteed Asset Program of the Business Finance Authority in connection with a loan to be made by Citizens Bank to Hampshire Hills Racquet and Health Club Inc. and Danielson Realty Trust 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 B. Donahue, Senior Credit Officer of the Authority, who briefly explained the project and introduced Rick Holder, owner, Hampshire Hills Racquet and Health Club, Inc., Tom Sapienza, Director of Operations,

Hampshire Hills Racquet and Health Club, Inc., and Gary Hatfield, Vice President of Citizens Bank. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Wheeler introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM CITIZENS BANK TO HAMPSHIRE HILLS RACQUET AND HEALTH CLUB, INC AND DANIELSON REALTY TRUST." 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 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOANS FROM CITIZENS BANK TO DANIELSON REALTY TRUST AND HAMPSHIRE HILLS RACQUET AND HEALTH CLUB, 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 fifty percent (50%) of the principal amount of a loans up to $1,866,803 from Citizens Bank to Danielson Realty Trust and Hampshire Hills Racquet and Health Club, Inc. pursuant to RSA 162-A:13 (the Guaranteed Asset Program or the "GAP Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed fifty percent (50%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is authorized 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 insure 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 authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

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

Passed and Agreed to November 7, 2001.

#2 Authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13 with respect to a loan from Commerce Bank & Trust Company to Oasis Alignment Services, Inc., and Oasis Alignment Services, Ltd., Rochester, New Hampshire. Action will authorize a Resolution under RSA 162-I:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD ON OCTOBER 7, 2001 COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE

At approximately 11:05 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Guaranteed Asset Program of the Business Finance Authority in connection with a credit facility to be made by Commerce Bank & Trust Company to Oasis Alignment Services, 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 B. Donahue, Senior Credit Officer of the Authority, who briefly explained the project and introduced Raymond Masse of Oasis Alignment Services, Inc., and Roger Allard, Vice President of Commerce Bank & Trust Company. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Spaulding introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM COMMERCE BANK & TRUST COMPANY TO OASIS ALIGNMENT SERVICES, 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 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 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM COMMERCE BANK & TRUST COMPANY TO OASIS ALIGNMENT SERVICES, INC. AND OASIS ALIGNMENT SERVICES, LTD.

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 eighty percent (80%) of the principal amount of a loans up to $1,224,000 from Commerce Bank & Trust Company to Oasis Alignment Services, Inc., and Oasis Alignment Services, LTD pursuant to RSA 162-A:13 (the Guaranteed Asset Program or the "GAP Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed eighty percent (80%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is authorized 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 insure 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 authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

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

Passed and Agreed to November 7, 2001.

#3 Authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13 with respect to a loan from Passumpsic Savings Bank to Currier Sales and Service, Inc., et. al., Gorham, New Hampshire. Action will authorize a Resolution under RSA 162-I:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD ON NOVEMBER 7, 2001 COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE

At approximately 11:10 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 Passumpsic Savings Bank to Currier Sales and Service, Inc., et. al., 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 Mark Clough, Vice President of Passumpsic Savings Bank and Douglas Currier of Currier Sales & Service, 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 Burton introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM PASSUMPSIC SAVINGS BANK TO CURRIER SALES & SERVICE, INC., ET.AL.," and moved its adoption, which was seconded by Councilor Colantuono. 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 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13-a WITH RESPECT TO A LOAN FROM PASSUMPSIC SAVINGS BANK TO CURRIER SALES AND SERVICE CORPORATION; CURRIER CHEVROLET, INC., CURRIER LEASING CORP., CURRIER PONTIAC-OLDSMOBILE CADILLAC-GMC CORPORATION; CURRIER TRUCKING, INC. AND CURRIER RV CENTER, 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 $500,000 from Passumpsic Savings Bank to Currier Sales and Service, Corporation; Currier Chevrolet, Inc.; Currier Leasing, Corp.; Currier Pontiac-Oldsmobile Cadillac-GMC Corporation; Currier Trucking, Inc.; and Currier RV Center, 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 authorized 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 authorize the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

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

Passed and Agreed to November 7, 2001.

OFFICE OF STATE PLANNING

The Governor and Executive Council acted as follows:

#4 Authorized agreement to accept and expend funds from the US Department of Agriculture, Natural Resources Conservation Service in the amount of $30,150 under provisions of Wetlands Reserve Program effective upon G&C approval through September 30, 2002.

#5 Authorized retroactive agreement with University of Maine, Machias, Division of Sciences, Machias, ME in the amount of $27,386 under the provisions of New Hampshire Estuaries Project effective from October 22, 2001 to December 31, 2002.

GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES The Governor and Executive Council acted as follows:

#6 Authorized contract with Systematic Solutions, Inc., in the amount of $90,000 in monies provided proportionally by electrical distribution companies as approved by the Public Utilities Commission, to assist in the development of a comprehensive State Energy Plan effective upon G&C approval through November 30, 2002.

#7 Authorized contract with Mr. David Dilts, d.b.a., Timeless Technologies, in an amount not to exceed $12,500 in federal funds to further the goals of the Granite State Clean Cities Coalition effective upon G&C approval through June 30, 2002.

#8 Authorized Memorandum of Agreement with New Hampshire Department of Environmental Services in the total amount of $13,000 in federal funds, for the purchase of two alternatively fueled natural gas vehicles effective upon G&C approval.

#9 Authorized retroactive, sole source contract with the Institute for Community, Business, and the New Hampshire Economy in an amount not to exceed $105,750 solely drawn from grant funds awarded to the Governor's Office of Energy and Community Services by the US Department of Energy for charitable, educational and research purposes as specified in letter dated September 13, 2001. Contract period is from October 24, 2001 through September 30, 2002.

OFFICE OF THE ADJUTANT GENERAL

The Governor and Executive Council acted as follows:

#10 Resolved to confirm to the rank of Major, New Hampshire Army National Guard: David F. Baker, Boylston, MA.

#11 Resolved to confirm to the rank of Major, New Hampshire Air National Guard: Major Patricia J. Whitney (Nurse), Dover, NH.

#12 Resolved to nominate for the appointment to the rank of Lieutenant Colonel, New Hampshire Army National Guard: Major Craig L. Smith Kittery Point, ME.

#13 Resolved to nominate for the appointment to the rank of Major, New Hampshire Air National Guard: Keith R. Nichols (Physician), Hopkinton, NH.

#14 Resolved to nominate for the appointment to the rank of Major, New Hampshire Army National Guard: Captain Brian A. Phillips, Keene, NH.

#15 Authorized the transfer of funds in the amount of $5,000 from the Governor's Emergency Fund to the Adjutant General's Department as specified in letter dated October 11, 2001.

#16 Authorized contract with Sherman Greiner Halle' Ltd., Concord, NH in the amount of $214,650 to be reimbursed by the Department of Veterans Affairs, National Cemetery Administration for design services, construction administration, observation of the Administration Building and other improvements for the NH State Veterans Cemetery in Boscawen, NH effective upon G&C approval. Sole Source.
(2) Further authorized to expend up to an additional $32,198 to pay for contingencies for the above noted contract, that may arise during the contracted work period to be reimbursed by the Department of Veterans Affairs at the rate of 100%.
(3) Further authorized to expend up to $36,600 to be reimbursed by the Department of Veterans Affairs to pay New Hampshire Department of Transportation, Bureau of Public Works for engineering services through the completion of the construction as specified in letter dated October 24, 2001.

DEPARTMENT OF REVENUE ADMINISTRATION

The Governor and Executive Council acted as follows:

#17 Authorized to amend sole source agreement with Slawsby Insurance Agency, Inc., Nashua, NH (originally approved at G&C meeting of July 15, 1998 Item #33), by increasing the contract amount by $7,708 to $20,137.50 due to additional premiums for the Registers of Deeds, Faithful Performance of Duty Bond.

#17A Authorized five-year contract with Real Data Corporation, Manchester, NH for an amount not to exceed $751,000 for computer system related services necessary for the department to fulfil its

statutory requirement to annually equalize property values as specified in letter dated October 25, 2001 effective upon G&C approval to September 30, 2006.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Executive Council acted as follows:

#18 The Governor and Executive Council on motion of C, seconded by C, authorized to accept and place on file the quarterly revised schedule and status report of Capital Budget.

#19 The Governor and Executive Council on motion of C, seconded by C, authorized to accept and place on file the quarterly report detailing vendors that agencies have contracted with for the period of July 1, 2001 through September 30, 2001 as specified in letter dated October 18, 2001. Informational Item.

#20 Authorized the Bureau of General Services contract with Walchak's Lawn & Home Care, Inc., Bow, NH to commence November 7, 2001 and end November 6, 2004 in a total amount not to exceed $ 175,425 for snow and ice removal services as specified in letter dated October 4, 2001.

#21 Authorized the Bureau of Court Facilities one-year tenant-at-will lease agreement with Carroll County, Ossipee, NH. The Tenant shall pay the Landlord annual rent for $16,802.86 as specified in letter dated October 11, 2001 during term that commences January 1, 2002 and ends December 31, 2002
(2) Further approved request for authority to waive compliance with RSA 10:B because non-budgeted financial burden imposed on the State to test and comply with RSA 10:B in obtaining a clean air certificate is beyond resources of agency.

#22 Authorized Administrative Services Financial Data Management agreement with AT&T, Farmington, CT in the amount of $87,600 for Internet Service during the term of November 7, 2001 through November 7, 2003 as specified in letter dated October 24, 2001.

#23 Authorized Administrative Services Financial Data Management agreement with segNET Technologies, Inc., Enfield, NH in the amount of $59,928 during the term of November 7, 2001 through November 7, 2003 as specified in letter dated October 24, 2001.

TREASURY DEPARTMENT

The Governor and Executive Council acted as follows:

#24 Authorized the Comptroller to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks totaling $291.96 as specified in letter dated October 25, 2001.

#25 Approved the Abandoned Property Division's request to authorize the Comptroller to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amounts as specified in letter dated October 25, 2001 for the Total Warrant/Claims amount of $9,974.46.

DEPARTMENT OF AGRICULTURE, MARKETS AND FOOD

#26 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton, authorized Memorandum of Agreement with the University of New Hampshire in the amount of $100,000 to provide Crop Insurance Education and Information program for New Hampshire farmers effective upon G&C approval through September 30, 2002 as specified in letter dated October 25, 2001.

DEPARTMENT OF JUSTICE

The Governor and Executive Council acted as follows:

#27 Authorized to accept and expend a grant in the amount of $49,870 from the federal Bureau of Justice Statistics retroactive from July 1, 2001 to June 30, 2002.

#28 Authorized to accept and expend a grant in the amount of $407,462 from the Federal Bureau of Justice Statistics (Federal Year 2001 National Criminal History Improvement Program), effective upon G&C approval through December 31, 2002. Retroactive.

#29 Authorized to enter into subgrants with Raymond Police Department in the amount of $25,992 and Berlin Police Department in the amount of $30,000 effective upon G&C approval through September 30, 2003 as specified in letter dated October 25, 2001.
(2) Further authorized to increase fleet of automobiles to be utilized by the New Hampshire Drug Task Force from 27 vehicles to 29 vehicles.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Executive Council acted as follows:

#30 Authorized Division of Libraries agreement with Franklin Pierce Law Center, Concord, NH in the amount of $32,000 to provide members' library services and additional library charges effective upon G&C approval through June 30, 2003.

#31 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Division of Arts to award an Operating Grant totaling $16,000 to the Belknap Mill Society in Laconia, NH as specified in letter dated October 17, 2001.

#32 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Division of Arts to award Annual Advancement Grants in the total amount of $18,170 to Library Arts Center in Newport, Manchester Community Music School in Manchester and Peterborough Players in Peterborough as specified in letter dated October 17, 2001. Effective upon G&C approval.

#33 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Division of Arts to award Cultural Facility Grants totaling $16,000 to Concord Community Music School in Concord and St. Kiernan Community Center in Berlin as specified in letter dated October 17, 2001. Effective upon G&C approval.

#34 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Division of Arts to award Art Links Grants totaling $22,000 to People Against Violent Episodes in Colebrook and Mascoma Valley Regional High School in West Canaan as specified in letter dated October 17, 2001. Effective upon G&C approval.

EMPLOYMENT SECURITY

The Governor and Executive Council acted as follows:

#35 The Governor and Executive Council on motion of Councilor Colantuono, seconded by Councilor Burton, authorized to accept and place on file the New Hampshire Employment Security's 2000-2001 Biennial Report.

#36 TABLED-The Governor and Executive Council, on motion of Councilor Wheeler, seconded by Councilor Colantuono, voted to TABLE the request to enter into an amended sole source service agreement with Ne-Op-Co Sign Co., Inc., (originally approved at G&C meeting of August 23, 2000 Item #48), increasing the original agreement by $2,990 to the revised total of $8,640 from existing federal funds and extending the end date from October 31, 2000 to December 31, 2001 for sign installation services at the NH Works Job & Information Center. Retroactive.

#37 Authorized service agreement with Firetower Inc., in the amount of $4,500 for Firewall and DNS Audit services at 32 South Main Street, Concord administration offices effective upon G&C approval through June 30, 2002.

#38 Authorized service agreement with Bedford Sealcoating in the amount of $11,800 annually for a total agreement price limitation of $35,400 from existing federal funds, as specified in letter dated October 25, 2001 for snow plowing and removal services at Manchester Administrative and local office parking lots effective upon G&C approval through June 30, 2004.

#39 Item not used.

#40 Authorized service agreement with Oakridge Sign & Graphics in the amount of $6,312.50 from existing federal funds for sign and installation services at Laconia Local Job & Information Center effective upon G&C approval through June 30, 2002.

#41 Authorized service agreement with S.P. Jackson Building & Remodeling, LLC in the amount of $11,980 annually for a total agreement price limitation of $35,940 from existing federal funds, as specified in letter dated October 25, 2001 for snow plowing and removal services at Salem Local Job & Information Center effective upon G&C approval through June 30, 2004.

LIQUOR COMMISSION

The Governor and Executive Council acted as follows:

#42 Authorized to accept a donation with thanks, of four Fatal Vision Goggles from Amoskeag Beverages, Inc., Manchester, NH with the approximate value of $530.

#43 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized request for exemption to the New Hampshire Purchasing Rules Manual in order to enable the Liquor Commissions Bureau of Enforcement to increase the Department's fleet by one vehicle to be purchased through funds obtained from the NH Department of Health and Human Services to carry out the Bureau of Enforcement's, Tobacco Use Prevention program.

DEPARTMENT OF CORRECTIONS

The Governor and Executive Council acted as follows:

#44 Authorized agreement to accept a donation with thanks, of used chain saws from Tilton Equipment Company with the approximate value of $780.

#45 Concurred with decision of the Director of Personnel to reclassify Position #19567, Clerk IV Labor Grade 11 to Program Specialist I Labor Grade 18 to be effective October 19, 2001.

#46 Authorized to enter into three-year lease agreement with Southworth-Milton, Inc,. in the amount of $60,868.08 for a 2001 Caterpillar 420DIT Loader Backhoe effective upon G&C approval.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Executive Council acted as follows:

#47 Authorized Division of Parks and Recreation to accept a donation with thanks, of $150 from the Northwest Elementary School Fund, Manchester, NH for a gift to the Bear Brook Nature Center.

#48 Authorized Division of Parks and Recreation to accept a donation with thanks, of $83 on behalf of the Odiorne Family to be deposited into the Parks Fund.

#49 Authorized Division of Parks and Recreation to accept a donation with thanks, for material and labor, valued at $300 from Eastern Mountain Sports to build a message/information board at Cathedral Ledge.

#50 Authorized Division of Forests and Lands to accept and disburse an allotment of $14,000 in US Fish and Wildlife Service Endangered and Threatened Plant Species funds for the period ending April 30, 2002.
(2) Further authorized agreement with The Nature conservancy for a total of $11,771 to initiate recovery actions for Jesup's milk-vetch and small whorled pogonia, effective upon G&C approval through April 30, 2002. Further authorized to make an initial payment of $2500 on November 30, 2001 to cover immediate expenses and commitments to be made by the Nature Conservancy.

#51 Authorized Division of Forests and Lands to accept $2,500,000 Federal grant under the State Grant Option of the Forest Legacy Program and assign portions of the grant directly to the Trust for Public Land to pay the purchase price ($2,100,000), and overhead costs ($42,763), for acquisition of Conservation Easements on 10,198 acres in Randolph and Jefferson, NH.
(2) Further authorized to accept the 10,198-acre Pond of Safety Conservation Easement from the Trust for Public Land and enter into a Snowmobile Agreement to insure continued access to the property for this use.

#52 Authorized Division of Parks and Recreation, Trails Bureau to accept and expend $655,416 in federal funds from the US Department of Transportation for the Recreational Trails Program. The Recreational Trails funds are subject to lapse on September 30, 2005 if they have not been obligated for projects.

#53 Authorized Division of Forests and Land to amend a NH Natural Heritage Inventory Memoranda of Agreement with The Nature Conservancy by extending the completion date and payment schedule for ecologists to accomplish coordinated research regarding Monadnock State Park. No other changes are made to the Memoranda of Agreement.

#54 Authorized Division of Parks and Recreation service agreement with Riendeau Industrial Services, Berlin, NH in an amount not to exceed $9,600 for the septic tank pumping and disposal service at Mt. Washington State Park effective upon G&C approval through June 30, 2002.

#55 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Griffin, with Councilor Wheeler voting NO, authorized Division of Forests and Lands sole source agreement with the Nature Conservancy for a total of $2,000 to review habitat management and monitoring plans for the Concord Municipal Airport Conservation Zones, and integrate new rare species and exemplary natural community data into the Biological Conservation Data System effective upon G&C approval through March 31, 2002.

FISH AND GAME DEPARTMENT

The Governor and Executive Council acted as follows:

#56 Authorized to amend Grant Agreement with the University of New Hampshire Cooperative Extension (originally approved at G&C meeting of June 20, 2001 Item #93), to add Job 4, NH

Ecological Reserve System Project to the required Scope of Services as per amended Exhibit A attached to letter dated October 18, 2001 to provide services under Federal Aid Grant FW-25-T entitled "Technical Information and Guidance in Fish and Wildlife Management".
(2) Further authorized to increase the Grant Agreement from $110,000 to an amount not to exceed $160,000 effective upon G&C approval through June 30, 2003.

#57 Authorized to accept and expend an additional $73,762 in federal funds from the US Fish and Wildlife Service to benefit wildlife and hunter education programs within the department.

ENVIRONMENTAL SERVICES

The Governor and Executive Council acted as follows:

#58 Authorized to accept and expend by amending existing Agreement CE-521343 with the Office of State Planning (originally approved at G&C meeting of October 27, 1999 Item #6), effective upon G&C approval as specified in letter dated October 25, 2001.

#58A Authorized to accept and expend a grant in the amount of $56,740 from the Federal Emergency Management Agency effective upon G&C approval through June 30, 2002. Further authorized the Director of Accounting Services to budget $33,932 of these funds as specified in letter dated October 15, 2001.

#58B Authorized to reclassify: Position #19499, Plant Maintenance Engineer IV Salary Grade 23 to Technical Support Specialist IV Salary Grade 26 with additional salary cost of $1,914 and Position #41204, Electronic Technician II Salary Grade 19 to Technical Support Specialist III Salary Grade 24 with additional salary cost of $3,120. Funding is available for both positions.

#59 Authorized Water Division to accept and expend additional funds from water users, that are prorated, negotiated share of streamflow gaging expenses, for the period through June 30, 2002 and as specified in letter dated October 23, 2001.

#60 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Waste Management Division retroactive, sole source contract in effect from October 24, 2001 through October 31, 2001 with University of New Hampshire, Environmental Research Group in the amount of $4,500 for conducting a two-day class entitled "Bioremediation - An Option Worth Considering?"

#61 Authorized Waste Management Division contract with Piscataqua River Cooperative, Portsmouth, NH with the total contract value of $400,000 to provide funding to enhance oil spill response capability effective upon G&C approval through December 31, 2004.

#62 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized agreement with Northeast Rural Water Association, Burlington, VT in the amount of $89,325 following Safe Drinking Water Act guidelines as specified in letter dated October 15, 2001 effective upon G&C approval through September 30, 2002.
(2) Further authorized agreement with Rural Housing Improvement, Inc., Winchendon, MA in the amount of $103,828 following Safe Drinking Water Act guidelines as specified in letter dated October 15, 2001 effective upon G&C approval through September 30, 2002.

NEW HAMPSHIRE BOARD OF MEDICINE

#63 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, authorized agreement with Kang Company, Inc., in the total amount of $5,400 as specified in letter dated October 16, 2001 for janitorial services for a period of two years effective January 1, 2002 through December 31, 2003.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Administration

The Governor and Executive Council acted as follows:

#64 Authorized Office of Program Support to reclassify vacant Position #14663, Health Facilities Construction Coordinator II Salary Grade 23 to Supervisor IV Salary Grade 24.

#65 Authorized agreement with Walchak's Lawn and Home Care Inc., Bow, NH in the total amount of $76,500 as specified in letter dated October 18, 2001 for snow and ice removal services effective November 9, 2001 or upon G&C approval, whichever is later.

Office of Program Support

#66 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Colantuono, with Councilor Griffin voting NO, authorized a retroactive exemption to Administrative Rule 308.05-c (2), allowing employees of the Bureau of Child Care Licensing to travel beyond a 300 mile radius by transportation other than air travel as specified in letter dated October 24, 2001.

#67 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Colantuono, with Councilor Griffin voting NO, authorized a retroactive exemption to Administrative Rule 308.05-c (2), allowing employees of the Bureau of Health Facilities to travel beyond a 300 mile radius by transportation other than air travel as specified in letter dated October 22, 2001.

Office of the Commissioner

#68 Authorized agreement with JSA, Inc., Portsmouth, NH in an amount not to exceed $249,410 for the provision of professional and technical services for juvenile services and facilities for the period effective retroactive to August 22, 2001 through June 30, 2002.

Office of Community and Public Health

#69 Authorized a retroactive exemption to Administrative Rule 308.05-c (2), allowing employees of the Division of Family and Community Health, Breast and Cervical Cancer Program to travel beyond a 300 mile radius by transportation other than air travel as specified in letter dated October 11, 2001.

#70 Authorized Bureau of Health Risk Assessment, to reimburse Melinda Carpenter, M.S., for relocation expenses of up to $2,000 based upon actual expenses incurred.

#71 Authorized Bureau of Health Risk Assessment to amend agreement with the New Hampshire Minority Health Coalition, Manchester, NH (originally approved at G&C meeting of June 20, 2001 Item #147), by increasing the dollar amount by $2,000 to $109,452 to provide training to increase the cultural competency of Bureau staff, effective upon G&C approval.

Office of Family Services

Division of Children, Youth and Families

#72 The Governor and Executive Council on motion of Councilor Colantuono, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized agreement with Families Matter in Carroll County, Center Ossipee, NH in an amount not to exceed $20,000 to provide child care recruitment and training services effective upon G&C approval through June 30, 2002.
(2) Further authorized prepayment of up to 25% of the Contract Price at the beginning of the Contract

Period with subsequent payments to be made on a cost reimbursement basis as specified in letter dated August 30, 2001.

#73 The Governor and Executive Council on motion of Councilor Colantuono, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized to amend agreement with KidsPlan of Center Barnstead, NH (originally approved at G&C meeting of March 8, 2000 Item #104 and amended January 24, 2001 Item #126), for developing and assisting DCYF with the implementation of a sliding fee scale for child care reimbursement, by extending the completion date to August 31, 2002 effective retroactive to August 31, 2001.

#74 The Governor and Executive Council on motion of Councilor Colantuono, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized to amend existing contract with National Council on Crime and Delinquency, Madison, WI (originally approved at G&C meeting of September 6, 2000 Item #64 and amended July 5, 2001 Item #49), by extending the completion date from October 31, 2001 to January 31, 2002 effective upon G&C approval. This is a no cost extension.

Division of Elderly and Adult Services

#74A Authorized to amend agreement with Carroll County Health and Home Care Services, Ossipee, NH (originally approved at G&C meeting of August 23, 2000 Item #118 and amended June 20, 2001 Item #209), by increasing the contract amount by $3,500 to $193,858 to establish a Medicare Information and Learning Center at Carroll County ServiceLink effective upon G&C approval through June 30, 2002.

#75 Authorized to amend agreement with Lakes Region Hospital Association, Laconia, NH (originally approved at G&C meeting of August 23, 2000 Item #120 and amended June 20, 2001 Item #205), by increasing the contract amount by $3,500 to $193,858 to establish a Medicare Information and Learning Center at Belknap County ServiceLink effective upon G&C approval through June 30, 2002.

#76 Authorized to amend agreement with The Community Council of Nashua, Nashua, NH (originally approved at G&C meeting of August 23, 2000 Item #122 and amended June 20, 2001 Item #216), by increasing the contract amount by $3,500 to $193,858 to establish a Medicare Information and Learning Center at Greater Nashua ServiceLink effective upon G&C approval through June 30, 2002.

#77 Authorized to amend agreement with Crotched Mountain Community Care, Inc., Portsmouth, NH (originally approved at G&C meeting of August 23, 2000 Item #113 and amended June 20, 2001 Item #208), by increasing the contract amount by $3,500 to $193,858 to establish a Medicare Information and Learning Center at Rockingham County Seacoast ServiceLink effective upon G&C approval through June 30, 2002.

#78 Authorized to amend agreement with Crotched Mountain Community Care, Inc., Portsmouth, NH (originally approved at G&C meeting of August 23, 2000 Item #124 and amended June 20, 2001 Item #207), by increasing the contract amount by $3,500 to $193,858 to establish a Medicare Information and Learning Center at Southwestern Rockingham County ServiceLink effective upon G&C approval through June 30, 2002.

Division of Behavioral Health

Glencliff Home for the Elderly

#78A Authorized Glencliff Home For The Elderly contract with JR Dionne's Electric, Meredith, NH in an amount not to exceed $20,000 to provide electrician services effective upon G&C approval through June 30, 2003.

#78B Authorized Division of Behavioral Health to enter into agreement with Southwestern Community Services, Inc., in an amount not to exceed $275,977 retroactive to July 23, 2001 through July 22, 2003 to provide services to homeless individuals.

New Hampshire Hospital

#79 Authorized reclassification of Position #16373, Laundry Worker III Salary Grade 6 to Senior Psychiatric Social Worker Salary Grade 23.

#80 Authorized sole source agreement with Management Effectiveness and Development Consulting Organization Inc., Willow Grove, PA in the amount of $3,500 as specified in letter dated September 14, 2001 for consulting services, effective upon G&C approval through June 30, 2002.

#81 Authorized agreement with J.N. Bennett Roofing, Center Barnstead, NH for a total of $7,000 for installation of a new roof on the Burbank House, effective upon G&C approval through June 30, 2002.

#82 Authorized contract with Shery Mead, MSW, Plainfield, NH in the amount of $10,000 for consulting services in the area of Peer Support and Recovery effective upon G&C approval through June 30, 2002.

Division of Child Support Services

#83 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Colantuono, with Councilor Wheeler voting NO, authorized to renew agreement with New Hampshire Mediation Program, Inc., Concord, NH in the amount of $25,000 to provide mediation services to parents in Merrimack County as specified in letter dated August 17, 2001 effective upon G&C approval through September 30, 2002.

#84 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Colantuono, with Councilor Wheeler voting NO, authorized agreement with Monadnock Family Services, Inc., Keene, NH in the amount of $25,000 to provide visitation and mediation services to parents in Cheshire County as specified in letter dated August 22, 2001 effective upon G&C approval through September 30, 2002.

#85 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Colantuono, with Councilor Wheeler voting NO, authorized to renew agreement with Tri-County Community Action Program, Inc., Berlin, NH in the amount of $16,335 to provide mediation services to parents in Carroll County as specified in letter dated August 17, 2001 effective upon G&C approval through September 30, 2002.

#86 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Colantuono, with Councilor Wheeler voting NO, authorized to renew agreement with Tri-County Community Action Program, Inc., Berlin NH in the amount of $33,665 to provide visitation and mediation services to parents in Coos County as specified in letter dated August 17, 2001 effective upon G&C approval through September 30, 2002.

Division of Developmental Services

#87 Authorized Memorandum of Agreement with the Department of Education, Division of Instruction to support a co-funded agreement as specified in letter dated October 24, 2001 with the Institute on Disability at the University of New Hampshire, effective upon G&C approval through June 30, 2002. (2) Further authorized to enter into an agreement with the Institute on Disability, University of New Hampshire, Durham, NH in the amount of $200,000 effective upon G&C approval through June 30, 2002.

#88 Item not used.

#89 Item not used.

NEW HAMPSHIRE VETERANS HOME

#90 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, authorized to accept with thanks, and place on file the list (attached to letter dated October 17, 2001), of monies totaling $28,490.87 received during the period of July 1, 2001 to September 30, 2001 as a result of fundraising drives from various organizations and from personal contributions. These monies are placed in the Veterans Home Benefit Fund.

DEPARTMENT OF EDUCATION

The Governor and Executive Council acted as follows:

#91 Authorized reclassification of Position #13172, Records Control Clerk Salary Grade 9 to Accounting Technician Salary Grade 11 as specified in letter dated October 23, 2001.

#92 Authorized to accept and expend $71,048 from The Corporation for National Service effective upon G&C approval through June 30, 2002 as specified in letter dated August 31, 2001.

#93 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilors Colantuono and Wheeler voting NO, authorized to conduct a one day semi-annual progress meeting to be held at Crowne Plaza Hotel, Nashua, NH on November 20, 2001 at a total cost not to exceed $12,221.64 as specified in letter dated October 12, 2001.
(2) Further authorized contract with the Sam Hospitality Corp., T/A Crowne Plaza Hotel, Nashua, NH in an amount not to exceed $11,700 that is a part of the total cost, to provide appropriate meeting space and meals for the Best Schools Leadership Institute colleagues and employees of the Department of Education on November 20, 2001.
(3) Further authorized the reimbursement of mileage expenses for Department of Education personnel, or their designee in an amount not to exceed $521.64 that is a part of the total cost.
(4) Further authorized the Department of Education to exercise the right to reschedule this meeting in case of inclement weather to a date not to go beyond February 28, 2002.

#94 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Colantuono, with Councilor Wheeler voting NO, authorized to participate in the 2001 Christa McAuliffe Technology Conference to be held November 27, 28 and 29, 2001 at the Sheraton Tara Hotel, Nashua, NH at a total cost not to exceed $5,352.48 as specified in letter dated October 10, 2001.
(2) Further authorized to grant funds to the New Hampshire School Administrators Association in the amount of $3,000 that is a part of the total cost.
(3) Further authorized to pay the Sheraton Tara, Nashua, NH in the amount of $1,000 that is a part of the total cost, for refreshments and meeting room space for Preparing Tomorrow's Teachers to Use Technology project reception.
(4) Further authorized two Department of Education participants to remain overnight at the conference facility that is within a 50 mile radius of residence.
(5) Further authorized expenditures of $1,352.48 that is a part of the total cost, for registration, travel and lodging expenses of participants as indicated in letter dated October 10, 2001.

#95 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized to grant funds to the Plymouth State College, Plymouth, NH retroactive from July 1, 2001 through June 30, 2002 in the amount of $165,576.71 as specified in letter dated October 15, 2001.

#96 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized Bureau of Adult Learning and Rehabilitation

to retroactively enter into contract with Elizabeth Ash, d.b.a., Seasoned Grill, Claremont, NH to provide cafeteria service at the NH Community Technical College, Claremont, NH from August 12, 2001 through September 30, 2004.

#97 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized to retroactively amend contract with Republic Management Corporation, Somersworth, NH (originally approved at G&C meeting of August 12, 1992 Item #155, amended May 31, 1995 Item #99 and September 16, 1998 Item #119), by extending the termination date from August 12, 2001 to August 12, 2004 and further amend paragraph one of this contract that will in effect continue food service at the Nashua campus and discontinue food service at the Claremont campus.

#98 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized sole source contract with Antioch New England Institute, Keene, NH in an amount not to exceed $35,000 to provide facilitation services effective upon G&C approval through June 30, 2002.
(2) Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the contract.
(3) Acknowledged that Governor and Council may be requested to authorize a renewal option on this contract for up to one additional year as specified in letter dated September 17, 2001.

#99 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized sole source contract with Pamela Clark, sole proprietor, Concord, NH in the amount of $8,500 to convene and facilitate a task force to develop a plan to establish Professional Development Centers effective upon G&C approval through June 30, 2002.

#100 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized Bureau of Adult Learning and Rehabilitation to enter into a sole source contract with Cathur Fisher, sole proprietor, to manage the cafeteria of the Health and Human Services, Brown Building, Concord, NH effective upon G&C approval through September 30, 2004 as specified in letter dated September 6, 2001.

NEW HAMPSHIRE COMMUNITY TECHNICAL COLLEGE SYSTEM

The Governor and Executive Council acted as follows:

#101 Authorized to accept and expend federal funds on behalf of the Workforce Opportunity Council, Inc., in the amount of $98,250 as specified in letter dated October 16, 2001.

#102 Authorized to expend up to $12,000 for the recruitment of a President for New Hampshire Community Technical College Manchester/Stratham Campuses as specified in letter dated October 17, 2001.

#103 Authorized to retroactively extend the authority to expend the remaining funds in the TIIAP grant from September 30, 2001 to June 30, 2002 as specified in letter dated October 23, 2001.

#104 Authorized Nashua Campus to amend agreement with Sprint Spectrum L.P. (Lessor), (originally approved at G&C meeting of November 20, 1996 Item #141), for modification of space leased and increased rent. Further authorized to extend the lease agreement for five years; leaving balance of five years on renewal option. The Lessor agrees to lease from State the property for a period of five years commencing November 20, 200 through November 19, 2006. There is no funding necessary for this contract.

CHRISTA MCAULIFFE PLANETARIUM

#105 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Wheeler, authorized to accept and expend a grant totaling $8,435 from the University of New Hampshire effective upon G&C approval through February 28, 2002 as specified in letter dated October 22, 2001.

DEPARTMENT OF SAFETY

The Governor and Executive Council acted as follows:

#106 Authorized Division of Watercraft Safety to amend contract with the Division and Intech Technology Solutions Inc., Houston, TX to increase current contract by $11,315 to $33,588 as specified in letter dated October 5, 2001.

#106A Authorized Division of Watercraft Safety contract with Ambrose Brother, Inc., Meredith, NH to construct a parking lot adjacent to the main facility of Watercraft Safety building in Guilford effective upon G&C approval through December 31, 2001.

#107 Authorized to amend the "In-car Video Camera Pilot Program" grant (originally approved at G&C meeting of January 24, 2001 Item #163), because video tapes required for video cameras are considered consumable products, therefore should be purchased out of a class 20 current expense not class 30 equipment as specified in letter dated October 25, 2001.

#108 Authorized to extend position of State Trooper I, 8T007 from December 2, 2001 to December 1, 2002 and position of State Trooper I, 8T008 from December 2, 2001 to December 1, 2002.

DEPARTMENT OF TRANSPORTATION

The Governor and Executive Council acted as follows:

#109 The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Wheeler, authorized the appointment of a special committee to conduct a public hearing on that was initially submitted and approved at G&C meeting of April 11, 2001 on alterations to be made to US Route 302 and NH Route 10 in the Towns of Haverhill and Bath, NH as specified in letter dated October 15, 2001. The Governor appointed Councilor Burton to serve as Chairman and Councilors Griffin and Wheeler to serve as the other members of the special committee.

#110 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wheeler, authorized to accept and place on file the Contemplated Award List for the period October 3, 2001 through October 16, 2001.

#111 Authorized agreement with Deighton Associates, Ltd., Bowmanville, Ontario, Canada in the amount of $22,000 for training/consulting services in support of Pavement Management System software. (2) Further authorized an exception to Administrative Rule 308.05(c) (2), travel in excess of 300 miles to Bowmanville, Ontario be by state car in lieu of common carrier. (3) Further authorized to encumber $27,450 from SPR fund Project X-1656 as specified in letter dated October 8, 2001.

#112 Authorized to pay the sum of $180,000 to the City of Nashua, NH to provide a portion of funds required to match Federal Transit Administration grant funds for bus replacements, effective upon G&C approval.

#113 Authorized to sell to Phillip Tanguay, Alstead, NH for $23,000 thirty-three hundredths acres, more or less, on the State-owned Northern Railroad line in Lebanon as specified in letter dated October 9, 2001.

#114 Authorized consultant agreements to undertake certain wetland investigations for a combined fee not to exceed $180,000 with: Gove Environmental Service, Inc., Exeter, NH in the amount of $60,000; The Louis Berger Group, Inc., Manchester, NH in the amount of $50,000; Normandeau Associates, Inc., Bedford, NH in the amount of $$40,000 and Lobdell Associates, Inc., Landaff, NH in the amount of $30,000 as specified in letter dated July 24, 2001.

#115 Authorized to increase the contingency for Contract #336071 with R. S. Audley, Inc., Bow, NH (originally approved at G&C meeting of October 28, 1998 Item D), by increasing the amount by $50,000 to $302,744.03. Further authorized to increase contingency amount to $302,744.03 and revised contract encumbrances to $5,357,624.63 as specified in letter dated October 2, 2001 for rehabilitation of Interstate in vicinity of Exit 16, realignment of ramps, replacement of I-93 bridge and reconstruction of a portion of East Side Drive and Mill Stream box culvert in Concord.

#116 Authorized to increase the contingency for Contract #616012 with SUR Construction, Inc., Rochester, NH (originally approved at G&C meeting of July 25, 2001 Item #218), by increasing the amount by $100,000 to $155,900. Further authorized to increase contingency amount to $155,900 and revise contract encumbrance to $714,900 as specified in letter dated September 24, 2001 for shoulder widening and pavement rehabilitation in Farmington along NH Route 11 beginning just east of the Route 153 intersection, proceeding east approximately one mile.

#117 Authorized to increase the contingency for Contract #622863 with Winterset, Inc., Lyndonville, VT (originally approved at G&C meeting of December 20, 2000 Item #136), by $460,000 to $668,270.90 Further authorized to increase contingency amount to $668,270.90 and revise contract encumbrance to $3,643,569.50 as specified in letter dated October 15, 2001 for widening and reconstruction of 1.3 miles of US Route 3 including the replacement of bridge over Bog Brook in Stratford, NH.

#118 Authorized increase for Contract #616001 with Larry G. Cushing & Sons, Inc., Walpole, NH (originally approved at G&C meeting of July 25, 2001 Item # 228), by $2,600 to new contract total of $22,530 effective upon G&C approval, to allow completion of a replacement water supply on the property of Bill Oldenburg, 580 Route 3A, Bow and Louise Martel of Dunbarton as specified in letter dated October 8, 2001. (2) Further authorized to encumber additional $2,600 from Damaged Salted Wells Appropriation Account.

#119 Authorized Contract #616149 with L.G. Cushing & Sons, Inc., Walpole, NH on the basis of single bid of $10,630 effective upon G&C approval for construction of drilled well and pump for the Sunapee Patrol Facility 213 as specified in letter dated October 9, 2001.

#120 Authorized agreement with Larry G. Cushing & Sons, Inc., Walpole, NH on the basis of a single bid of $23,650 effective upon G&C approval for drilled well and pump for Edgar Velasquez, Windham, NH as specified in letter dated October 9, 2001.

#121 Authorized Contract #616157 with Continental Paving, Inc., Londonderry, NH on the basis of a low bid of $1,700,403.55 effective upon G&C approval with July 12, 2002 as final completion date for replacements, rehabilitation and improvements as specified in letter dated October 19, 2001 on I-93 in City of Concord south of Exit 12.
(2) Further authorized to encumber $82,470 from Turnpike Renewal and Replacement Appropriation Account and $1,617,933.55 from Consolidated Federal Aid Appropriation Account.
(3) Further authorized that a contingency in the amount of $170,040.35 be approved for payment of latent conditions that may appear during the execution of project based on 10% of contract amount.

#122 Authorized Contract #616155 with R. S. Audley, Inc., Bow, NH on the basis of a single bid of $421,008.50 effective upon G&C approval with August 15, 2002 as final completion date for construction of F.E. Everett Turnpike improvements in the City of Nashua and the Town of Hudson in the vicinity of Exit 2 as specified in letter dated October 19, 2001.
(2) Further authorized to encumber $421,008.50 from Central Turnpike Expansion Appropriation Account.

(3) Further authorized that a contingency in the amount of $42,100.85 be approved for payment of latent conditions that may appear during the execution of project based on 10% of contract amount.

#123 Authorized Contract #616152 with Morrill Construction, Inc., Haverhill, NH on the basis of a low bid of $1,558,642.75 effective upon G&C approval with September 13, 2002 as a final completion date for pavement rehabilitation and safety improvements on Route 112 in Lincoln beginning west of Pollard Brook, proceeding east to a pavement just west of the Pemigewasset River as specified in letter dated October 10, 2001.
(2) Further authorized to encumber $1,079,931.32 from Consolidated Federal Aid Appropriation Account and $478,711.43 from Public Lands Appropriation Account.
(3) Further authorized a contingency in the amount of $155,864.27 be approved for payment of latent conditions that may appear during the execution of project based on 10% of contract amount.

#124 Authorized Contract #616153 with R. M. Piper, Inc., Plymouth, NH on the basis of a low bid of $1,075,165.80 effective upon G&C approval with August 2, 2002 as a final completion date for pavement rehabilitation and safety work along NH Route 3A in the Town of Plymouth beginning south of Route 25 traffic circle and proceeding south to the Hebron/Plymouth town line as specified in letter dated October 12, 2001.
(2) Further authorized to encumber $1,075,165.80 from Consolidated Federal Aid Appropriation Account.
(3) Further authorized a contingency in the amount of $107,516.58 be approved for payment of latent conditions that may appear during the execution of project based on 10% of contract amount.

#125 Authorized contract with Lakes Region Environmental Contractors, Inc., Belmont, NH for a lump sum price of $298,340 for Removal/Replacement of Five Underground Storage Tanks and Corrosion Protection of Seven Underground Storage Tanks, Statewide, NH.
(2) Further authorized a contingency in the amount of $30,045 be approved for payment of latent conditions that may appear during the execution of project.
(3) Further authorized that $1,330 be approved for payment to Bureau of Public Works for engineering services provided. Further authorized to encumber the amounts of: $329,715.00, $317,718.00 and $11,997.00 respectively (298,340.00 for contract, $30,045.00 for contingency, and $1,330.00 for engineering services), for Appropriation Account Numbers as specified in letter dated October 23, 2001.

#126 Authorized contract with Dellagatta Contracting Company, Inc., Nashua, NH for a lump sum price of $489,567 for Renovation of Hooksett and Merrimack Turnpike Maintenance Garages, Hooksett and Merrimack, NH.
(2) Further authorized a contingency in the amount of $49,433 for payment of latent conditions that may appear during execution of project.
(3) Further authorized $29,000 be approved for payment to Bureau of Public Works for engineering services provided.
(4) Further authorized to encumber the amount of $568,000 ($489,567 for contract, $49,433 for contingency and $29,000 for engineering services), from Appropriation Account as specified in letter dated October 17, 2001.

#127 Authorized contract with Eclipse Construction, Inc., Bedford, NH for a lump sum price of $93,892 for Alterations and Security Improvements, Bureau of Traffic, Route 106, Concord, NH.
(2) Further authorized a contingency in the amount of $14,084 for payment of latent conditions that may appear during execution of project.
(3) Further authorized $29,000 be approved for payment to Bureau of Public Works for engineering services provided.
(4) Further authorized to encumber the amount of $109,176 ($93,892 for contract, $14,084 for contingency, and $1,200 for engineering services), from Appropriation Account as specified in letter dated October 17, 2001.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Executive Council acted as follows:

#128 Authorized Water Division agreement with Charwill Construction, Inc., Meredith, NH in the amount of $41,999 for installation of fine bubble aeration system at the Winnipesaukee River Basin, as specified in letter dated September 27, 2001 effective upon G&C approval through July 30, 2002.

#128A Approved the request of Hampton River Boat Club, Inc., to maintenance dredge 6,300 sq. feet of sediment accumulated within the existing bulkhead walls on property located on the Taylor River in Hampton, NH.

#129 Approved the request of Anthony and Deanna Dinovi to construct two permanent piling docks connected by a walkway in a "U" shaped configuration on property located at Langley Cove on Lake Winnipesaukee in Moultonborough, NH.

#130 **TUITION REQUESTS**

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO on Items

#A and E approved the following Tuition Requests:

A. ENVIRONMENTAL SERVICES - Request permission to pay Franklin Pierce College, Rindge, NH, the sum of $588.00 for the sole purpose of enrolling Kathy Ann LaBonte, Accountant II, in the course entitled "Reason & Romanticism".

B. HEALTH & HUMAN SERVICES, Berlin District Office - Request permission to pay College for Lifelong Learning, Berlin, NH, the sum of $742.00 for the sole purpose of enrolling Lucille Wiemer, Supervisor III, in the course entitled "The Writing Process".

C. HEALTH & HUMAN SERVICES, Office of Information Systems - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $1,260.00 for the sole purpose of enrolling Barbara Hoover, Information Technology Manager, in the course entitled "Local Area Network Design, Implementation and Management".

D. JOINT BOARD - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $375.00 for the sole purpose of enrolling Julie Levesque, License Clerk, in the course entitled "Accounting I".

E. LIQUOR COMMISSION - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $1,320.00 for the sole purpose of enrolling George P. Tsiopras, Business Administrator IV, in the course entitled "Current Literature".

F. SAFETY - Request permission to pay Southern New Hampshire University, Concord, NH, the sum of $1,134.00 for the sole purpose of enrolling Scott Bryer, Chief of Road Toll, in the course entitled "Business, Government and the Environment TBA".

G. TRANSPORTATION - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $630.00 for the sole purpose of enrolling William Oldenburg, Senior Consultant Supervisor, in the course entitled "Research Methods in Business".

LATE ITEM:

A. DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT: DIVISION OF PARKS AND RECREATION

The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton authorized to enter into a sole source contract with Seacoast Science Center, Inc., Rye, NH, for the management of the Seacoast Science Center located at Odiorne Point State Park.

The Governor set the next Governor and Executive Council Meeting for Wednesday, November 21, 2001 at 10:30 a.m., at the State House, Concord, NH.

The Honorable Board then Adjourned