Minutes
January 23, 2002

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
January 23, 2002
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 Griffin seconded by Councilor Spaulding, accepted the minutes of January 9, 2002.

The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Wheeler, confirmed the appointment of several persons nominated for Civil Commissions from the January 9, 2002 meeting.

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

RESIGNATIONS

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

BOARD OF LICENSING FOR ALCOHOL AND OTHER DRUG ABUSE PROFESSIONALS
Peter Moses, Keene
Effective: December 31, 2001

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

JUSTICE OF THE MILFORD DISTRICT COURT
William R. Drescher, Amherst
Effective: February 15, 2002

CONFIRMATIONS

The Governor and Executive Council confirmed the following:

BOARD OF LICENSING FOR ALCOHOL AND OTHER DRUG ABUSE PROFESSIONALS
Joseph A. Foster, Nashua
Public member
Succeeding: Anne C. May, Gonic
Effective: January 28, 2002
Term: January 28, 2005

ATHLETIC TRAINERS GOVERNING BOARD
Maren C. McElwee, Concord
Reappointment
Effective: January 23, 2002
Term: January 8, 2005

CONNECTICUT RIVER VALLEY RESOURCE COMMISSION
Nancy J. B. Franklin, Plainfield
Public member
Succeeding: Karl Mindemann, Dublin (resigned)

Effective: January 23, 2002
Term: January 22, 2005

JUDICIAL COUNCIL
Lynn Mather, Etna
Lay Person
Reappointment
Effective: January 23, 2002
Term: January 1, 2005

JUDICIAL COUNCIL
David N. Page, Nashua
Lay Person
Reappointment
Effective: January 23, 2002
Term: January 1, 2005

NEW MOTOR VEHICLE ARBITRATION BOARD
Billie Tooley, Exeter
Alternate - representing consumers
Succeeding: Owen R. Koppang, Concord
Effective: January 23, 2002
Term: October 16, 2003

OIL FUND DISBURSEMENT BOARD
James E. Connolly, Jr., Manchester
Public member
Reappointment
Effective: January 23, 2002
Term: January 1, 2005

PHYSICAL THERAPY GOVERNING BOARD
Ann W. B. Greiner, Hooksett
Reappointment
Effective: January 23, 2002
Term: January 8, 2005

PUBLIC WATER ACCESS ADVISORY BOARD
Paul F. Blizzard, Laconia
Power Boating
Succeeding: Chris Gagnon, Laconia
Effective: January 23, 2002
Term: October 27, 2004

PUBLIC WATER ACCESS ADVISORY BOARD
Ross A. Doerr, Concord
Governor's Commission on Disability
Succeeding: Maureen Stimpson, Loudon
Effective: January 23, 2002
Term: October 27, 2004

RESPIRATORY CARE PRACTITIONERS BOARD
James R. Daley, Lyme
Reappointment
Effective: January 23, 2002
Term: January 8, 2005

WASTE MANAGEMENT COUNCIL
John C. Lavallee, Pelham
Business or Financial Community
Reappointment
Effective: January 23, 2002
Term: December 23, 2005

NOMINATIONS

The Governor nominated the following:

AGRICULTURAL ADVISORY BOARD
William B. Bartlett, Newport
Sullivan County
Reappointment
Effective: Upon confirmation
Term: January 31, 2007

BOARD OF LICENSING FOR ALCOHOL AND OTHER DRUG ABUSE PROFESSIONALS
Raymond McGarty, Durham
Reappointment
Effective: Upon confirmation
Term: January 28, 2005

AMERICAN AND CANADIAN FRENCH CULTURAL EXCHANGE COMMISSION
Ronald O. Mailhot, Manchester
Vacancy
Effective: Upon confirmation
Term: One year from date of confirmation

ADVISORY PANEL ON CANCER AND CHRONIC DISEASES
Helen Shaw, Keene
Reappointment
Effective: Upon confirmation
Term: December 3, 2005

BOARD OF LICENSED DIETITIANS
Mary Lavanway, Gilford
Succeeding: Jeanne S. Brown, Goffstown
Effective: Upon confirmation
Term: December 6, 2004

ENHANCED 911 COMMISSION
Kate Bailey, Bow
Designee of the Chairman of the Public Utilities Commission
Succeeding: Douglas Patch, Concord
Effective: Upon confirmation
Term: July 22, 2004

FIRE STANDARDS AND TRAINING COMMISSION
Corey J. Landry, Greenland
Nominated by the Fire Prevention Society
Succeeding: Charles Chalk, Merrimack
Effective: February 14, 2002
Term: February 14, 2005

HAZARDOUS MATERIAL TRANSPORTATION ADVISORY BOARD
Glenn R. Saunders, North Conway
Hazardous material manufacturing or distributing industry
Reappointment
Effective: Upon confirmation
Term: January 30, 2005

STATE HISTORICAL RECORDS ADVISORY BOARD
Paul R. Bergeron, Hudson
Succeeding: John F. Page, Concord
Effective: Upon confirmation
Term: January 2, 2005

STATE HISTORICAL RECORDS ADVISORY BOARD
Edouard L. Desrochers, Exeter
Reappointment
Effective: Upon confirmation
Term: December 19, 2004

BOARD OF LAND SURVEYORS
Linda Capuchino, Manchester
Public member
Reappointment
Effective: Upon confirmation
Term: February 3, 2007

OIL FUND DISBURSEMENT BOARD
Thomas J. Frawley, Lyme
Petroleum Refiners
Vacancy
Effective: Upon confirmation
Term: January 1, 2003

BOARD OF OPTOMETRY
Joyce E. Egge, Danbury
Public member
Succeeding: William Leber, Andover
Effective: Upon confirmation
Term: January 20, 2007

PENALTY APPEAL BOARD
Edward F. Patch, Bow
Attorney - Chairman
Reappointment
Effective: Upon confirmation
Term: December 20, 2004

TELECOMMUNICATIONS PLANNING AND DEVELOPMENT ADVISORY COMMITTEE
Ted Jastrzembski, Hanover
Small Business Telecommunications User
Reappointment
Effective: Upon confirmation
Term: October 18, 2004

COMMISSIONER OF THE TREASURY
(RSA 6:20)
Michael A. Ablowich, Durham

Effective: Upon confirmation
Term: Until a treasurer is elected and qualified
Salary: $78,640

NH WATER WELL BOARD
Andrew Singelakis, Hampton
Public member
Succeeding: Russell Sullivan, Auburn
Effective: Upon confirmation
Term: September 15, 2004

STATE COMMISSION ON THE STATUS OF WOMEN
Ronna F. Wise, Contoocook
Succeeding: Judith Hynes, Concord (resigned)
Effective: Upon confirmation
Term: October 20, 2003

OFFICE OF STATE PLANNING

The Governor and Executive Council acted as follows:

#1 Authorized agreement with the United States Geological Survey, Pembroke, NH in the amount of $21,750 under the provisions of the New Hampshire Coastal Program effective upon G&C approval through June 30, 2002.

#1A Authorized to accept and expend an additional $1,266,985.03 of federal funding from the US Department of Housing and Urban Development to be passed through to municipalities to fund eligible Community Development Block Grant projects for housing, public facilities, and economic development, effective upon G&C approval through June 30, 2002.

#1B Authorized agreement with the Town of Littleton, NH in the amount of $500,000 under the provisions of the Community Development Block Grant Program, effective upon G&C approval through June 30, 2004.

#2 Authorized agreement with the University of New Hampshire, Department of Microbiology, Durham, NH in the amount of $15,132 under the provisions of the New Hampshire Coastal Program effective upon G&C approval through June 30, 2002.

#3 Authorized agreement with the Town of Bethlehem, NH in the amount of $350,000 under the provisions of the Community Development Block Grant program effective upon G&C approval through June 30, 2003.

#4 Authorized agreement with the Town of Pittsburg, NH in the amount of $12,000 under the provisions of the Community Development Program effective upon G&C approval through December 31, 2002.

OFFICE OF EMERGENCY MANAGEMENT

The Governor and Executive Council acted as follows:

#5 Authorized to accept a donation, with thanks, of a Marti RPT-30 radio transmitter with associated equipment and accessories valued at $4,500 from the New Hampshire Association of Broadcasters.

#6 Authorized grant agreement with Nashua Fire Rescue in the amount of $9,000 for the period through February 7, 2002 for presenting a statewide hazardous materials workshop.

#7 Authorized to amend sole source contract with Wright Communications, Inc., (originally approved at G&C meeting of May 23, 2002 Item #6), from $30,800 to $32,800 to allow for the installation of an additional Emergency Alert System Network transmitter.

#8 Authorized retroactively to hold the "Exercise Program Manager Course", in an amount of the course not to exceed $3,450 to be held January 15 -16, 2002 at the Holiday Inn in Portsmouth, NH.

#9 Authorized to execute a Flood Mitigation Assistance Program grant agreement with the Town of Raymond, NH in the amount of $5,500 for developing a Flood Mitigation Plan effective upon G&C approval through September 30, 2002.

#10 Authorized to execute a Flood Mitigation Assistance Program grant agreement with the Town of Stratford, NH in the amount of $5,500 for developing a Flood Mitigation Plan effective upon G&C approval through September 30, 2002.

GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES

#11 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, authorized contract with Northeast by Northwest in an amount not to exceed $13,000 to assist in the evaluation of ratepayer-funded energy efficiency programs as outlined in the attached contract as specified in letter dated January 10, 2002 effective upon G&C approval through June 30, 2002.

OFFICE OF THE ADJUTANT GENERAL

The Governor and Executive Council acted as follows:

#12 Resolved to nominate for promotion to the rank of Major, New Hampshire Army National Guard: Captain Daniel T. Wilson, Concord, NH.

#13 Authorized to transfer funds from the Governor's Emergency Fund in the amount of $461.25 to the Adjutant General's Department account as specified in letter dated December 31, 2001.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Executive Council acted as follows:

#14 Authorized Working Capital Warrant in the amount of $290,000,000 to cover expenditures for the Month of February 2002.
(2) Authorized acceptance of Working Warrant No. 02-06 reporting expenditures of $392,829,382.48 for the month of December and the balance of $73,702,754.83 be lapsed.

#14A Appointed Peter J. Spaulding as a designee of the Executive Council to hold a hearing on the proposal in regards to the Capital Note and Revenue Anticipation Note Program-Statewide project.

#14B Authorized the request to establish the salary levels, as of December 27, 2001 for the unclassified positions listed on the schedule attached to letter dated January 15, 2002 for retention purposes, effective retroactive to December 28, 2001; and further, that for those positions listed where the maximum step in the new range is greater than the salary as of December 27, 2001 the employee shall not receive a step increase until the employee's length of service equates to the next step available on the scale as specified. Fiscal Committee amended and Approved January 15, 2002.

#15 Pursuant to the provisions of RSA 9:16-17, attached (to letter dated January 2, 2002), is list of agency transfers authorized for Fiscal Year 2002 during the month of December 2001.

#16 Approved quarterly revised schedule and status report of Capital Budget Projects as specified in letter dated January 3, 2002.

#17 Authorized Bureau of Purchase and Property to enter into statewide agreements with vendors as specified in letter dated January 10, 2002 effective upon G&C approval, also granted 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 2 years.

#18 Authorized Bureau of Court Facilities retroactive lease agreement with TAC Properties, Inc., Jaffrey, NH for $22,045.50 payable in 6 monthly installments of $3,674.25 for office and courtroom space for the Jaffrey-Peterborough District Court, commencing on January 1, 2002 and ending on June 30, 2002.
(2) Further authorized waiver of compliance with RSA 10:B due to particular space being occupied by the court for a number of years with no record of complaints regarding air quality.

TREASURY DEPARTMENT

#19 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, authorized the comptroller to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of $24,378.58.

DEPARTMENT OF JUSTICE

The Governor and Executive Council acted as follows:

#20 Authorized retroactively to designate John E. Lucas (position #9U061), as an attorney at a salary of $55,000 effective January 2, 2002.

#21 Authorized retroactively reimburse Dr. Jennie V. Duval, Deputy Chief Medical Examiner, $483.11 for travel incurred by her, for her interview October 24-28, 2001.

#22 Authorized to enter into a subgrant from the date of G&C approval to September 30, 2003 with the Concord Girls & Boys Club in the amount of $42,704 to expand mentoring services to youth in New Hampshire as specified in letter dated January 10, 2002.

#23 Authorized service agreements with providers in the total amount of $15,300 as specified in letter dated January 10, 2002 and effective upon G&C approval through dates listed, for rooms and meals at six regional Sexual Assault Law Enforcement Investigation and Response Protocol Seminars to be held in March 2002.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Executive Council acted as follows:

#24 Authorized Division of Libraries retroactive contract with the New Hampshire Department of Corrections/Correctional Industries in the amount of $6,400 for the production of catalog cards from August 27, 2001 through June 30, 2002.

#25 Authorized Division of Libraries sole source, retroactive agreement with Gaylord Information Systems, Syracuse, NY in the amount of $1,600 for trouble shooting a software problem in the Galaxy Computerized Library System.

#26 Authorized Division of Libraries retroactive, sole source contract with Gaylord Information System, Syracuse, NY in the total amount of $14,437 for software maintenance of the Galaxy Computerized Library System for the period of January 1, 2002 through December 31, 2002.

EMPLOYMENT SECURITY

#27 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wheeler, authorized service agreement with Concord Fire Extinguisher Service in the amount of $2,000 annually for a total price limitation of $6,000 for the 3 year period effective upon G&C approval through June 30, 2004 for fire extinguisher maintenance services at NHES's offices statewide, from existing federal funds.

DEPARTMENT OF CORRECTIONS

The Governor and Executive Council acted as follows:

#28 Authorized to accept a donation, with thanks, of Equipment for Auto Body Technologies Program from Fred Bramantee of Snap-On Tools, Littleton, NH with the approximate value of $1,000.

#29 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Griffin, with Councilor Wheeler voting NO, concurred with the decision of the Director of Personnel to reclassify position #19897, Corrections Counselor/Case Manager, Labor Grade 17 to Senior Psychiatric Social Worker, Labor Grade 23 effective December 28, 2001. Retroactive.

#30 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Griffin, with Councilor Wheeler voting NO, authorized to amend the total allocation for Psychiatric Consultants (originally approved at G&C meeting of June 20, 2001 Item #75), by $160,000 for a new FY 02 total of $383,700.

#31 Authorized retroactively to enter into contract with Boston Chimney & Tower Company, Inc., Peabody, MA in the amount of $45,288 for removal and replacement of the Boiler House Exterior Smokestack at the Lakes Region Facility in Laconia, effective upon G&C approval through June 30, 2002.

LIQUOR COMMISSION

The Governor and Executive Council acted as follows:

#32 Authorized to utilize the banking services of Citizens Bank, One Capital Plaza, Concord, NH as the depository of funds for the New Hampshire State Liquor Store #01, Concord, NH.

#33 Authorized amendment #2 for contract with Northeast Door Co., Concord, NH (originally approved at G&C meeting of September 18, 1996 Item #76 and amended September 15 1999 Item #52), increasing the contract price limitation by $15,500 to $188,555 for the sole purpose of providing professional door repair/replacement services and maintenance for various liquor store locations of the NH State Liquor Commission.

#34 Authorized amendment #2 for contract with Thermal Stor Refrigeration Inc., Hooksett, NH (originally approved at G&C meeting of June 22, 1999 Item #92 and amended August 22, 2001 Item #109), increasing the contract price limitation by $7,800 to $95,179.32 for providing heating/air conditioning services and maintenance/repairs for various liquor locations of the NH State Liquor Commission.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Executive Council acted as follows:

#35 Authorized Division of Parks and Recreation to accept and expend a federal grant from the National Park Service through the Land and Water Conservation Fund in the amount of $368,382 for

"Franconia Notch Summit Improvements and Tramway Upgrade", project for the period ending December 30, 2002.

#35A Authorized to enter into Lease/Purchase agreement with Lease 2, Inc., Tampa, FL in the amount of $2,162.73 per month for a total of $129,763.80 for the full term effective for a 5 year period commencing upon G&C approval though February 1, 2007 for a new phone system at the Department's headquarters.

#36 Authorized Division of Parks and Recreation to retroactively extend the project period from December 30, 2001 to December 30, 2002 for the Land and Water Conservation Fund Project, "State Park Support Services", (funds originally approved at G&C meeting of March 28, 2001 Item #54), as specified in letter dated January 4, 2002.

#37 Authorized to accept and place on file from the Office of the Commissioner, the "Informational Item", reporting the transfer of funds for Cannon Mountain ski area for the quarter ending December 31, 2001.

FISH AND GAME DEPARTMENT

#38 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Spaulding, authorized to accept and expend $1,200 donation from the Coastal Conservation Association of New Hampshire for purchase of an electronic fish counter that will be used to enumerate anadromous fish utilizing the Department's fish ladder on the Exeter River.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Executive Council acted as follows:

#39 Authorized to accept and expend federal funds in the amount of $9,492 under the US Environmental Protection Agency Voluntary Cleanup Program effective upon G&C approval through August 31, 2002 as specified in letter dated January 8, 2002.

#39A Authorized to continue the full-time temporary position of Hydrogeologist IV, Labor Grade 30 ($46,059-$63,550), from July 1, 2002 through June 30, 2003. Fiscal Committee Approved.
(2) Further authorized to accept $383,086 in federal funds from the US Environmental Protection Agency for the Drinking Water Revolving Fund Program effective upon G&C approval through June 30, 2003.

#40 Authorized to retroactively amend a Local Source Water Protection grant to the Town of Hudson, NH (originally approved at G&C meeting of August 22, 2001 Item #140), by extending the completion date from December 31, 2001 to June 30, 2002 to provide for additional time to complete the agreed upon scope of services as specified in letter dated December 17, 2001. No additional funding required.

#41 Authorized to retroactively amend a Local Source Water Protection grant to the Town of Salem, NH (originally approved at G&C meeting of July 14, 2000 Item #77), by extending the completion dated from December 31, 2001 to June 30, 2002 to provide for additional time to complete the agreed upon scope of services as specified in letter dated December 21, 2001. No additional funding required.

#42 Authorized loan agreement with the City of Rochester, NH in the amount of $521,000 for financing a water main replacement project effective upon G&C approval, as specified in letter dated December 21, 2001.

#43 Authorized loan agreement with the City of Rochester, NH in the amount of $510,000 for financing a process control upgrade project effective upon G&C approval, as specified in letter dated December 21, 2001.

#44 Authorized to retroactively amend a State Aid Grant for the City of Berlin, NH in the amount of $255,934.82 for the construction of a water storage tank, effective upon G&C approval, as specified in letter dated December 31, 2001.

#45 Authorized to retroactively amend agreement with the University of New Hampshire Office of Sponsored Research, Durham, NH (previously amended October 18, 2000 Item #64), for monitoring groundwater, by extending the completion date from September 30, 2001 to December 30, 2002 as specified in letter dated December 28, 2001. No additional funding required.

#46 Authorized amendment to loan agreement with the City of Manchester, NH in the amount of $1,750,000 to continue with Phase II of the City's landfill closure program, effective upon G&C approval as specified in letter dated December 26, 2001.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Executive Council acted as follows:

Developmental Disabilities Council

#47 Authorized agreement with the University of New Hampshire, Durham, NH in the amount of $10,000 to continue the Council's support of the University of New Hampshire's Leadership Series effective upon G&C approval through May 31, 2002. Retroactive, Sole Source.

Office of Administration

#48 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized the Office of Community and Public Health to reclassify position #9T025 from Supervisor IV, Salary Grade 24 to Public Health Program Manager, Salary Grade 25. The position is currently filled.

#49 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized the Division of Children, Youth and Families to reclassify positions #16018 from Program Assistant I, Salary Grade 11 to Program Specialist II, Salary Grade 20; #16037 from Registered Nurse III, Salary Grade 22 to PH Nurse Coordinator, Salary Grade 20; #16480 from Program Assistant II, Salary Grade 14 to Child Protective Service Worker III Salary Grade 21; and #16009, #40405, and #40401 from Mental Health Worker II, Salary Grade 10 to Child Protective Worker III, Salary Grade 21. Positions are currently vacant.

#50 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized the Office of the Commissioner to reclassify positions #16383 from Laborer, Salary Grade 4, and #16574 from Mental Health Worker II, Salary Grade 10, to Business Systems Analyst I, Salary Grade 28. Positions are currently vacant.

Office of Information Systems

#51 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Griffin, with Councilor Wheeler voting NO, authorized contract with Centra Software, Inc., Lexington, MA in the amount of $100,705 for implementation of an interactive remote training system effective upon G&C approval through March 30, 2003.

#52 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Griffin, with Councilor Wheeler voting NO, authorized Office of Application Management to amend agreement with the Children's Research Center, National Council on Crime and Delinquency, Madison, WI (originally approved at G&C meeting of September 6, 2000 Item #64, amended July 5, 2001 Item #49 and November 7, 2001 Item #74), by increasing the amount from $249,347 to $321,228 and

extending the end date from January 31, 2002 to March 31, 2003 for Structured Decision Making services and related computer services, effective upon G&C approval.

Office of Program Support

#53 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized retroactively that employee of the Health Facilities Administration travel beyond a 300-mile radius by transportation other than air travel to Baltimore, MD from December 1, 2001 to December 7, 2001 who attended the Annual Outcome and Assessment Information Set Coordinators Conference and training for state and regional office OASIS Educational and Automation Coordinators.

Office of Community and Public Health

#53A Authorized Bureau of Vital Records to accept and expend funds in the amount of $497,600 from the federal Social Security Administration for an electronic death reporting system, effective upon G&C approval through June 30, 2002. Fiscal Committee Approved.

#53B Authorized Bureau of WIC Nutrition Services to accept and expend $26,069 in additional funds from the New Hampshire Chapter of the March of Dimes effective upon G&C approval through June 30, 2002. Fiscal Committee Approved.

Office of Family Services

Division of Children, Youth and Families

#54 Authorized Division for Juvenile Justice Services to reimburse Mr. John McDermott the amount of $411.25 from current year funds for travel expenses incurred while performing home visits during the period of March 7, 2001 through May 25, 2001.

Division of Family Assistance

#54A Authorized to accept and expend an additional $589,440.50 in US Department of Agriculture Food Stamp Administrative Funds effective retroactive to October 1, 2001 through September 30, 2002. Fiscal Committee Approved.

Division of Developmental Services

#54B Authorized Division of Behavioral Health to accept and expend other funds in the amount of $23,000 from the New Hampshire Department of Education to increase the level of funding to provide for the development of a core curriculum to address interdisciplinary training and intervention strategies for children and youth with disabilities as specified in letter dated January 15, 2002 and effective upon G&C approval through June 20, 2002. Fiscal Committee Approved.

DEPARTMENT OF EDUCATION

The Governor and Executive Council acted as follows:

#55 Authorized to accept and expend funds in the amount of $532,000 from the Workforce Opportunity Council, Inc., to be used for the implementation and oversight of the Work Incentive program, effective upon G&C approval through June 30, 2003.

#56 Authorized to accept and expend additional grant funds in the amount of $32,735.67 from the US Department of Education during the fiscal year ending June 30, 2002.

(2) Further authorized to budget and expend carryforward grant funds in the amount of $409,803.27 from the US Department of Education during the fiscal year ending June 30, 2002.

#57 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized contract with Susan E. Marshall, Concord, NH in an amount not to exceed $28,500 to provide technical assistance and writing services in the development, revision, publication and dissemination of the State Board rules, effective upon G&C approval through June 30, 2002.

NEW HAMPSHIRE TECHNICAL COLLEGE SYSTEM

The Governor and Executive Council acted as follows:

#58 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized the Department of Regional Community Technical College Board of Trustees to conduct a 2 day planning session to be held on January 24-25, 2002 at the Red Jacket Mountain View, North Conway, NH at a cost not to exceed $10,526.62.
(2) Further authorized contract with the Red Jacket Mountain View at a cost of $163 per person, not to exceed $5,379 to provide: overnight accommodation, one breakfast, one dinner, two lunches, breaks, gratuities and meeting room. Funding is available.
(3) Further authorized educational service agreement with Dr. Gerri King in the amount of $3,700 for directing and facilitating a strategic planning meeting for the Board of Trustees. Funding is available.
(4) Further authorized a waver from Administrative Rule 308.03(d)(4) for overnight stay of at least 50 miles away from official headquarters and/or resident for one employee and two Board participants to remain overnight at the meeting facility that is within a 50 mile radius of his/her residents.
(5) Further authorized to exercise the right to reschedule this meeting in the event of inclement weather to a date not to go beyond May 24, 2002.

#59 Authorized to accept and expend $421,231 in Federal funding from the Title IV Financial Aid grants to students program from the date of G&C approval through June 30, 2002 as specified in letter dated January 8, 2002.
(2) Further authorized to accept and expend $6,748 in FY01 carryforward Federal funding from the Title IV Financial Aid grants to students program from the date of G&C approval through June 30, 2002.

#60 Authorized to accept and expend $150,000 in Federal funding from the Title IV Financial Aid grants to students program from the date of G&C approval through June 30, 2002. Funds are to be allocated in the NH Community Technical College at Manchester/Stratham Title IV Financial account, as specified in letter dated January 8, 2002.

#61 Authorized Stratham Campus to retroactively accept and expend additional grant funds from the City College of San Francisco, in the amount of $119,005 for the Bio-Link grant program for the program period of September 1, 2001 to August 31, 2002.

#62 Authorized Stratham Campus agreement with Airamar Mechanical, Northwood, NH in the amount of $3,500 for providing a winterization project.

#63 Authorized to retroactively extend contract with RMC Research Corporation, Portsmouth, NH (originally approved at G&C meeting of January 28, 1998 Item #114), for performing professional evaluation services under the Technology Opportunities Grant, from October 1, 2001 to June 30, 2002. Additional funding is not required.

POLICE STANDARDS AND TRAINING COUNCIL

#64 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, authorized to accept and place on file the Annual Report of the New Hampshire Police Standards & Training Council for the fiscal year July 1, 2000-June 30, 2001.

DEPARTMENT OF SAFETY

The Governor and Executive Council acted as follows:

#65 Authorized to open a regular checking account with the Community Guaranty Savings Bank in Campton for use as a holding account for revenues collected by the Town of Campton, NH.

#66 Authorized retroactively amendment with Digimarc ID Systems, LLC, Tualatin, OR to the original contract between NBS Imaging, Inc., (Polaroid Corp.), as approved at G&C meeting of July 15, 1998 Item #159. As specified in letter dated January 7, 2001 the majority of the original terms and conditions remain in effect, the amendment is necessary to place Digimarc Corp., as the new vendor of The New Hampshire System.

DEPARTMENT OF TRANSPORTATION

The Governor and Executive Council acted as follows:

#67 Authorized contract with Steven & Roger Contracting Corp., Pelham, NH in the total amount of $58,820 for the demolition of six buildings on City-owned properties in the City of Nashua, NH effective upon G&C approval through May 30, 2002.
(2) Further authorized a contingency in the amount of $8,823 be approved for payment of latent conditions that may appear during execution of project.

#67A Authorized to expend an amount not to exceed $ 32,000 to purchase bridge timbers, spacers, crossties and other track materials to be installed, (by October 31, 2002 with labor supplied by Plymouth & Lincoln Railroad), on 3 railroad bridges on the State-owned Concord-Lincoln railroad line, as specified in letter dated January 15, 2002. Fiscal Committee Approved.

#68 TABLED The Governor and Council on motion of Councilor Griffin, seconded by Councilor Burton voted to TABLE the request to authorize the agreement with DuBois & King, Inc., Nashua, NH in the total lump-sum fee of $121,967 for engineering and environmental services for final design of replacement of NH Route 155 Bridge over Boston and Maine Railroad in Town of Madbury, NH effective upon G&C approval through 24 months from the date of the Notice to Proceed.

#69 Authorized an increase of appropriated funds for the Bureau of Turnpikes in the amount of $645,000 to provide for funding of debt service payments for the remainder of Fiscal Year 2002.

#70 Authorized to amend agreement with Tri-County Community Action Program, Inc., Berlin, NH for an amount not to exceed $90,340 to cover the cost associated with engine and transmission failures on transit vehicles providing fixed-route public transportation and demand-response services with the North Country Transportation Program that serves the Towns of Berlin-Gorham-Milan-Whitefield and Colebrook on a regular basis; and surrounding Towns on an occasional basis. No State funds are involved.

#71 Authorized consultant service agreement with Jacques Whitford Company, Inc., Portsmouth, NH in an amount not to exceed $300,000 for (Open-End Environmental/Geotechnical), Professional Design and Construction Documents, On-site Observation, and Inspection Services for Public Works' Projects, effective through December 31, 2004.

#72 Authorized agreement with LouAnn Fornataro, R.A., P.A., Nashua, NH in an amount not to exceed $500,000 for professional services for design and construction documents, On-site observation, and

inspection services for various Public Works' Projects as necessary and required by the Department, effective through December 31, 2004.

#73 Authorized consultant service agreement with Rist-Frost-Shumway Engineering, P.C., Laconia, NH in an amount not to exceed $300,000 for (Open-Ended Electrical), Professional Design and Construction Documents, On-site observation, and Inspection Services for Public Works' Projects effective through December 31, 2004.

#74 Authorized consultant service agreement with Rist-Frost-Shumway Engineering, P.C., Laconia, NH in an amount not to exceed $300,000 for (Open-End Mechanical), Professional Design and Construction Documents, On-site observation, and Inspection Services for Public Works' Projects effective through December 31, 2004.

#75 Authorized consultant service agreement with Nobis Engineering, Inc., Concord, NH in an amount not to exceed $300,000 for (Open-End Environmental/Geotechnical), Professional Design and Construction Documents, On-site observation, and Inspection Services for Public Works' Projects effective through December 31, 2004.

#76 Authorized consultant service agreement with Lee F. Carroll, P.E., Gorham, NH in an amount not to exceed $300,000 for (Open-End Electrical), Professional Design and Construction Documents, On-site observation, and Inspection Services for Public Works' Projects effective through December 31, 2004.

#77 Authorized consultant service agreement with C. N. Carley Associates, Concord, NH in an amount not to exceed $500,000 for Professional Design and Construction Documents, On-site observation, and Inspection Services for Public Works' Projects effective through December 31, 2004.

#78 Authorized consultant service agreement with Yeaton Associates, Littleton, NH in an amount not to exceed $300,000 for (Open-End Mechanical), Professional Design and Construction Documents, On-site observation, and Inspection Services for Public Works' Projects effective through December 31, 2004.

ENVIRONMENTAL SERVICES

The Governor and Executive Council acted as follows:

#79 Approved the request of Philip T. Steele to replace an existing 9-slip "inverted H" shaped seasonal floating dock with a 14-slip "inverted H" shaped seasonal floating dock in the same location on property located at Crystal Lake in Eaton, NH.

#80 Approved the request of Robert Lowndes to amend his permit (previously approved at G&C meeting of April 11, 2001), to develop shore front, to fill 600 sq. ft to construct a 44 ft breakwater with a 6 ft gap at the shore and a 6 ft x 46 ft cantilevered pier accessed by a 4 ft x 15 ft stairway. Excavate 200 sq. ft of bank along 20 ft of shoreline to construct a 20 ft x 10 ft perched beach and dredge 0.5 cu yards from the lakebed to install 4 ft wide steps to the water., on property located at Long Island on Lake Winnipesaukee in Moultonborough, NH.

#81 TUITION REQUESTS

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO on Items #D, E, I, K, and O approved the following Tuition Requests:

A. ADMINISTRATIVE SERVICES - Request permission to pay Concord Community Ed, Concord, NH, the sum of $222.00 for the sole purpose of enrolling Diana Townsend, Accountant I, in the course entitled "Algebra I".

B. COMMUNITY TECHNICAL COLLEGE - Request permission to pay University of New Hampshire, Durham, NH, the sum of $400.00 for the sole purpose of enrolling Sheilia Cardamone, Assistant Professor, in the course entitled "College Teaching Praxis".

C. COMMUNITY TECHNICAL COLLEGE - Request permission to pay Plymouth State College, Plymouth, NH, the sum of $859.00 for the sole purpose of enrolling Joan Guild, Counselor, in the course entitled "Collaborative Leadership".

D. COMMUNITY TECHNICAL COLLEGE - Request permission to pay University of New Hampshire, Durham, NH, the sum of $645.00 for the sole purpose of enrolling Lynn Kilchenstein, Associate V.P. of Academic Affairs, in the course entitled "Picturing America: Photography and Representation in the United States, 1860-1945".

E. COMMUNITY TECHNICAL COLLEGE - Request permission to pay University of Mass, Lowell, MA, the sum of $441.00 for the sole purpose of enrolling Stephen O'Donnell, Professor, in the course entitled "Early Childhood Reading".

F. COMMUNITY TECHNICAL COLLEGE - Request permission to pay Plymouth State College, Plymouth, NH, the sum of $934.00 for the sole purpose of enrolling Jennifer J. Saylor, Program Director, in the course entitled "Leadership in Curriculum Development and Assessment".

G. EDUCATION - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $990.00 for the sole purpose of enrolling Sudha Sharma, Systems Development Specialist IV, in the course entitled "Introduction to Active Server Pages".

H. ENVIRONMENTAL SERVICES - Request permission to pay University of New Hampshire, Manchester, NH, the sum of $1,050.00 for the sole purpose of enrolling Richard G. Rumba, Air Toxics Program Manager, in the course entitled "Public Health and Health Care Systems".

I. ENVIRONMENTAL SERVICES - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $544.00 for the sole purpose of enrolling Normajean Smith, Air Pollution Technician II, in the course entitled "Programming Fundamentals".

J. HEALTH & HUMAN SERVICES, Office of Family Services - Request permission to pay Plymouth State College, Plymouth, NH, the sum of $819.00 for the sole purpose of enrolling Colleen Carson, Social Worker I, in the course entitled "Family and Social Systems".

K. HEALTH & HUMAN SERVICES, Office of Family Services - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $390.00 for the sole purpose of enrolling Debbie E. Marsh, Quality Control Reviewer, in the course entitled "Women In Literature".

L. HEALTH & HUMAN SERVICES, Office of Family Services - Request permission to pay Plymouth State College, Plymouth, NH, the sum of $819.00 for the sole purpose of enrolling Margaret Moser, Social Worker II, in the course entitled "Family and Social Systems".

M. HEALTH & HUMAN SERVICES, Office of Information Services - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $419.00 for the sole purpose of enrolling Jeanne St. Pierre, Technical Support Specialist IV, in the course entitled "Networking Applications".

N. HEALTH & HUMAN SERVICES, Division of Juvenile Justice Services - Request permission to pay Merrimack Adult Education Program, Merrimack, NH, the sum of $85.00 for the sole purpose of enrolling Jill Cohen, Teacher, in the course entitled "Computers: MS Office".

O. HEALTH & HUMAN SERVICES, Division of Juvenile Justice Services - Request permission to pay New Hampshire Community Technical College, Nashua, NH, the sum of $492.00 for the sole purpose of enrolling Violetta Lortie, Teacher, in the course entitled "Algebra & Trig".

P. REVENUE ADMINISTRATION - Request permission to pay Department of Administrative Services, Concord, NH, the sum of $2,500.00 for the sole purpose of enrolling Kraig Greenly, Technical Support Specialist I, in the course entitled "Technical Support Specialist Program".

#82 TRAVEL REQUESTS

The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, approved the following travel request:

A. HEALTH & HUMAN SERVICES, Office of Program Support - Request permission for (1) employee, John H. Lambrukos, MD, Supervisor IV, or designee, to travel to Baltimore, MD, on February 3 - 9, 2002, to attend the Center for Medicare and Medicaid Services (CMS) Validation Surveyor Training Course. Permission is also requested for a waiver to exceed the 300-mile radius by private vehicle. Total Cost: $1,102.88. Source of Funds: 80% Federal and 20% State Funds. No Registration Fees.

LATE ITEMS:

The Governor and Council acted as follows:

A. DEPARTMENT OF EMPLOYMENT SECURITY
Authorized to enter into lease agreement with Sanel Realty, Inc., for rental of 2,800 square feet of storage space located at 45 Rear South Main Street, Concord, NH, for a period of two (2) years beginning February, 1, 2002 at an annual cost of $13,560 for an agreement total of $27,120.

B. DEPARTMENT OF ADMINISTRATIVE SERVICES: NH health and Education Facilities Authority
Authorized to appoint Councilor Raymond Burton to hold a hearing on a new construction and refinancing project for Dartmouth College, Hanover, NH.

C. DEPARTMENT OF ADMINISTRATIVE SERVICES: NH Health and Education Facilities Authority
Authorized to appoint Executive Councilor Peter Spaulding to hold a hearing for the New Hampshire Higher Education Loan Corporation, Concord, student loan program.

D. GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES
Authorized to accept and expend additional Low Income Home Energy Assistance Program (LIHEAP) funds from the US Department of Health and Human Services in the amount of $2,378,536.

E. GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES
Authorized to amend the Fuel Assistance Program contract with Southern New Hampshire Services, Manchester, NH, by increasing the contract $817,799 to an amount not to exceed $4,166,791.

F. GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES
Authorized to amend the Fuel Assistance Program contract with Southwestern Community Services, Keene, NH, by increasing the contract $401,229 to an amount not to exceed $2,107,339.

G. GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES
Authorized to amend the Fuel Assistance Program contract with Tri-County Community Action Program, Berlin, NH, by increasing the contract $780,357 to an amount not to exceed $3,645,768.

H. GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES
Authorized to amend the Fuel Assistance Program contract with Strafford County Community Action Committee, Berlin, NH, by increasing the contract $266,235 to an amount not to exceed $1,410,535.60.

I. GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES
Authorized to amend the Fuel Assistance Program contract with Community Action Program Belknap-Merrimack Counties, Inc., Concord, NH, by increasing the contract $518,114 to an amount not to exceed $2,707,253.

J. GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES
Authorized to amend the Fuel Assistance Program contract with Rockingham Community Action, Inc., Portsmouth, NH, by increasing the contract $326,261 to an amount not to exceed $1,710,009.

The Governor and Council appointed Joanne C. Ruel to the unclassified position of Executive Assistant to the Executive Council, effective January 30, 2002 and that she be placed in Step 1 of Group AA.

The Governor set the next Governor and Executive Council Meeting for Wednesday, February 6, 2002 at 10:30 a.m., at the State House, Concord, New Hampshire.

The Honorable Board then Adjourned