

Minutes January 9, 2002

GOVERNOR AND EXECUTIVE COUNCIL MINUTES

State House, Concord, New Hampshire
January 9, 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 Spaulding seconded by Councilor Wheeler, accepted the minutes of December 19, 2001.

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Wheeler, confirmed the appointment of several persons nominated for Civil Commissions from the December 19, 2001 meeting.

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

RESIGNATION

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

STATE COMMISSION ON THE STATUS OF WOMEN

Judith Hynes, Concord
Effective: Upon acceptance of resignation

CONFIRMATIONS

The Governor and Executive Council confirmed the following:

BOARD OF ACCOUNTANCY

Robert A. Lemay, Belmont
Certified Public Accountant
Reappointment
Effective: January 9, 2002
Term: December 2, 2006

BOARD OF LICENSING FOR ALCOHOL AND OTHER DRUG ABUSE PROFESSIONALS

Robert O. Kelley, Jr., Lee
Succeeding: James P. O'Hearn, Landaff (resigned)
Effective: January 9, 2002
Term: January 28, 2003

BOARD OF BARBERING, COSMETOLOGY AND ESTHETICS

Joel J. Kirby, Bristol
Public Member
Reappointment
Effective: January 9, 2002
Term: July 31, 2006

ADVISORY PANEL ON CANCER AND CHRONIC DISEASES

Andrea K. Grevior, Franklin
Merrimack County
Succeeding: Leslie Melby, Hopkinton

Effective: January 9, 2002
Term: December 3, 2005

ADVISORY PANEL ON CANCER AND CHRONIC DISEASES

Rachel Rowe, Hopkinton
Effective: January 9, 2002
Term: January 9, 2006

CURRENT USE ADVISORY BOARD

Timothy Butterworth, Chesterfield
Representing assessing official from town with less than 5,000 population
Reappointment
Effective: January 9, 2002
Term: December 23, 2003

CURRENT USE ADVISORY BOARD

Normand R. Pelletier, Jr., Hudson
Representing assessing official from town with more than 5,000 population
Reappointment
Effective: January 9, 2002
Term: December 23, 2003

BOARD OF LICENSED DIETICIANS

Joanne Ward, Stratham
Reappointment
Effective: January 9, 2002
Term: December 6, 2004

STATE HISTORICAL RESOURCES COUNCIL

David Starbuck, Plymouth
Archeology
Reappointment
Effective: January 9, 2002
Term: December 10, 2006

LAKES MANAGEMENT ADVISORY BOARD

James F. Haney, Union
Representing Scientific Community
Reappointment
Effective: January 9, 2002
Term: August 22, 2004

MEDICAL REVIEW SUBCOMMITTEE

Wendy Gair Muello, Lancaster
Nominated by the Board of Medicine
Reappointment
Effective: January 9, 2002
Term: December 3, 2004

OCCUPATIONAL THERAPY GOVERNING BOARD

Thomas A. Prince, Auburn
Licensed Occupational Therapist
Reappointment
Effective: January 9, 2002
Term: January 8, 2005

PESTICIDES CONTROL BOARD

Anne D. Krantz, Amherst
Public member
Reappointment
Effective: January 9, 2002
Term: November 23, 2004

PESTICIDES CONTROL BOARD

Susan Whittemore, Keene
Ecologist
Reappointment
Effective: January 9, 2002
Term: November 6, 2004

DIRECTOR OF THE DIVISION OF PLANT AND PROPERTY MANAGEMENT

Michael P. Connor, Pembroke
Nominated by the Commissioner of Administrative Services
Vacancy
Effective: January 9, 2002
Term: May 1, 2005
Salary: Group GG, Step 4 - \$71,950

ASSISTANT COMMISSIONER OF THE DEPARTMENT OF REVENUE ADMINISTRATION

Barbara T. Reid, Concord
Nominated by the Commissioner of Revenue Administration
Reappointment
Effective: January 9, 2002
Term: January 1, 2006
Salary: Group HH/max. - \$82,580

NOMINATIONS

The Governor nominated 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: Upon confirmation
Term: January 8, 2005

CONNECTICUT RIVER VALLEY RESOURCE COMMISSION

Nancy J. B. Franklin, Plainfield
Public Member
Succeeding: Karl Mindemann, Dublin (resigned)
Effective: Upon confirmation
Term: January 22, 2005

BERLIN DISTRICT COURT SPECIAL JUSTICE

Peter H. Bornstein, Berlin

Succeeding: Arthur H. K. Davis, Gorham (resigned)
Effective: Upon confirmation
Term: Until 70 years of age

GORHAM DISTRICT COURT JUSTICE

Peter H. Bornstein, Berlin
Succeeding: Arthur H. K. Davis, Gorham (resigned)
Effective: Upon confirmation
Term: Until 70 years of age

JUDICIAL COUNCIL

Lynn Mather, Etna
Lay Person
Reappointment
Effective: Upon confirmation
Term: January 1, 2005

JUDICIAL COUNCIL

David N. Page, Nashua
Lay Person
Reappointment
Effective: Upon confirmation
Term: January 1, 2005

NEW MOTOR VEHICLE ARBITRATION BOARD

Billie Tooley, Exeter
Alternate - representing consumers
Succeeding: Owen R. Koppang, Concord
Effective: Upon confirmation
Term: October 16, 2003

OIL FUND DISBURSEMENT BOARD

James E. Connolly, Jr., Candia
Public Member
Reappointment
Effective: Upon confirmation
Term: January 1, 2005

PHYSICAL THERAPY GOVERNING BOARD

Ann W. B. Grenier, Hooksett
Reappointment
Effective: Upon confirmation
Term: January 8, 2005

PUBLIC WATER ACCESS ADVISORY BOARD

Paul F. Blizzard, Laconia
Power Boating
Succeeding: Chris Gagnon, Laconia
Effective: Upon confirmation
Term: October 27, 2004

PUBLIC WATER ACCESS ADVISORY BOARD

Ross A. Doerr, Concord
Governor's Commission on Disability
Succeeding: Maureen Stimpson, Loudon
Effective: Upon confirmation
Term: October 27, 2004

RESPIRATORY CARE PRACTITIONERS BOARD

James R. Daley, Lyme
Reappointment
Effective: Upon confirmation
Term: January 8, 2005

WASTE MANAGEMENT COUNCIL

John C. Lavalley, Pelham
Business or Financial Community
Reappointment
Effective: Upon confirmation
Term: December 23, 2005

OFFICE OF STATE PLANNING

The Governor and Council acted as follows:

#1 Authorized to enter retroactively into agreement with the Town of Hampton, NH in the amount of \$13,000 as specified in letter dated December 10, 2001 under the provisions of the New Hampshire Coastal Program, effective on December 1, 2001 through June 30, 2002.

#2 Authorized to enter into agreement with the Town of Durham, NH in the amount of \$50,000 as specified in letter dated December 13, 2001 under the provisions of the New Hampshire Coastal Program, effective upon G&C approval through December 31, 2002.

#3 Authorized agreement in the amount of \$1,500 with Rockingham Planning Commission (that will match with \$500), to support the effort to provide assistance to municipalities under the National Flood Insurance Program effective upon G&C approval through September 30, 2002.

#4 Authorized agreement with Coos County, Stewartstown, NH in the amount of \$245,000 under the provisions of the Community Development Block Grant Program effective upon G&C approval through June 30, 2003.

#5 Authorized agreement with the Town of Raymond, 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.

#6 Authorized agreement with the City of Somersworth, NH in the amount of \$315,000 under the provisions of the Community Development Block Grant Program effective upon G&C approval through June 30, 2003.

#7 Authorized agreement with Belknap County, Laconia, NH in the amount of \$1,000,000 under the provisions of the Community Development Block Grant Program effective upon G&C approval through June 30, 2004.

#8 Authorized agreement retroactively with the City of Lebanon, NH (originally approved at G&C meeting of January 24, 2001 Item 11), under the provisions of the Community Development Block Grant Program by extending the end date from December 31, 2001 to December 31, 2002. No additional funds are required.

#9 Authorized to amend agreement with the Town of Winchester, NH (originally approved at G&C meeting of December 20, 2000 Item #5, and amended October 10, 2001 Item #6), under the provisions of the Community Development Block Grant Program by increasing the amount by \$10,638 to \$183,302 as specified in letter dated December 5, 2001.

#10 Authorized to amend agreement with Moose Mountains Greenways, Union, NH (originally approved at G&C meeting of May 9, 2001 Item 10), for activities associated with Year Five of the NH Estuaries Project by extending the end date from March 30, 2002 to December 31, 2002. No additional funds are required.

OFFICE OF EMERGENCY MANAGEMENT

The Governor and Council acted as follows:

#11 Concurred to reclassify vacant position #18982 Technical Support Specialist III LG 24 to Supervisor III LG 22 to become effective upon G&C approval.

#12 Authorized grant agreement with the Town of Salem-Human Resources Department in the amount of \$5,000 from federal funds, for the period through September 19, 2002. for Terrorism Planning, Training and Exercising as specified in letter dated December 10, 2001.

#13 Authorized sole source contract with Canberra Industries, Inc., Meriden, CT in the amount of \$16,230 for the maintenance and service of radiological detection equipment for the period of one year from G&C approval.

#14 Authorized contract with Michael Mansfield, Nashua, NH in the amount of \$2,200 for providing instruction for emergency management courses for the period through September 30, 2002.
(2) Further authorized contract with Wante-McBath Assoc., LLC, Nashua, NH in the amount of \$2,200 for providing instruction for emergency management courses for the period through September 30, 2002.

OFFICE OF THE ADJUTANT GENERAL

#15 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, resolved to confirm to the rank of Major, New Hampshire Air National Guard: Captain Michael A. Domingue, Madbury NH.

DEPARTMENT OF ADMINISTRATIVE SERVICES

#16 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, authorized Bureau of General Services to pay Phoenix, Concord, NH, \$2,542.80 for auto body repairs that were completed between December 3, 2001 and December 11, 2001.

TREASURY DEPARTMENT

#17 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, authorized the Comptroller to issue a warrant in the amount of \$4,070 from funds not otherwise appropriated and the State Treasurer to issue checks in the amounts as specified in letter dated December 24, 2001.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#18 Authorized Division of the Arts, to award Annual Advancement Grants effective upon G&C approval for assisting with arts programming and strategic arts management projects occurring for the period ending June 30, 2002 to Saint Anselm College/Dana Center, d/b/a Order of St. Benedict of NH, Manchester, NH in the amount of \$5,085 and Arts Council of Tamworth, NH in the amount of \$5,000.

#19 Authorized Division of the Arts to award Capitol Center for the Arts, Concord, NH a Community Arts Project Grant in the amount of \$1,500 for the period ending June 30, 2002.

#20 Authorized Division of the Arts to award Arts Alliance of Northern NH, Littleton, NH a Traditional Arts Project Grant in the amount of \$2,000 for the period ending June 30, 2002.

DEPARTMENT OF JUSTICE

The Governor and Council acted as follows:

#21 Authorized to enter into subgrants with, and the agencies to accept the grants as listed, from the period of G&C approval through December 31, 2002 under the Bullet Proof Vest Partnership Program as follows: State Police in the amount of \$1,962.04; Department of Corrections in the amount of \$1,962.04; Department of Resources and Economic Development in the amount of \$1,962.04.

#22 Authorized to enter into subgrant from the period of G&C approval to December 31, 2002 with the NH State Police in the amount of \$1,773 (to supplement previously authorized funds at G&C meeting of July 15, 2001 Item #18), to purchase State Police Online Telecommunications System servers requested in that action as specified in letter dated December 26, 2001.

#23 TABLED The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Spaulding voted to TABLE the request of Robert Edward Haines for a pardon hearing for the offenses of Felonious Use of Body Armor and Reckless Conduct.

EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#24 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, aAuthorized amended sole source service agreement with Vic Martin & Sons Plumbing & Heating (originally approved at G&C meeting of July 21, 1999 Item #97), increasing the original annual agreement amount of \$10,000 by \$25,000 to the revised annual amount of \$35,000 effective upon G&C approval through June 30, 2002 and thereby increasing the original agreement by \$25,000 to \$55,000 for the three year period beginning July 21, 1999 through June 30, 2002 for plumbing and heating services at NHES's offices statewide.

#25 Authorized to accept and expend additional funds in the amount of \$202,000 effective upon G&C approval through September 30, 2003 from the Workforce Opportunity Council, Inc., for services to be provided by NHES associated with the Berlin/Gorham Dislocated Worker Project.

(2) Further authorized agreement with the Workforce Opportunity Council, Inc., for NHES to provide services associated with the Berlin/Gorham Worker Assistance Center effective upon G&C approval through September 30, 2003 in the amount of \$202,000.

INSURANCE DEPARTMENT

#26 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, authorized agreement to accept and expend market conduct and financial examination fees and expenses paid by insurance companies authorized to do business in the State of New Hampshire in the amount of \$922,231 effective upon G&C approval through June 30, 2002. Fiscal Committee Approved.

PUBLIC UTILITIES COMMISSION

The Governor and Council acted as follows:

#27 Authorized agreement to accept a gift on behalf to the State in the amount of \$750 for travel expenses for Commissioners' Nancy Brockway, and Susan S. Geiger to attend, "The Summit, Commissioners Retreat", sponsored by the National Regulatory Utility Commissioners on January 18, 2002.

#28 Authorized to expend \$181,086 for joint development costs of the Fuel Assistance Program and Electric Assistance Program, as specified in letter dated December 19, 2001. Fiscal Committee Approved.

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#29 Authorized two-year contract with Joyce Dental Laboratory, Laconia, NH in the amount of \$40,000 per year for a total contract price of \$80,000 for dental laboratory services at the NH Prison Facilities effective February 18, 2002 through February 18, 2004.

#30 Authorized retroactive, sole source with the American Correctional Association, Lanham, MD contracts for Accreditation and Reaccreditation processes of the Department of Corrections facilities effective July 30, 2001 through November 30, 2001 with a price limitation of \$34,558.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#31 Authorized agreement with Bresette + Company, Inc., Portsmouth, NH in the amount of \$182,571 for advertising and promotion services effective upon G&C approval through June 30, 2003.

#32 Authorized Division of Economic Development contract with the Town of Littleton, NH for financial support (grant), in the amount of \$25,000 to address closure of the Hitchiner Manufacturing facilities and economic revitalization in Littleton, as specified in letter dated December 17, 2001 and effective upon G&C approval to November 21, 2002.

#33 Authorized Division of Economic Development contract with the Town of Lisbon, NH for financial support (grant), in the amount of \$25,000 for the acquisition and rehabilitation of the historic former Lisbon railroad station, as specified in letter dated December 17, 2001 and effective upon G&C approval through December 31, 2002.

#34 Authorized Division of Economic Development contract with Sullivan County Economic Development Council, Inc., Claremont, NH for financial support (grant), in the amount of \$5,000 for conducting a survey in Sullivan County regarding telecommunication usage, as specified in letter dated December 14, 2001 and effective upon G&C approval through May 1, 2002.

#35 Authorized Division of Economic Development contract with the Grafton County Economic Development Council of Plymouth, NH for financial support (grant), in the amount of \$50,000 for completing a feasibility study on the development of a Small Business Incubator in partnership with Dartmouth College, as specified in letter dated December 11, 2001 and effective upon G&C approval through December 31, 2002.

#36 Authorized Division of Parks and Recreation to budget expend \$587,000 from the Parks Fund due to increase of operating expenses throughout the park system as specified in letter dated December 19, 2001. Fiscal Committee Approved.

#37 Authorized Bureau of Trails Lease agreement with Twitchell Heirs, Rochester, NH with the annual usage fee of \$1,000 and in an amount not to exceed \$5,000 over the term of agreement to provide

public use for snowmobiles on their property starting December 20, 2001 for 5 winter seasons ending March 31, 2006.

#38 Authorized Division of Parks and Recreation to retroactively extend temporary Retail Store Manager I employee, within the Parks Retail Operation, beyond one year anniversary date of full-time employment as specified in letter dated December 14, 2001 with existing State Park funds.

#39 Authorized Division of Forests and Lands to accept and expend a donation, with thanks, from the National Grid USA Service Company, Inc., Northborough, MA in the amount of \$5,000 to help with efforts to work with municipalities, in the Granite State Electric Company service territory, by demonstrating proper urban forestry tree planting.

#40 Authorized Division of Forests and Lands to accept an allotment of federal funds for the federal fiscal years October 1, 2000-September 30, 2003 under the Cooperative Forestry Assistance Act - Nursery and Tree Improvement in the amount of \$5,000.

FISH AND GAME DEPARTMENT

#41 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, a The Governor and Executive Council on motion of C, seconded by C, authorized sole source agreement with the University of New Hampshire, Office of Sponsored Research, Durham, NH in the amount of \$8,000 to carry out a detailed study entitled Initiatives to Enhance the Viability of Remnant Populations of New England Cottontails effective upon G&C approval through June 30, 2003.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#42 Authorized to continue two federally funded full-time temporary positions #9T057, Environmentalist IV, Labor Grade 26 (\$38,610-\$46,059), and #9T056, Environmentalist III, Labor Grade 22 (\$32,409-\$38,357.50), to fulfill the requirements of the Clean Water Act through June 30, 2003. Fiscal Committee Approved.

#43 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized Waste Management Division to establish two Environmentalist II positions (each a Labor Grade 18, with a salary range from \$27,456-\$32,409), and one Environmentalist III position (Labor Grade 22, \$32,409-\$38,356.50), through June 30, 2002 as specified in letter dated December 19, 2001. Fiscal Committee Approved.

#44 Authorized contract with Atlantic Geoscience Corporation, Gilford, NH in an amount not to exceed \$40,000 for the review of large groundwater withdrawal permit applications effective upon G&C approval through December 31, 2003.

#45 Authorized Biomonitoring Program contract with Aquatic Resources Center, Inc., College Grove, TN in an amount not to exceed \$35,000 for taxonomic identification and processing of aquatic benthic samples effective upon G&C approval through June 30, 2006.

#46 Authorized Memorandum of Agreement with the Office of State Planning in the amount of \$10,000 for completion of tasks related to publication of the Department of Transportation manual entitled Erosion and Sediment Control and Stormwater Management Manual effective upon G&C approval through December 31, 2002.

(2) Further authorized the Office of State Planning to accept and expend funds as specified in letter dated December 6, 2001.

#47 Authorized Water Division maintenance and repair contract with Energy Management and Control Company, Inc., Marlboro, MA in the total amount of \$14,850 for turbine generators effective upon G&C approval through June 30, 2004.

#48 Authorized Water Division contract with Frank J. Pescinski d/b/a Pescinski Painting, Hill, NH in the amount of \$16,500 for subject painting services effective upon G&C approval through June 30, 2002.

#49 Authorized sole source contract with the New Hampshire Association of Broadcaster, Bedford, NH in the amount of \$149,220 to produce and air radio and television non-commercial sustaining announcements effective upon G&C approval through December 31, 2002.

#50 Authorized to accept and expend \$631,268 from the US Environmental Protection Agency federal Superfund program for implementation of the remedial action at the OK Tool Source Area portion of the Salvage Superfund Site, effective upon G&C approval through December 31, 2002.
(2) Further authorized to utilize state matching funds of \$109 as provided by the Capital Fund Account as specified in letter dated December 13, 2001.
(3) Further authorized contract with U.S. Filter Operating Services, Inc., Dallas, TX in the amount of \$636,491 for funding the groundwater treatment operations effective upon G&C approval through December 31, 2002.

#51 Authorized to retroactively amend grant agreement with the Town of Hampton, NH (originally approved at G&C meeting of March 14, 2001 Item #118), by extending the end date from December 31, 2001 to September 30, 2002 to allow additional time to complete construction activities to treat stormwater runoff and reduce the pollution load that reaches the estuary. No additional funding required.

#52 Authorized to retroactively amend contract with the City of Nashua, NH (originally approved at G&C meeting of January 24, 2001 Item #96), by extending the end date from December 31, 2001 to December 31, 2002 to allow additional time for repair of trail in Mine Falls Park by erosion and to prepare a final report. No additional funding required.

#53 Authorized to retroactively contract with North Country Resource Conservation & Development area, Inc., Laconia, NH (originally approved at G&C meeting of December 1, 1999 Item #73), by extending the end date from December 31 2001 to December 31, 2002 to allow additional time to construct a channel and sediment trap along Gunstock Brook and to prepare a final report. No additional funding required.

#54 Authorized to retroactively amend contract with Pennichuck Water Works, Nashua, NH (originally approved at G&C meeting of February 9, 2000 Item #81), by extending the end date from December 31, 2001 to December 31, 2002 to allow additional time to finalize and distribute the educational brochures and to prepare a final report. No additional funding required.

#55 Authorized to retroactively amend contract with Piscataquog Watershed Association, Dunbarton, NH (originally approved at G&C meeting of September 28, 1999 Item #59), by extending the end date from December 31, 2001 to December 31, 2002 to allow additional time to attend workshops to strengthen the organizations ability to undertake land conservation, water quality, and watershed protection projects and to prepare a final report. No additional funding required.

#56 Authorized grant agreement with the Nashua Regional Planning Commission, Nashua, NH in the amount of \$4,000 from federal funds for component of the Salmon Brook study as specified in letter dated December 19, 2001 and effective upon G&C approval through December 31, 2002.

#57 Authorized to retroactively amend a Local Source Water Protection grant to the Town of Milford, NH (originally approved at G&C meeting of March 28, 2001 Item #69), by extending the end date from December 31, 2001 to June 30, 2002 to allow additional time to complete project involving implementing recommendations made in a 1999 Master Plan that includes developing wellhead

protection areas with extensions into Amherst and preparing for upcoming Phase II NPDES stormwater regulations as specified in letter dated December 27, 2001. No additional funding required.

#58 Authorized to award a Local Source Water Protection grant to the Town of Jaffrey, NH in the amount of \$14,645 to complete a drinking water source protection project, effective upon G&C approval through September 30, 2002.

#59 Authorized to award a Local Source Water Protection grant to the Town of Exeter, NH in the amount of \$15,000 for source water protection of public drinking water, effective upon G&C approval through June 30, 2003.

#60 Authorized Allonge to Promissory Note and Amendment Agreement with Pennichuck Water Works, Inc., in the principal amount of \$445,000 for financing the construction of a storage tank and pump house modifications as specified in letter dated December 14, 2001 and effective upon G&C approval.

#61 Authorized to budget and expend \$50,050 in federal funds from the US Environmental Protection Agency for the Brownfields Cleanup Revolving Loan Fund Program effective upon G&C approval through June 30, 2002.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

#62 Authorized to appoint the following to the New Hampshire Advisory Council on Ophthalmic Dispensing: Richard J. Murphy, Manchester, NH, representing Ophthalmic Dispensers, term to expire January 31, 2005; and Robert A. Davidson, Jr., Newmarket, NH, representing Public Member, term to expire January 31, 2005. Further authorized to reappoint to the New Hampshire Advisory Council on Ophthalmic Dispensing: C. Richard Irving, Laconia, NH, representing Ophthalmic Dispensers, term to expire January 31, 2004.

#63 Authorized to compensate Sandra H. Knapp, Superintendent, Glenclyff Home for the Elderly, up to fifteen hours a week at the rate of \$31.49 per hour as additional compensation for acting as the Director of Nursing in addition to her regular, fulltime job as Superintendent and to charge such amounts to the Director of Nursing Position as specified in letter dated October 31, 2001.

#64 Authorized transfer of state general funds otherwise unappropriated in the amount of \$2,862,617.50. Fiscal Committee Approved.

(2) Further authorized to accept and expend private funds in the amount of \$3,334,123.50 effective upon G&C approval through June 30, 2002 as specified in letter dated December 19, 2001. Fiscal Committee Approved.

(3) Further authorized to transfer general unrestricted revenue funds in the amount of \$6,196,741 to the Office of Community and Public Health, Medical Grants, Provider Payments, effective upon G&C approval through June 30, 2002. Fiscal Committee Approved.

#65 Authorized agreement with the University of New Hampshire, Institute on Disability, Durham, NH in the amount of \$2,300,000 for health planning services effective upon G&C approval through June 30, 2003.

(2) Further authorized to make an advance payment in the amount of \$400,000 to the University of New Hampshire, Institute on Disability effective upon G&C approval for start-up expenses and initial operating funds.

Office of Administration

#66 Authorized Division of Family Assistance to reclassify vacant position #40386 from Health Facilities Cleaner II, Salary Grade 5, to Business Administrator III, Salary Grade 26 as specified in letter dated December 14, 2001.

#67 Authorized Office of Knowledge Management and Decision Support to reclassify vacant position #14814 from Financial Analyst, Salary Grade 27, to Business Systems Analyst I, Salary Grade 27.

Office of Community and Public Health

#68 Authorized Public Health Laboratories to accept and expend agency income in the amount of \$500,000 from the Department of Justice effective upon G&C approval through June 30, 2002 as specified in letter dated December 19, 2001. Fiscal Committee Approved.

#69 Authorized Bureau of Health Statistics and Data Management to amend agreement with Macro International, Inc., Calverton, MD (originally approved at G&C meeting of December 20, 2000 Item #101), by increasing the price limitation from \$201,394 to \$235,554 for telephone survey services for behavioral risk factor surveillance effective upon G&C approval through June 30, 2003.

Juvenile Justice Services Division

#70 Authorized to accept and expend a grant from the Endowment of Health, Concord, NH in the amount of \$8,200 effective upon G&C approval through December 1, 2002. Fiscal Committee Approved.

#71 Authorized to award to County of Rockingham, Brentwood, NH, Juvenile Accountability Incentive Block Grant funds in the amount totaling \$17,413 for various grant activities and programs as allowed by the grants twelve program purpose areas as specified in letter dated November 27, 2001 for the period effective retroactive to October 1, 2001 through September 30, 2002.

#72 Authorized to award to Town of Seabrook, NH, Juvenile Accountability Incentive Block Grant funds in the amount totaling \$6,205 for various grant activities and programs as allowed by the grants twelve program purpose areas as specified in letter dated November 28, 2001 for the period effective retroactive to December 1, 2001 through September 30, 2002.

Office of Family Services

Division of Children, Youth and Families

#73 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Griffin, with Councilor Wheeler voting NO, authorized awards of Juvenile Accountability Incentive Block Grant funds for various grant activities and programs as allowed by the grants twelve program purpose areas as specified in letter dated December 1, 2001 for the period effective retroactive to November 7, 2001 through September 30, 2002 to: City of Keene, NH in the amount totaling \$20,913; County of Merrimack, Concord, NH in the amount totaling \$31,972; and City of Rochester, NH in the amount totaling \$9,690.

#74 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Griffin, with Councilor Wheeler voting NO, authorized award to County of Strafford, Dover, NH, Juvenile Accountability Incentive Block Grant funds in the amount totaling \$5,533 for various grant activities and programs as allowed by the grants twelve program purpose areas as specified in letter dated December 1, 2001 for the period effective retroactive to November 7, 2001 through September 30, 2002.

Division of Behavioral Health

#75 Authorized agreement with Friends of Veterans, Inc., White River Junction, VT in an amount not to exceed \$50,000 to provide services to homeless individuals effective upon G&C approval through June 30, 2003.

New Hampshire Hospital

#76 Authorized to accept a donation, with thanks, of a Passive Alcohol Sensor III and two Flashlights from Ms. Lydia Valliere, President and Victim Advocate of New Hampshire Mothers Against Drunk Drivers.

#77 Authorized to reclassify position #15728 from a Cosmetologist, Salary Grade 10, to a Senior Psychiatric Social Worker, Salary Grade 23 as specified in letter dated December 3, 2001.

BOARD OF MEDICINE

#78 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, authorized to transfer the amount of \$10,000 from 010-074-7400-020 to 010-074-7400-050 as specified in letter dated December 19, 2001. Fiscal Committee Approved.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#79 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized waiver from Administrative Rule 308.05 (c) for travel outside a 300-mile radius of the employee's official headquarters by other than commercial travel for Ms. Linda Stimson, Educational Consultant, to travel by her private vehicle to Baltimore, MD to attend a four day annual meeting of the National Council of Teachers of English. This is a retroactive request.

#80 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized to establish positions for contract purposes and an object class 059 (Full Time-Temporary) position for one Program Assistant II, Labor Grade 14 effective upon G&C approval through June 30, 2003 as specified in letter dated December 19, 2001. Fiscal Committee Approved.

(2) Further authorized to accept and expend grant funds in the amount of \$588,687 from the US Department of Education during the year ending June 30, 2003 as specified in letter dated December 19, 2001.

#81 Authorized to accept and expend additional grant funds in the amount of \$1,554,809 from the US Department of Education during fiscal year ending June 30, 2002.

(2) Further authorized to accept and expend carryforward grant funds in the amount of \$7,183,382 from the US Department of Education during the fiscal year ending June 30, 2002.

#82 Authorized contract with New England Micrographics, Manchester, NH in an amount not to exceed \$25,362 to archive federal records by scanning onto CD-ROM, effective upon G&C approval through August 30, 2002.

#83 Authorized to grant funds to Antioch New England Graduate School, Keene, NH in an amount not to exceed \$13,320 to provide technology training and ongoing support to their preservice faculty and to integrate various technologies into their course curricula, effective upon G&C approval through August 31, 2002.

#83A Authorized contract with the New Hampshire Teen Institute for the Prevention of Alcohol and Other Drug Abuse, Inc., in an amount not to exceed \$25,000 for providing school districts with

training opportunities to increase involvement in school-based drug and violence prevention programs, effective upon G&C approval through June 30, 2002.

#84 Authorized to grant funds to Upper Valley Teacher Institute in an amount not to exceed \$25,360 to provide technology training and ongoing support to their preservice faculty and to integrate various technologies into their course curricula, effective upon G&C approval through August 31, 2002.

NEW HAMPSHIRE COMMUNITY TECHNICAL COLLEGE SYSTEM

#85 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Griffin, with Councilor Wheeler voting NO, authorized agreement with Dr. Joyce Winterton of Winterton Associates, Reston, VA in the amount of \$11,000 for performing professional evaluation services under the American Association of Community Colleges/Microsoft grant, effective upon G&C approval through April 15, 2002.

POLICE STANDARDS AND TRAINING COUNCIL

#86 The Governor and Executive Council on motion of C, seconded by C, authorized to transfer and expend \$125,000 from Penalty Assessment Funds to cover costs of unanticipated repairs to the roof of the central wing of the NH Police Training Facility in Concord as specified in letter dated December 19, 2001. Fiscal Committee Approved.

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#87 Authorized to transfer 14 classified personnel positions of the Division of Emergency Medical Services to the Division of Fire Standards and Training as listed in letter dated December 17, 2001. (2) Further authorized to transfer the appropriations in budget and equipment of the Division of Emergency Medical Services to the Division of Fire Standards and Training.

#88 Authorized to extend the position of Counter Clerk II, 8T018 from December 20, 2001 to December 30, 2002 as specified in letter dated December 18, 2001.

#89 Authorized Division of Watercraft Safety retroactive, sole source cleaning contract with Joyce Janitorial Services of Lakeport, NH for two years in the amount of \$19,646 effective July 1, 2001 through June 30, 2003.

#90 Authorized Division of Motor Vehicles Memorandum of Agreement with the New Hampshire Technical Institute, Concord, NH in the amount of \$24,000 to provide classroom and parking lot space for The Motorcycle Training Program, effective April 1, 2002 through October 31, 2002.

#91 Authorized Division of Information Technology sole source agreement with Computer Associates International, Inc., Islandia, NY in the amount of \$20,000 to provide technical services to the data base core of the Motor Vehicle System Mainframe.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#92 Authorized to accept and place on file the New Hampshire Department of Transportation's Annual Report for the fiscal year ending June 30, 2001.

#93 Authorized to accept and place on file the "Informational Item", Equipment Acquisition Plan Status Report for the period ending November 30, 2001.

#94 Authorized Bureau of Turnpikes to continue its membership with the International Bridge, Tunnel and Turnpike Association (IBTTA), Washington, DC for calendar year 2002. Funding in the amount of \$14,525 is available.

#95 Authorized to accept and place on file the Contemplated Award List for the period November 28, 2001 through December 14, 2001.

#96 Authorized the Department of Transportation, through the Department of Administrative Services to transfer \$325,000 in funds between accounts and classes as specified in letter dated December 19, 2001. Fiscal Committee Approved.

#97 Authorized to amend agreement with Parsons Transportation Group (formerly d/b/a De Leuw, Cather & Company), Concord, NH and Washington, DC (originally approved at G&C meeting of June 11, 1997 Item #162), by increasing the amount by \$2,376,848 to \$9,930,472 for consultant engineering services for part A of final design of Conway bypass project, and extend the end date to December 31, 2003.

(2) Further authorized to increase the encumbrance by an amount not to exceed ten percent through the issuance of change orders in the implementation of the above services.

#98 Authorized agreement with T Y Lin International Falmouth, ME for a total fee not to exceed \$126,135 for consultant services for the rehabilitation and widening of NH Route 12 over Connecticut River, effective upon G&C approval through with the final completion date of April 12, 2002.

(2) Further authorized to increase the encumbrance by an amount not to exceed ten percent through the issuance of change orders in the implementation of the above services.

#99 Authorized to amend agreement with Hardesty & Hanover, LLP, New York, NY (originally approved at G&C meeting of September 16, 1998 Item #144), by increasing the amount by \$22,658.13 to \$166,781.32 for increased engineering and technical services as specified in letter dated October 10, 2001.

(2) Further authorized to increase the total encumbrance by an amount not to exceed ten percent of the total revised encumbrance through the issuance of change orders in the implementation of the above services.

#100 Authorized consultant service agreements to undertake certain hazardous materials investigations for a combined fee not to exceed \$600,000 with compensation to the consultants make on a specific rate of pay basis, as specified in letter dated December 12, 2001 and effective upon G&C approval with anticipated completion date of 36 months from the effective date, with: Nobis Engineering, Inc., Concord, NH, and Sanborn, Head & Associates, Inc., Concord, NH.

(2) Further authorized to increase the encumbrance by an amount not to exceed ten percent through the issuance of change orders in the implementation of above services.

#101 Authorized to amend contract with The Louis Berger Group, Inc., Manchester NH (originally approved at G&C meeting of March 14, 2001 Item #181), by increasing the amount by \$68,706.80 to \$480,063.65 for consultant engineering services for replacement of the bridges on NH Route 119 in Hinsdale, NH over the Connecticut River and New England Central Railroad as specified in letter dated October 29, 2001.

(2) Further authorized to increase the encumbrance by an amount not to exceed ten percent through the issuance of change orders in the implementation of above services.

#102 Authorized contract with Edwards and Kelcey, Inc., Manchester, NH for consulting services for Skyhaven Airport, Rochester, NH in an amount not to exceed \$900,000 for five year agreement effective upon G&C approval.

#103 Authorized to pay sole source Federal Highway Administration Finance Division, National Highway Institute, Washington, DC an amount not to exceed \$59,000 for training in to be conducted January 1, 2002 through October 1, 2002.

#104 **TUITION REQUESTS**

The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Griffin, with Councilor Wheeler voting NO on Items B, C, E, F, K, L, M, Q, W, and X, approved the following tuition requests:

A. ADMINISTRATIVE SERVICES - Request permission to pay the Department of Administrative Services, Bureau of Education and Training, Concord, NH, the sum of \$3,200.00 for the sole purpose of enrolling Dawn Hatch, Computer Operator III, in the course entitled "Technical Support Training Specialist Training Program".

B. EDUCATION - Request permission to pay the University of Arkansas at Little Rock, Little Rock, AR, the sum of \$600.00 for the sole purpose of enrolling Wayne Blanchard, Rehabilitation Counselor I, in the internet course entitled "Psychological Aspects of Disability".

C. EDUCATION - Request permission to pay the University of Arkansas at Little Rock, Little Rock, AR, the sum of \$600.00 for the sole purpose of enrolling Elizabeth Durant, Vocational Rehabilitation Supervisor, in the internet course entitled "Research and its Applications".

D. EDUCATION - Request permission to pay the New Hampshire Technical Institute, Concord, NH, the sum of \$375.00 for the sole purpose of enrolling Rinske van Epen, Disability Examiner, in the course entitled "Human Growth and Development: The Life Span".

E. EDUCATION - Request permission to pay the University of New Hampshire, Durham, NH, the sum of \$856.00 for the sole purpose of enrolling Christine Noon, Education Consultant I, in the course entitled "Teaching Reading in Elementary Schools".

F. EDUCATION - Request permission to pay the New Hampshire Technical Institute, Concord, NH, the sum of \$393.00 for the sole purpose of enrolling Patricia Skidmore, Disability Examiner, in the course entitled "Elementary Spanish II".

G. ENVIRONMENTAL SERVICES - Request permission to pay the New Hampshire Technical Institute, Concord, NH, the sum of \$419.00 for the sole purpose of enrolling Pamela Welch, Program Assistant, in the course entitled "Web Design and Development".

H. ENVIRONMENTAL SERVICES - Request permission to pay the UNH College of Lifelong Learning, Bow, NH, the sum of \$692.00 for the sole purpose of enrolling Spruce C. Wheelock, Sanitarian I, in the course entitled "Introduction to Photography".

I. EMPLOYEE ASSISTANCE PROGRAM - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$576.00 for the sole purpose of enrolling Patricia A. Thompson, Administrative Assistant, in the course entitled "College Composition II".

J. HEALTH & HUMAN SERVICES, Office of Community & Public Health - Request permission to pay Springfield College School of Human Services, Manchester, NH, the sum of \$1,062.00 for the sole purpose of enrolling Donna Parisi Meuse, Health Promotion Advisor Breast and Cervical Cancer Program, in the course entitled "Project IV".

K. 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 Deborah J. Rand, Child Protective Services Worker III, in the course entitled "Collaborative Leadership".

L. HEALTH & HUMAN SERVICES, Office of Family Services - Request permission to pay Fitchburg State College, Fitchburg, MA, the sum of \$536.00 for the sole purpose of enrolling Scott Shepherd, Juvenile Probation & Parole Officer, in the course entitled "Issues in Development: Counseling Adults".

M. HEALTH & HUMAN SERVICES, Office of Family Services - Request permission to pay the California College for Health Sciences, National City, CA, the sum of \$389.00 for the sole purpose of enrolling Joyce Butterworth, Medical Services Consultant I, in the correspondence course entitled "Health Care Information Systems".

N. HEALTH & HUMAN SERVICES, Office of Information Systems - Request permission to pay the New Hampshire Technical Institute, Concord, NH, the sum of \$776.00 for the sole purpose of enrolling Christine Ball, Technical Support Specialist III, in the courses entitled "Management/Leadership" and "PC & Networking Fundamentals".

O. HEALTH & HUMAN SERVICES, Office of Knowledge Management and Decision Support - Request permission to pay the New Hampshire Technical Institute, Concord, NH, the sum of \$500.00 for the sole purpose of enrolling Jacqueline M. Leone, Program Specialist III, in the course entitled "Statistics".

P. NH HOSPITAL - Request permission to pay Rivier College, Nashua, NH, the sum of \$1,105.00 for the sole purpose of enrolling Creedon Carothers, Nurse Specialist, in the course entitled "Educational Measurement & Evaluation".

Q. NH HOSPITAL - Request permission to pay the University of New Hampshire, Manchester, NH, the sum of \$1,050.00 for the sole purpose of enrolling Scott Cook, Social Worker Trainee, in the course entitled "Research Methods in Social Work".

R. NH HOSPITAL - Request permission to pay Springfield College, Manchester, NH, the sum of \$1,000.00 for the sole purpose of enrolling Michael Lucio, Mental Health Worker III/Case Manager, in the course entitled "Project in Community Development & Social Change II".

S. RESOURCES & ECONOMIC DEVELOPMENT - Request permission to pay the New Hampshire Community Technical College, Manchester, NH, the sum of \$826.00 for the sole purpose of enrolling Michael Kelly, Technical Support Specialist, Division of Forests and Lands, in the courses entitled "Windows 2000 Professional" and "Windows 2000 - Server".

T. RETIREMENT - Request permission to pay the New Hampshire Technical College, Concord, NH, the sum of \$875.00 for the sole purpose of enrolling Kathleen Emery, Senior Accounting Technician, in the courses entitled "English Composition" and "Accounting II".

U. SWEEPSTAKES COMMISSION - Request permission to pay the New Hampshire Technical Institute, Concord, NH, the sum of \$419.00 for the sole purpose of enrolling Joseph Timmons, Technical Support Specialist I, in the course entitled "Visual Basic".

V. SWEEPSTAKES COMMISSION - Request permission to pay the New Hampshire Technical Institute, Concord, NH, the sum of \$419.00 for the sole purpose of enrolling Laurie DeCota, Technical Support Specialist III, in the course entitled "Visual Basic".

W. TRANSPORTATION - Request permission to pay Hesser College, Concord, NH, the sum of \$289.50 for the sole purpose of enrolling Eric Healey, Carriage Operator, in the course entitled "Accounting II".

X. TRANSPORTATION - Request permission to pay Hesser College, Concord, NH, the sum of \$289.50 for the sole purpose of enrolling Eric Healey, Carriage Operator, in the course entitled "Principles of Management".

Y. TRANSPORTATION - Request permission to pay Rivier College, Nashua, NH, the sum of \$540.00 for the sole purpose of enrolling Robert J.A. Irwin, Civil Engineer III, in the course entitled "Computer Architecture".

Z. TRANSPORTATION - Request permission to pay Southern Columbia University, Orange Beach, AL, the sum of \$172.50 for the sole purpose of enrolling Susan Quigley, Health and Safety Specialist, in the distance learning course entitled "Advanced Training and Development".

AA. TRANSPORTATION - Request permission to pay Antioch New England, Keene, NH, the sum of \$370.00 for the sole purpose of enrolling Russell St. Pierre, Environmentalist III, in the course entitled "Conservation Biology".

#105 TRAVEL REQUESTS

The Governor and Executive Council approved the following travel requests:

A. BANKING - Request permission for (1) employee, Lisa A. Ordway, Bank Examiner III, or designee, to travel to Arlington, Virginia on January 26 - February 8, 2002, to attend the Examiner Trust School. ALSO A CASH ADVANCE OF \$600.00 IS REQUESTED FOR Lisa A. Ordway. Total Cost: \$865.00. Source of Funds: Agency Income, Bank Exams and Assessment Fees. No Registration Fees.

B. SAFETY - Request permission for (1) employee, David Kelley, Lieutenant, or designee, to travel to Quantico, Virginia on January 13 - March 22, 2002, to attend the FBI National Academy. ALSO A CASH ADVANCE OF \$920.00 IS REQUESTED FOR David Kelley. Permission is also requested for a waiver to exceed the 300-mile radius by state vehicle. Total Cost: \$920.00. Source of Funds: 100% Grant - Highway Funds. No Registration Fees.

Item removed from Table

The Executive Council on motion of Councilor Griffin, seconded by Councilor Spaulding, voted to remove the Confirmations of Thomas A. Rappa, Jr., from Woodsville to succeed Arthur H. K. Davis of Gorham, as Gorham District Court Justice and Berlin District Court Justice. Following the withdrawal of Confirmations, the Governor withdrew the Nominations.

LATE ITEMS:

The Governor and Council acted as follows:

A. DEPARTMENT OF ADMINISTRATIVE SERVICES

Authorized acceptance of the State of New Hampshire's audited Comprehensive Annual Financial Report and the Annual Report to the Citizens for the year ended June 30, 2001.

B. DEPARTMENT OF ADMINISTRATIVE SERVICES: New Hampshire Health and Education Facilities Authority The Governor and Executive Council on motion of Councilor, seconded by Councilor, approved the Report and Findings of Councilor Peter J. Spaulding with regard to a certain project in participation with NFI North, Inc., Concord, NH.

C. DEPARTMENT OF ADMINISTRATIVE SERVICES

Tuition Request: Governor and Executive Council on motion of Councilor, seconded by Councilor, approved the request to pay Franklin Pierce College, Concord, NH, the sum of \$588.00 for the sole purpose of enrolling Donna L. Raymond, Administrator I, in the course entitled, "Legal and Social Environment of Business."

The Governor set the next Governor and Executive Council Meeting for Wednesday, January 23, 2002 at 10:30 a.m., at the State House, Concord, New Hampshire.

The Honorable Board then Adjourned