

Minutes March 20, 2002

GOVERNOR AND EXECUTIVE COUNCIL MINUTES

State House, Concord, New Hampshire
March 20, 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 Burton seconded by Councilor Spaulding, accepted the minutes March 6, 2002.

The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton, confirmed the appointment of several persons nominated for Civil Commissions from the March 6, 2002 meeting.

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

The following executive councilor-elect was sworn into office by the Governor and Executive Council:
Executive Councilor, District 4
Raymond J. Wieczorek, r, Manchester (1060 Ray Street) 03104

RESIGNATION

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

TELECOMMUNICATIONS PLANNING & DEVELOPMENT ADVISORY BOARD

Timothy Gage, North Hampton
Industry
Effective: Upon acceptance of resignation

CONFIRMATIONS

The Governor and Executive Council confirmed the following:

AGRICULTURAL ADVISORY BOARD

Brian Boudreau, Rochester
Petroleum Industry
Succeeding: David Duston, Hampstead
Effective: March 20, 2002
Term: June 19, 2006

AGRICULTURAL ADVISORY BOARD

Herve P. Samson, Goffstown
Food Retailing Industry
Succeeding: Martin Kashulines, Hopkinton
Effective: March 20, 2002
Term: June 19, 2006

BOARD OF MENTAL HEALTH PRACTICE

Isabel Fleisher, New London
Public Member
Succeeding: Edward H. Moquin, Bedford

Effective: March 20, 2002
Term: February 17, 2005

NEW MOTOR VEHICLE ARBITRATION BOARD

George F. Dykstra, Chichester
Alternate - knowledgeable in Auto Mechanics
Succeeding: David Poitras, Pembroke
Effective: March 20, 2002
Term: May 26, 2004

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT: COMMISSIONER

George Bald, Somersworth
Reappointment
Effective: April 1, 2002
Term: April 1, 2006
Salary: \$94,570

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT: DIRECTOR OF THE DIVISION OF ECONOMIC DEVELOPMENT

Stuart T. Arnett, Claremont
Nominated by the Commissioner of Department of Resources and Economic Development
Reappointment
Effective: April 1, 2002
Term: April 1, 2006
Salary: \$75,740

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT: DIRECTOR OF THE DIVISION OF FORESTS AND LANDS

The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Griffin, with Councilor Wieczorek and Councilor Wheeler voting NO, confirmed:
Philip Bryce, Deering
Nominated by the Commissioner of Department of Resources and Economic Development
Reappointment
Effective: April 1, 2002
Term: April 1, 2006
Salary: \$75,740

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT: DIRECTOR OF PARKS AND RECREATION

Richard McLeod, Portsmouth
Nominated by the Commissioner of Department of Resources and Economic Development
Reappointment
Effective: April 1, 2002
Term: April 1, 2006
Salary: \$75,740

NEW HAMPSHIRE RETIREMENT SYSTEM

Craig H. Wiggin, Meredith
Nominated by the New Hampshire Police Association
Succeeding: David Goldstein, Auburn
Effective: March 20, 2002
Term: July 1, 2003

DEPARTMENT OF SAFETY: DIVISION OF ADMINISTRATION DIRECTOR

Timothy H. Mason, Bow
Nominated by the Commissioner of the Department of Safety
Reappointment

Effective: March 31, 2002
Term: March 31, 2006
Salary: \$76,603.00

DEPARTMENT OF SAFETY: DIVISION OF MOTOR VEHICLES DIRECTOR

Virginia C. Beecher, Bow
Nominated by the Commissioner of the Department of Safety
Reappointment
Effective: March 31, 2002
Term: March 31, 2006
Salary: \$87,380.00

DEPARTMENT OF SAFETY: DIVISION OF STATE POLICE DIRECTOR

Gary M. Sloper, Concord
Nominated by the Commissioner of the Department of Safety
Reappointment
Effective: March 31, 2002
Term: March 31, 2006
Salary: \$87,380.00

BOARD OF MANAGERS OF THE NEW HAMPSHIRE VETERANS' HOME

Elizabeth W. Castricone, Windham
Veterans of Foreign Wars Auxiliary
Succeeding: Dorothy Hunnewell, Hudson
Effective: March 20, 2002
Term: March 1, 2004

BOARD OF MANAGERS OF THE NEW HAMPSHIRE VETERANS' HOME

Tom R. Murphy, Manchester
American Legion
Reappointment
Effective: March 20, 2002
Term: March 1, 2007

BOARD OF VETERINARY MEDICINE

Derek H. Fritz, DVM, Frankestown
Reappointment
Effective: March 20, 2002
Term: March 5, 2007

NOMINATIONS

The Governor nominated the following:

ADVISORY PANEL ON CANCER AND CHRONIC DISEASES

Letha Mills, MD, Norwich, VT
NH Breast Cancer Coalition
Effective: Upon confirmation
Term: Four years from date of confirmation

ADVISORY PANEL ON CANCER AND CHRONIC DISEASES

Mary L. Palmer, Exeter
Rockingham County
Succeeding: Lucius T. Hill, Jr. Exeter
Effective: Upon confirmation
Term: December 3, 2005

PARI-MUTUEL COMMISSION

Robert S. Fennerty, Bow
Reappointment
Effective:
Effective: April 9, 2002
Term: April 9, 2005

PUBLIC WATER ACCESS ADVISORY BOARD

Roger J. Bellerose, Sr., Manchester
Hunting
Succeeding: Henry W. Coulombe, Berlin
Effective: Upon confirmation
Term: October 27, 2004

SPEECH-LANGUAGE PATHOLOGY GOVERNING BOARD

Rita Kirk, Nashua
Reappointment
Effective: Upon confirmation
Term: March 5, 2005

TELECOMMUNICATIONS PLANNING AND DEVELOPMENT ADVISORY COMMITTEE

Terry Hicks, Gilford
Industry - Nominated by the Commissioner of the Department of Resources and Economic Development
Succeeding: Timothy Gage, North Hampton (resigned)
Effective: Upon confirmation
Term: November 9, 2003

TELECOMMUNICATIONS PLANNING AND DEVELOPMENT ADVISORY COMMITTEE

David R. Lendry, New Boston
Large Business Telecommunications User - Nominated by the Commissioner of the Department of Resources and Economic Development
Vacancy
Effective: Upon confirmation
Term: October 18, 2004

TELECOMMUNICATIONS PLANNING AND DEVELOPMENT ADVISORY COMMITTEE

Carol Miller, Gorham
Internet Service Provider - Nominated by the Commissioner of the Department of Resources and Economic Development
Succeeding: Mark Mallett, Litchfield (resigned)
Effective: Upon confirmation
Term: December 6, 2003

BUSINESS FINANCE AUTHORITY

#1 Authorized to hold a Public Hearing with respect to the financing of an industrial facility by the Business Finance Authority for GT Equipment Technologies, Inc., located in Merrimack, NH. Action authorized a Resolution under RSA 162-I:9 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD MARCH 20, 2002 AT THE COUNCIL CHAMBER, STATE HOUSE, CONCORD

At 11:00 a.m. the Governor announced that the next matter to be considered would be the financing of an industrial facility project by the Business Finance Authority for GT Equipment Technologies, Inc.

in Merrimack and declared that the public hearing on the subject had commenced. She said that she and the members of the Council had received documentation and information with respect to the project. The Governor said that the meeting would then hear anyone wishing to speak on the subject. Michael Donahue, Senior Credit Officer of the Authority, stated that the Authority had approved the financing and recommended that the Governor and Council make the required findings under RSA 162-I:9. He also briefly explained the project, emphasized that the credit of the State was not involved and introduced Kedar Guptu and Jim Bosco of GT Equipment Technologies, Inc. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Spaulding introduced a resolution entitled "A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF AN INDUSTRIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR GT EQUIPMENT TECHNOLOGIES, INC. IN MERRIMACK" and moved its adoption, which was seconded by Councilor Wheeler. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Burton, Councilor Spaulding, Councilor Griffin, Councilor Wiczorek, and Councilor Wheeler; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING OF AN INDUSTRIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR GT EQUIPMENT TECHNOLOGIES, INC. IN MERRIMACK

WHEREAS, the Governor and Council have received from the Business Finance Authority (the "Authority") its written recommendation that the Governor and Council make certain findings and a determination pursuant to RSA 162-I:9 with respect to the financing of an industrial facility for GT Equipment Technologies, Inc. (the "Borrower") in Merrimack by the Authority's issue of up to \$4,600,000 Bonds under RSA 162-I (the "Act");

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

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

IT IS HEREBY RESOLVED THAT:

Section 1. Findings. On the basis of the Authority's recommendation and the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special findings:

(1) The Project (which when completed will constitute the "Facility") consists of the acquisition of approximately 19.75 acres of land and construction and equipping of an approximately 56,000 square foot building in the Town of Merrimack which will be used by the Borrower for use in the manufacture of specialty equipment. The Project is within the definition of "Industrial facility" in RSA 162-I (the "Act") and may be financed under the Act.

(2) The establishment and operation of the Facility will preserve employment opportunities directly and indirectly within the State of New Hampshire.

(b) General findings:

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

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

(3) The Loan and Trust Agreement (which is a combined financing document and security document, hereinafter called the "Agreement") contains provisions so that under no circumstances will the Authority be obligated directly or indirectly to pay project costs, debt service or expenses of operation, maintenance and upkeep of the Facility except from Bond proceeds or from funds received under the Agreement, exclusive of funds received thereunder by the Authority for its own use;

(4) The Agreement does not purport to create any debt of the State with respect to the Facility, other than a special obligation of the Authority acting on behalf of the State under the Act; and

(5) The proposed financing of the Project by the Authority and the proposed operation and use of the Facility will serve one or more needs and implement one or more purposes set forth in RSA 162-I:1, will preserve or increase the social or economic prosperity of the State and one or more of its political subdivisions, and will promote the general welfare of the State's citizens.

Section 2. Ultimate Finding and Determination. The Governor and Council find that the proposed financing, operation and use of the industrial Facility will serve a public use and provide a public benefit; and the Governor and Council determine that the Authority's financing of the Project will be within the policy of, and the authority conferred by, the Act.

Section 3. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the transaction as may be required.

Section 4. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to March 20, 2002.

OFFICE OF STATE PLANNING

The Governor and Executive Council acted as follows:

#2 Authorized to budget and expend \$2,133.70 in funds carried forward from prior years from the date of G&C approval, as specified in letter dated February 22, 2002.

(2) Further authorized to accept and expend \$10,000 in donations from the North Atlantic Energy Service Corporation, Seabrook, NH effective upon G&C approval.

#3 Authorized agreement with Lobdell Associates Inc., Landaff, NH in the amount of \$30,000 for technical planning assistance during Phase II of the US Route 2 Corridor Study, effective upon G&C approval through October 31, 2002.

#4 Authorized to amend retroactively agreement with the County of Belknap, Laconia, NH (originally approved at G&C meeting of December 16, 1998 Item #9, amended May 24, 2000 Item #8), by extending the end date from June 30, 2001 to June 30, 2002. No additional federal funds required.

#5 Authorized to amend agreement with the University of New Hampshire, Jackson Estuarine Laboratory, Office of Sponsored Research, Durham, NH (originally approved at G&C meeting of June 20, 2001 Item #8), in the amount of \$5,384 for a new total of \$81,454 to modify the work tasks and reporting requirements.

#6 Authorized grant agreement with Bear-Paw Regional Greenways, Deerfield, NH in the amount of \$10,773 under the provisions of the New Hampshire Estuaries Project, effective upon G&C approval through December 31, 2003.

#7 Authorized New Hampshire Estuaries Program agreement with the Aquaculture Education and Resource Center, Hampton, NH in the amount of \$9,795 under the provisions of the New Hampshire Estuaries Project, effective upon G&C approval through March 31, 2003.

#8 Authorized grant agreement with the Rockingham Planning Commission, Exeter, NH in the amount of \$20,000 under the provisions of the US Department of Commerce-NOAA Coastal Services Center, effective upon G&C approval through December 31, 2002 and as specified in letter dated March 5, 2002.

#9 Authorized agreement with J. F. White Contracting Company, Framingham, MA in the amount of \$40,465 under the provisions of the Wetlands Reserve Program and the Coastal Restoration Program, effective upon G&C approval through September 30, 2002. These funds are 100% federal.

#10 Authorized agreement with Matt Kayhoe, Keene, NH in the amount of \$5,000 under the provisions of the New Hampshire Coastal Program, effective upon G&C approval through June 30, 2002.

GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES

The Governor and Executive Council acted as follows:

#11 Authorized to accept and expend additional Community Services Block Grant funds from the US Department of Health and Human Services in the amount of \$996,550.11 effective upon G&C approval through September 30, 2003 and as specified in letter dated March 1, 2002.

#12 Authorized to accept and expend from the US Department of Energy Weatherization Assistance Program, an increase in the amount of \$677,642.36 for the period of April 1, 2002 to March 31, 2003 to allow the contracting of funds to the Community Action Agencies, as specified in letter dated March 1, 2002.

#13 Authorized contract with Bill Gabler d/b/a Energy Consulting Services, Hebron, NH in an amount not to exceed \$20,000 to function as Energy Resource Manager for the Town of Littleton, NH, and surrounding areas, effective upon G&C approval through September 30, 2002 and as specified in letter dated March 7, 2002.

#14 Authorized contract with Community Action Program Belknap-Merrimack Counties, Inc., Concord, NH in an amount not to exceed \$14,511 for the purchase of computer hardware, equipment, and services relevant to the operation of the statewide Fuel Assistance Program, effective upon G&C approval through November 30, 2002.

#15 Authorized sole source contract with Community Action Program Belknap-Merrimack Counties, Inc., Concord, NH in an amount not to exceed \$92,312.20 to develop software for the statewide Fuel Assistance Program effective upon G&C approval through November 30, 2002.

#16 Authorized contract with Rockingham Community Action, Inc., Portsmouth, NH in an amount not to exceed \$176,479 as a grant recipient under the Weatherization Assistance Program during the period April 1, 2002 to March 31, 2003 and as specified in letter dated February 25, 2002.

#17 Authorized contract with Southern New Hampshire Services, Manchester, NH in an amount not to exceed \$333,716 as a grant recipient under the Weatherization Assistance Program during the period April 1, 2002 to March 31, 2003 and as specified in letter dated February 25, 2002.

#17A Authorized contract with Tri-County Community Action Programs, Inc., Berlin, NH in an amount not to exceed \$277,323 as a grant recipient under the Weatherization Assistance Program during the period April 1, 2002 to March 31, 2003 and as specified in letter dated February 25, 2002.

#18 Authorized contract with Community Action Program Belknap-Merrimack Counties, Inc., Concord, NH in an amount not to exceed \$222,526 as a grant recipient under the Weatherization Assistance

Program during the period April 1, 2002 to March 31, 2003 and as specified in letter dated February 25, 2002.

#19 Authorized contract with Southwestern Community Services, Inc., Keene, NH in an amount not to exceed \$171,367 as a grant recipient under the Weatherization Assistance Program during the period April 1, 2002 to March 31, 2003 and as specified in letter dated February 25, 2002.

OFFICE OF THE ADJUTANT GENERAL

The Governor and Executive Council acted as follows:

#20 Resolved to nominate for promotion to the rank of Lieutenant Colonel, New Hampshire Army National Guard: Major Daniel L. Saucier, Rochester, NH.

#20A Authorized to establish a full-time temporary Environmentalist IV position, LG 27, to be funded 100% with federal funds and to be located at the State Military Reservation, Concord, NH, effective upon G&C approval through June 30, 2003. Fiscal Committee Approved.

(2) Further authorized to accept and expend additional federal funds in the amount of \$81,893 from the National Guard Bureau, as part of the five-year Federal-State Master Cooperative Agreement for the period October 1, 1997 through September 30, 2002.

#21 Authorized to accept and expend funds in the amount of \$60,174 from the federal government (National Guard Bureau), effective upon G&C approval through June 30, 2002 to pay for employee salaries, benefits, audit and post retirement cost, as specified in letter dated March 5, 2002. These costs shall be reimbursed 100% by the federal government.

#22 Authorized memorandum of agreement with the Department of Fish and Game in an amount not to exceed \$84,000 to perform Habitat Management and Monitoring of the Concord Municipal Airport Conservation Zones, effective upon G&C approval through January 31, 2003. Cost shall be reimbursed 100% by the federal government.

(2) Further authorized to accept and expend \$84,000 from the Adjutant General's Department, effective upon G&C approval through January 31, 2003.

#23 Authorized contract with Franklin Environmental Services, Inc., Wrentham, MA in the amount of \$5,900 to perform the Plymouth & Nashua Armory Range Cleaning, effective upon G&C approval through June 30, 2002.

#24 Authorized lease agreement with Gerald P. McCarthy Properties, Wareham, MA in the amount of \$113,487 annually with a four year price limitation of \$453,948 for lease of 10,317 sq. ft. of office space to be located at 57 Regional Drive, Concord, NH for the period of June 1, 2002 to May 31, 2006 as specified in letter dated March 6, 2002.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Executive Council acted as follows:

#25 Authorized Working Capital Warrant in the amount of \$330,000,000 to cover expenditures for the Month of April 2002.

(2) Authorized acceptance of Working Capital Warrant No. 02-08 reporting expenditures of \$275,423,761.26 for the month of February and the balance of \$14,576,238.74 be lapsed.

#25A The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, authorized to accept and place on file the list of agency transfers authorized for Fiscal Year 2002 during the month of February 2002.

#25B Authorized to accept and place on file, in conformance with the Governor and Council action of January 4, 2001 the New Hampshire Fish and Game Department list of agency transfers (attached to letter dated March 6, 2002), that were authorized for the month of February 2002.

DEPARTMENT OF JUSTICE

The Governor and Executive Council acted as follows:

#26 Authorized retroactively to pay R & R Communications, Inc., Swanzey, NH \$634 for two radio antennas that were ordered and installed in December 2001.

(2) Further authorized retroactively to pay Boise Cascade Office Products, Portland, ME \$959.88 for three transcribers that were purchased on January 3, 2002.

#27 Authorized the Attorney General to appoint Elizabeth A. Dunn of Windham, NH to the Victims Assistance Commission. Her term of appointment shall be for three years from the date of G&C approval.

#28 Authorized to accept and expend a grant in the amount of \$14,115,258 from the federal Office of Justice Programs, Corrections Program Office, effective upon G&C approval through September 30, 2006 to provide funds to: build or expand permanent or permanent correctional facilities, to increase bed space, to build or expand juvenile correctional facilities, and for offender drug testing and intervention programs, as specified in letter dated March 7, 2002.

(2) Further authorized to enter into subgrants, effective upon G&C approval through September 20, 2006 with the Department of Health and Human Services, Division for Juvenile Justice Services in the amount of \$13,400,000 to design and construct an architecturally secure juvenile facility; and with the Department of Corrections in the amount of \$644,352 for the purpose of enhancing their drug testing and treatment programs.

#29 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized to enter into a subgrant, effective upon G&C approval through September 30, 2002 with Compassionate Connections in the amount of \$40,000 to continue a mentoring project for at-risk youth in Manchester, NH, as specified in letter dated March 6, 2002.

#30 Authorized to enter into a subgrant, effective upon G&C approval through December 31, 2002 with Carroll County Attorney in the amount of \$2,230 to fund a computer and associated costs for the Carroll County victim advocate, as specified in letter dated March 7, 2002.

#31 Authorized retroactively to enter into a subgrant effective upon G&C approval through June 30, 2002 with University of New Hampshire, Justiceworks in the amount of \$16,400 fund revisions and enhancements to the printed and online versions of the Victims Services Directory, as specified in letter dated March 7, 2002.

#32 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized to conduct a two-day conference at the Mount Washington Hotel scheduled for May 30-31, 2002 entitled the Eighth Statewide Conference on Domestic and Sexual Violence in an amount not to exceed \$49,101 for total cost of conference.

(2) Further authorized contract with the Mount Washington Hotel in an amount not to exceed \$25,301 (included in the total cost of conference), effective upon G&C approval through September 30, 2002 for necessary conference facilities and food services in relation to conference.

(3) Further authorized to expend funds in the amount of \$23,800 in support of the conference as detailed in budget attached to letter dated March 7, 2002 and effective upon G&C approval through September 30, 2002.

(4) Further authorized contract with Joanne Archambault of El Cajon, CA for workshop preparation and presentations (included in number 3 of Item #32), at a cost not to exceed \$3,225 effective upon G&C approval through September 30, 2002.

TREASURY DEPARTMENT

The Governor and Executive Council acted as follows:

#33 Authorized the Comptroller to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks as listed in the total amount of \$18,029.25.

#34 Authorized to accept and place on file a report relative to the cash position of the State as of December 31, 2001.

DEPARTMENT OF REVENUE

#35 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, authorized to amend lease for 45 Chenell Drive, Concord, NH with Whittemore Holdings LLC, Concord, NH (originally approved at G&C meeting of November 19, 1997 Item #26, amended May 13, 1998 Item #26), to make an additional, one-time payment to Landlord of \$38,500 upon satisfactory completion of certain limited renovations to the existing premises, as specified in letter dated March 5, 2002.

DEPARTMENT OF AGRICULTURE, MARKETS AND FOOD

#36 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Wheeler, authorized an amended memorandum of agreement with the University of New Hampshire increasing the amount by \$21,670 to \$121,670 to provide additional services related to a Crop Insurance Education and Information Program for New Hampshire farmers, effective upon G&C approval through September 30, 2002.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Executive Council acted as follows:

#37 Authorized Division of Arts to award Arts Alliance of Northern NH, Littleton, NH a Professional Advancement Grant in the amount of \$1,000 for the period ending June 30, 2002.

#38 Authorized Division of Arts to award Pontine Movement Theatre, Portsmouth, NH a Community Arts Mini Grant in the amount of \$400 and a Community Arts Project Grant in the amount of \$2,500 for the period ending June 30, 2002.

PARI-MUTUEL COMMISSION

#39 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton, authorized to accept and place on file the Annual Report for the Calendar Year ending December 31, 2001.

EMPLOYMENT SECURITY

The Governor and Executive Council acted as follows:

#40 Authorized to accept and expend additional federal funds in the amount of \$557,839 effective upon G&C approval through June 30, 2002 from the US department of Labor, Employment and Training Administration to be budgeted to cover anticipated budget shortfalls, as specified in letter dated March 5, 2002.

#40A Authorized to amended service agreement with Kelly Services, increasing the amount by \$10,000 to \$26,666.66 annually only for the current annual period, effective upon G&C approval through June 30, 2002; thereby increasing the total agreement price limitation to \$60,000 for the three year period that began with G&C approval of Item #92 on August 22, 2001 through June 30, 2004 for Clerical services at the Unemployment Claims Processing Center in Manchester, NH, as specified in letter dated March 13, 2002.

#41 Authorized retroactive, second tenancy-at-will lease agreement extension with Community Action Program Belknap Merrimack Counties, Inc.,(CAPBM), in an amount not to exceed \$17,248 for leasing office space to CAPBM at the New Hampshire Employment Security's property located at 426 Union Avenue, Laconia, NH, effective for the period from January 1, 2002 through July 31, 2002.

(2) Further authorized to accept and expend additional funds in an amount not to exceed \$17,248 from the CAPBM for the purpose of leasing office space to the CAPBM, effective for the period from January 1, 2002 through July 31, 2002.

PUBLIC UTILITIES COMMISSION

#42 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Griffin voting NO, authorized to accept a gift with thanks, on behalf of the State in the amount of \$396 for airfare and rental car expenses for Commissioner to attend 25th Annual American Association of Blacks in Energy conference.

INSURANCE DEPARTMENT

#43 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized sole source agreement with Dr. Paul Snow, Laconia, NH in the amount of \$49,700 for the provision of consulting services in development, creation, analysis and mechanisms intended to enhance the ability of the Insurance Department to respond to consumer complaints, legislative inquiries and to assist the Department in working with employers and carriers, as specified in letter dated February 22, 2002 and effective upon G&C approval through February 28, 2003.

LIQUOR COMMISSION

#44 Authorized amendment #2 with Cheshire Sanitation, North Swanzey, NH (originally approved at G&C meeting of June 25, 1997 Item #63, amended October 18, 2000 Item #32), increasing the contract price limitation by \$12,000 to \$49,031.25 for providing rubbish removal for various liquor store locations of the New Hampshire State Liquor Commission.

DEPARTMENT OF CORRECTIONS

The Governor and Executive Council acted as follows:

#45 Authorized to pay \$190,800 in overtime for permanent personnel services out of salaries for vacant positions due to pending recruitment for the period November 1, 2001 through January 31, 2002 as specified in letter dated March 1, 2002.

#45A Authorized Fiscal Committee amended and approved request of the Department of Corrections for \$796,671 not \$946,691 in additional general funds and transfer \$700,000 in account 010-046-7101-094, not \$550,000 for a total of \$857,494 not \$707,494 to cover a shortfall in inmate medical and dental costs through June 30, 2002 as specified in letter dated March 13, 2002.

#46 Authorized to accept donations of various sewing materials and notions with a total value of \$1,313 made from October 31, 2001 to February 28, 2002 from various individuals listed in attachment to letter dated February 22, 2002.

COMMISSION FOR HUMAN RIGHTS

The Governor and Executive Council acted as follows:

#47 Authorized to budget and expend prior year unexpended federal revenues from the US Equal Employment Opportunity Commission in the amount of \$768 effective upon G&C approval through June 30, 2002.

#48 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wheeler, Authorized to accept and place on file the 2000-2001 Biennial Report of the New Hampshire Commission for Human Rights.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Executive Council acted as follows:

#49 Authorized sole source contract with Softshare Information Services, Santa Barbara, CA in the amount of \$35,000 (\$7,000 per fiscal year), for bid-matching computer services, effective upon G&C approval through December 31, 2006. 49A Authorized to extend the grant period for expenditure of federal funds from the Workforce Opportunity Council, Inc., H-1B Skills Training Grant from March 27, 2002 to June 30, 2002.

(2) Further authorized to extend position #8T069 Program Specialist III from March 27, 2002 to June 30, 2002.

(3) Further authorized a \$25,000 reduction of this grant from \$1,475,000 to \$1,450,000 as specified in letter dated March 6, 2002.

#50 Authorized agreement with CTM Brochure Display, Inc., Woburn, MA in the amount of \$23,816.25 for distribution of New Hampshire Visitor Guides, effective upon G&C approval through June 30, 2002.

#51 Authorized retroactively, Division of Parks and Recreation, Cannon Mountain contract with Plymouth State College, Plymouth, NH, in which Cannon Mountain will receive \$8,000 as a lump sum payment in exchange for offering discounted rates for admittance to all holders of a PSC identification card.

#52 Authorized Division of Forests and Lands to accept and expend a federal allotment in the amount of \$10,000 for the Prevention and Suppression for Hemlock Woolly Adelgid Eradication, effective upon G&C approval through May 31, 2002.

#53 Authorized Division of Forests and Lands aerial detection contracts in the total amount of \$12,050 for flying forest fire detection patrol routes, effective upon G&C approval through December 31, 2002 with the following qualified New Hampshire aircraft companies: Brian H. Corliss & Assoc., Derry, NH; Sky Bright, Inc., Gilford, NH; and Hamel Air, Milan, NH. Further authorized to exceed contract total within available Department funds, as rates quoted in letter dated March 20, 2002 in the event of unforeseen fire danger days.

#54 Authorized agreement with Daniel W. Morgan, d/b/a Commercial Painting Company, Portsmouth, NH in the total amount of \$10,854 to complete the painting of the Robert Frost Farm Homestead, Derry, NH, effective upon G&C approval through August 30, 2002. Further approved to authorize the comptroller to increase the amount of this contract up to an additional 10% (\$1,085.40), to pay for any unforeseen expenses after vendor proceeds with project.

FISH AND GAME DEPARTMENT

The Governor and Executive Council acted as follows:

#55 Authorized to accept a donation in the amount of \$4,669.93 by ORC Macro, Inc., Calverton, MD to be used to reimburse Fish and Game for labor costs involved with conducting the marine recreational fishing surveys in New Hampshire, as specified in letter dated March 6, 2002.

#55A Authorized to transfer \$14,000, as specified in letter dated March 13, 2002 from the Aquatic Resources Education Center fund to the Personal Services-Temporary fund, and Benefits fund. Fiscal Committee Approved.

#55B Authorized to transfer and expend \$80,000 from the Fish and Game fund, to fund the Wildlife Permit Program as specified in letter dated March 13, 2002 and effective upon G&C approval through June 30, 2002. Fiscal Committee Approved.

#55C Authorized to transfer and expend \$42,873 from the Fish and Game Fund Reserve to the Fish and Game FY2002 Operating Budget, as specified in letter dated March 13, 2002. Fiscal Committee Approved.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Executive Council acted as follows:

#56 Authorized Air Resources Division to accept and expend funds in the amount \$122,992 from the US Environmental Protection Agency to monitor fine particulates, as specified in letter dated March 8, 2002 and effective upon G&C approval through June 30, 2003.

#56A The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized establish a full-time Environmentalist I position, LG 16 (\$25,292-\$33,832), through January 30, 2003 as specified in letter dated March 13, 2002. Fiscal Committee Approved.

(2) Further authorized to transfer \$44,758 as specified in letter dated March 13, 2002. Fiscal Committee Approved. (3) Further authorized to extend the end date for PrintSTEP Pilot Program through September 30, 2005 as specified in letter dated March 13, 2002.

#56B Authorized to transfer \$60,000 in funds between classes for Lake Restoration fee funds to be budgeted as specified in letter dated March 13, 2002 to meet demand for matching grants to combat milfoil. Fiscal Committee Approved.

#56C The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized to transfer \$25,000 in FY 2002 and \$26,000 in FY 2003 between classes as specified in letter dated March 13, 2002. Fiscal Committee Approved.

(2) Further authorized to establish two part-time (28 hr/wk), Environmentalist I, LG 16 (\$12.97-\$17.35), positions for the Air Resources Division through FY 02-03.

#56D The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized to establish an Environmentalist I (Public Beach Program Assistant), LG 16 (\$25,219.50-\$33,832.50), position through September 20, 2002 to support the Beaches Environmental Assessment and Coastal Health Act. Fiscal Committee Approved.

(2) Further authorized a seasonal Intern position, LG 2, (\$15,268.50-\$16,692), in the Watershed Management Bureau September 30, 2002 to support the Beaches Environmental Assessment and Coastal Health Act.

#57 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Water Division to accept and expend a grant from the US Environmental Protection Agency in the amount of \$20,000 for a Waste Water Minimization and Water Efficiency Initiative, effective upon G&C approval through December 31, 2002.

(2) Further authorized Water Division sole source contract with the Institute for Community Business

& New Hampshire Economy's WateCap Program, Concord, NH in the amount of \$19,980 in the amount of December 31, 2002.

#58 Authorized the Oil Fund Disbursement Board to budget and expend funds carried forward agency income from SFY 2001 in the amount of \$10,000 as specified in letter dated February 21, 2002 and effective upon G&C approval through June 30, 2003.

#59 Authorized sole source Memorandum of Agreement with the State of Maine Health and Environmental Testing Laboratory, the Environment Canada ECB Laboratory, and the Association of US Delegates to the Gulf of Maine Council, Boscawen, NH in the amount of \$9,840 for laboratory testing of blue mussel tissue for the Gulfwatch program, effective upon G&C approval through December 31, 2002.

#60 Authorized loan agreement with the Town of Hooksett, NH in the amount of \$246,000 under the provisions of the State Water Pollution Control Revolving Fund Program for designing and constructing the expansion to the Town's Sewerage System, effective upon G&C approval.

#61 Authorized to approve a grant under the provisions of RSA 486 for wastewater projects for the City of Manchester, NH in the amount of \$562,514 for the first phase of the Crystal Lake Sewer project and a grant also for the City of Manchester, NH in the amount of \$91,633 for the first phase of the South Mammoth Road Sewer Extension.

#62 Authorized to renew sole source contract with Research Triangle Institute, Research Triangle Park, NC (originally approved at G&C meeting of April 26, 2000 Item #62), with subsequent renewals on a 6-month basis), in the amount of \$26,550 to provide gravimetric analysis of environmental samples, from April 1, 2002 through March 31, 2003.

#63 Authorized to award a Local Source Water Protection grant to the City of Portsmouth, NH in the amount of \$15,000 to complete a project to protect drinking water from contamination, effective upon G&C approval through December 31, 2002.

(2) Further authorized to award a Local Source Water Protection grant to the Plymouth Village Water & Sewer District, Plymouth, NH in the amount of \$5,845 to complete a project to protect drinking water from contamination, effective upon G&C approval through December 31, 2002.

(3) Further authorized to award a Local Source Water Protection grant to the Strafford Regional Planning Commission, Dover, NH in the amount of \$21,748 to complete two projects to protect drinking water from contamination, effective upon G&C approval through December 31, 2003.

#64 Authorized a \$150,000 Memorandum of Agreement with the New Hampshire Department of Agriculture, Markets, & Food for the amount of \$30,000 annually contingent upon funding availability for the Agricultural Nutrient Management Grant Program, for the period through June 30, 2006.

#65 Authorized to extend and amend agreement with Riverside Technology, Inc., Fort Collins, CO (originally approved at G&C meeting of June 20, 2001 Item #106), increasing the amount by \$247,000 to \$535,788 for the development of real-time flood forecasting and reservoir operations models, as specified in letter dated March 4, 2002.

#66 Authorized to extend contract with Sanborn, Head & Associates, Inc., Concord, NH (originally approved at G&C meeting of March 22, 1995 Item #59), from March 31, 2002 to December 31, 2002 to complete the Superfund Remedial Investigation/Feasibility Study, effective upon G&C approval. No new funds required.

BOARD OF MEDICINE

#67 The Governor and Executive Council on motion of Councilor Wheeler, seconded by Councilor Burton, authorized sole source contract with the New Hampshire Medical Society, Concord, NH in the

amount of \$39,600 to manage and administer the Physician Health Program for FY02 retroactive to July 1, 2001 and ending August 1, 2002.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Executive Council acted as follows:

Developmental Disabilities Council

#68 Authorized sole source agreement with People First of New Hampshire, Plymouth, NH in the amount of \$12,833 to support the Ten-Year Anniversary celebration of People First of New Hampshire, effective upon G&C approval through July 30, 2002.

#68A Authorized to accept and expend \$182,021 in federal funds, and General Fund transfers \$2,443,179 as specified in letter dated March 13, 2002 and effective upon G&C approval through June 30, 2002. Fiscal Committee Approved.

(2) Further authorized to decrease revenue adjustments of \$50,203 in Other Funds, effective upon G&C approval through June 30, 2002.

#68B Authorized to accept and expend \$198,281 in federal funds and \$19,193 in Other Funds, and transfer \$1,450,484 as specified in letter dated March 13, 2002 and effective upon G&C approval through June 30, 2002. Fiscal Committee Approved.

#68C Authorized to accept and expend \$297,428 in federal funds and \$113,033 in Other Funds, and transfer \$1,127,702 as specified in letter dated March 13, 2002. Fiscal Committee Approved.

Office of Administration

#69 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Griffin, with Councilor Wheeler voting NO, authorized Office of Program Support to reclassify vacant position #12188 from Supervisor IV, LG 25 to Legal Coordinator, LG 28, as specified in letter dated March 1, 2002.

#70 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Griffin, with Councilor Wheeler voting NO, authorized Office of Community and Public Health to reclassify position #40338 from Public Health Nurse Coordinator, LG 20 to Program Specialist III, LG 22, as specified in letter dated February 1, 2002.

#71 Authorized agreement with Mike Rabbitt Enterprises, Bow, NH in the amount of \$5,055 for power sweeping of pavement services, as specified in letter dated February 15, 2002 and effective upon G&C approval through June 30, 2004.

#72 Authorized renewal agreement with Richard L. Poulin, Berlin, NH in the amount of \$131,214.72 (originally approved at G&C meeting of September 29, 1976; extension approved May 20, 1981; Tenant-at-Will agreement approved October 14, 1986 Item #62; lease amendment approved February 26, 1992 Item #34; lease renewal approved March 19, 1997 Item #89; and lease extension approved March 8, 2000 Item #96), for office space in Berlin, NH, as specified in letter dated February 26, 2002 and effective April 1, 2002 or upon G&C approval, whichever is later, and to end twelve months thereafter.

#73 Authorized to amend lease agreement with 30 Maplewood Avenue Trust, Quincy, MA (originally approved at G&C meeting of December 3, 1997 Item #50, extension approved December 6, 2000 Item #136, and amended May 9, 2001 Item #120), at the increased amount of \$56,103.57 as specified in letter dated February 20, 2001 and effective April 1, 2002 or upon G&C approval, whichever is later, and to end coterminous with the lease for additional office space.

Office of Community and Public Health

#74 Authorized Breast and Cervical Cancer Program to pay \$50 per client for public education services, to a maximum of \$10,000 per fiscal year, for a total of \$20,000 effective July 1, 2002 or date of G&C approval, whichever is later, through June 30, 2004 as specified in letter dated February 11, 2002.

#74A Authorized Breast and Cervical Cancer Program to accept and expend \$39,284 in federal funds to fund Breast and Cervical Cancer Program activities, effective upon G&C approval through June 30, 2003 and as specified in letter dated February 13, 2002. Fiscal Committee Approved.

#75 Authorized Breast and Cervical Cancer Program contract with Lori Lyons Dascal, Concord, NH in an amount not to exceed \$12,015 to provide public education services in the City of Manchester, NH effective upon G&C approval through June 30, 2002.

Division of Elderly and Adult Services

#76 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Griffin, with Councilor Wheeler voting NO, authorized sole source agreement with New Hampshire Legal Assistance, Manchester, NH in an amount not to exceed \$65,000 for the Senior Citizens Law Project Advice Line, effective upon G&C approval through June 30, 2002.

#76A Authorized to accept and expend for long-term care nursing services as specified in letter dated March 13, 2002: \$28,766,840 in Medicaid funds and \$28,738,102 in county funds in FY 2002 effective upon G&C approval through June 30, 2002; \$58,214,124 in Medicaid funds and \$58,155,970 in county funds in FY 2003 effective July 1, 2002 through June 30, 2003. Fiscal Committee Approved.

#77 Authorized sole source agreement with Monadnock Developmental Services, Inc., Keene, NH in an amount not to exceed \$15,000 to develop the basis for a clinical assessment program effective upon G&C approval through June 30, 2002.

#78 Authorized to amend agreement with Area HomeCare and Family Services, Inc., Portsmouth, NH (originally approved at G&C meeting of May 23, 2001 Item #105), increasing the contract by \$172,093.04 to \$2,538,905.36 to provide Homemaker, Adult In-Home Care and Alzheimer's Disease and Related Disorders Respite Care services, effective retroactive to July 1, 2001 through June 30, 2003.

#79 Authorized to amend agreement with North Country Home Health Agency, Inc., Littleton, NH (originally approved at G&C meeting of June 20, 2001 Item #164), increasing the amount by \$15,942.60 to \$266,569.18 to provide Homemaker, Adult In-Home Care and Alzheimer's Disease and Related Disorders Respite Care services, effective retroactive to July 1, 2001 through June 30, 2003.

#80 Authorized to amend agreement with Home Health and Hospice Care, Nashua, NH (originally approved at G&C meeting of June 20, 2001 Item #194), increasing the amount by \$35,700 to \$808,250.38 to provide Homemaker, Adult In-Home Care and Alzheimer's Disease and Related Disorders Respite Care services, effective retroactive to July 1, 2001 through June 30, 2003.

#81 Authorized to amend agreement with Carroll Country Health and Home Care Services, Ossipee, NH (originally approved at G&C meeting of May 23, 2001 Item #101), increasing the amount by \$22,850.38 to \$560,098.18 to provide Homemaker, Adult In-Home Care and Alzheimer's Disease and Related Disorders Respite Care services, effective retroactive to July 1, 2001 through June 30, 2003.

#82 Authorized to amend agreement with Androscoggin Valley Home Care Services, Berlin, NH (originally approved at G&C meeting of May 23, 2001 Item #106), increasing the amount by \$104,359.60 to \$1,424,193.20 to provide Homemaker, Adult In-Home Care and Alzheimer's Disease

and Related Disorders Respite Care services, effective retroactive to July 1, 2001 through June 30, 2003.

#83 Authorized to amend agreement with Valley Regional Hospital, Inc., d/b/a Connecticut Valley Home Care, Inc., Claremont, NH (originally approved at G&C meeting of June 20, 2001 Item #197), increasing the amount by \$58,471.84 to \$990,926.76 to provide Homemaker, Adult In-Home Care and Alzheimer's Disease and Related Disorders Respite Care services, effective retroactive to July 1, 2001 through June 30, 2003.

#84 Authorized to amend agreement with Upper Connecticut Valley Hospital Association, Colebrook, NH (originally approved at G&C meeting of June 20, 2001 Item #177), increasing the amount by \$1,970.30 to \$72,862.46 to provide Homemaker, and Home Health Aide services, effective retroactive to July 1, 2001 through June 30, 2003.

#85 Authorized to amend agreement with Strafford County Community Action Committee, Dover, NH (originally approved at G&C meeting of June 20, 2001 Item #203), increasing the amount by \$9,213.32 to \$134,803.40 to provide Transportation and Personal Emergency Response System services, effective retroactive to July 1, 2001 through June 30, 2003.

#86 Authorized to amend agreement with Lamprey Health Care, Inc., Newmarket, NH (originally approved at G&C meeting of June 20, 2001 Item #190), increasing the amount by \$25,271.52 to \$305,488.08 to provide Transportation services, effective retroactive to July 1, 2001 through June 30, 2003.

#87 Authorized to amend agreement with Visiting Nurse Alliance of Vermont and New Hampshire, Inc., White River Junction, VT (originally approved at G&C meeting of June 20, 2001 Item #180), increasing the amount by \$4,420 to \$108,136 to provide Homemaker, and Home Health Aide services, effective retroactive to July 1, 2001 through June 30, 2003.

#88 Authorized to amend sole source agreement with Community Services Council of New Hampshire, Concord, NH (originally approved at G&C meeting of June 20, 2001 Item #123, amended December 5, 2001 Item #58), increasing the amount with funds from the Centers for Medicare & Medicaid Services, by \$26,544 to \$141,599 to provide Health Insurance Counseling, Education and Assistance Service, effective upon G&C approval through June 30, 2002.

Glenclyff Home For The Elderly

#89 Authorized sole source contract with M & H Distributors Co., Keene, NH in an amount not to exceed \$13,635.50 to install the Secure Care Products, Inc., Wandering System to provide a secure and safe environment for residents who may have a propensity to wander, effective upon G&C approval through June 30, 2002. Office of Health Planning and Medicaid

#89A Authorized to accept and expend \$500,000 in federal funds for year II of the Medicaid Infrastructure Grant effective retroactive to January 1, 2002 through December 31, 2002 as specified in letter dated March 13, 2002. Fiscal Committee Approved.

(2) Further authorized continue two full-time temporary positions, through December 31, 2002 as specified in letter dated March 13, 2002 as follows: Program Specialist III, position #9T076, LG 23; and an Administrative Secretary, position #9T078, LG 14. Fiscal Committee Approved.

Division of Alcohol and Drug Abuse Prevention and Recovery

#90 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized to reclassify position #15690 from a Upholsterer, LG 13 to a Training Coordinator, LG 21, as specified in letter dated February 20, 2002.

#90A Authorized retroactively to extend the completion date of an agreement with the State of Utah, (originally approved at G&C meeting of October 4, 2000 Item #68 and accepted through the Fiscal Committee on September 13, 2000 Item #FIS 00-280), from June 30, 2001 to September 30, 2002 to support the "Treatment Outcomes Performance Pilot Studies" as specified in letter dated March 13, 2002. Fiscal Committee Approved.

New Hampshire Hospital

#91 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized contract with Tom Sherman, Goshen, NH in the amount of \$5,400 to provide yoga instruction to patients, effective upon G&C approval through June 30, 2003.

#91A Authorized to transfer General funds in the amount of \$328,428 effective July 1, 2002 through June 30, 2003 to allow the Department to bring management of the food services, housekeeping and environmental services departments back to being state employees rather than contracted services as specified in letter dated March 13, 2002. Fiscal Committee Approved.

#92 Authorized to amend contract with Monadnock Family Services, Keene, NH (originally approved at G&C meeting of June 6, 2001 Item #103), increasing the amount by \$239,888 to \$533,388, to collect data from adults, youth and families on the impact of delivered services, to fund consumers and family members to attend information review sessions, and to generate the Mental Health Block Grant Reports, as specified in letter dated February 21, 2001 and effective upon G&C approval through June 30, 2002.

#93 Authorized retroactively to enter into an Educational Tuition Agreement to pay costs in the amount of \$990 for employee Registered Nurse III), to take Dimensions of Professional Nursing course from March 4, 2002 through April 28, 2002 via internet at Jacksonville University, Tampa, FL, as specified in letter dated February 1, 2002.

#94 Authorized retroactively to enter into an Educational Tuition Agreement to pay costs in the amount of \$990 for employee (Registered Nurse III), to take Dimensions of Professional Nursing course from March 4, 2002 through April 28, 2002 via internet at Jacksonville University, Tampa, FL, as specified in letter dated February 1, 2002.

#95 ITEM NOT USED.

Division for Children, Youth and Families

#96 Authorized to award one accreditation stipend in the amount of \$750 to the family child care program, and fifteen accreditation stipends in the amount of \$1,500 per center based child care program for a total amount not to exceed \$23,350 effective upon G&C approval through June 30, 2002 and as specified in letter dated February 15, 2002.

Division for Juvenile Justice Services

#96A Authorized retroactive grant to Christina Turgeon, Social Worker III, Tobey School, position #18605, 255 hours of educational leave with full pay and benefits for the period January 7, 2002 through May 3, 2002 to attend the Notre Dame College, as specified in letter dated January 25, 2002.

#97 Authorized Youth Services Center to accept material and monetary donations for the period December 1, 2002 through December 31, 2001 as specified in attachment to letter dated March 5, 2001. Fiscal Committee Approved.

DEPARTMENT OF EDUCATION

The Governor and Executive Council acted as follows:

#98 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized to reclassify position #13218 in the Bureau of Career Development from Secretary Stenographer II, LG 9 to Program Specialist II, LG 21.

#98A Authorized to transfer \$75,780 within Account No. 010-056-4094 (PAU 06 03 05 01 10), and direct the Director, Division of Accounting Services to adjust the budgets as specified in letter dated March 13, 2001. Fiscal Committee Approved.

#99 Authorized to utilize the services of Norman N. Ralske, MD in an estimated total not to exceed \$7,000 to provide psychiatric consultations, as specified in letter dated February 25, 2001 and effective upon G&C approval through June 30, 2002.

#100 Authorized contract with Debra D. Grabill, sole proprietor, Hanover, NH in an amount not to exceed \$52,500 to develop short term and long range linkages between Special Education and Mental Health for students with disabilities, effective upon G&C approval through June 30, 2003. Further authorized payment for services rendered and approved in lieu of withholding at least 25% of the total value of the contract.

#101 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized sole proprietor contract with William Diehl, Northampton, MA in an amount not to exceed \$12,500 to provide facilitation services, as specified in letter dated January 24, 2002 and effective upon G&C approval through June 30, 2002. Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the contract.

#102 Authorized to grant funds to Saint Anselm College, Manchester, NH in an amount not to exceed \$12,000 to provide technology training and ongoing support to preservice faculty and to incorporate various technologies into course curricula, effective upon G&C approval through August 31, 2002.

#103 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized to amend sole source contract with Deborah Roody, sole proprietor, Bedford, NH (originally approved at G&C meeting of November 21, 2001 Item #103), increasing the contract price from \$8,500 to an amount not to exceed \$9,684 for establishing a mentor planning group and providing money to cover special education parent forums, as specified in letter dated January 31, 2002 and effective upon G&C approval through June 30, 2002.

#104 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Wheeler voting NO, authorized to amend contract with MPR Associates, Berkeley, CA in the amount of \$23,896 (originally approved at G&C meeting of October 24, 2001 Item #104), extending the end date from March 31, 2002 to June 30, 2002 to give contractor time to complete project as originally proposed.

NEW HAMPSHIRE COMMUNITY TECHNICAL COLLEGE SYSTEM

The Governor and Executive Council acted as follows:

#105 Authorized Pease Campus, sole source, amendment to contract with Capitol Alarm Systems, Inc., Penacook, NH (previously approved at G&C meeting of June 20, 2001), by increasing the price limitation by \$1,156 to \$110,256 for adding the Pease Campus to the existing burglar and fire alarm contract effective upon G&C approval through June 30, 2003.

#106 Authorized retroactively, Nashua and Claremont Campuses contract with Facts Management Company, Inc., Lincoln, NE, for establishing and administering tuition payment plans for students, effective July 30, 2001 through June 29, 2003. No funding is necessary for contract.

POSTSECONDARY EDUCATION COMMISSION

The Governor and Executive Council acted as follows:

#107 Authorized to award a \$8,500 grant to the University of New Hampshire for the purpose of granting nursing scholarships to full-time and part-time nursing students who are New Hampshire residents and who be selected for scholarships by the college on the basis of financial need.

#108 Authorized to award a \$96,000 grant to the University of New Hampshire for the purpose of granting scholarships to students who are New Hampshire residents who have completed their freshman year and who be selected for scholarships by the college on the basis of financial need or merit.

#109 Authorized to award a \$9,000 grant to the Colby-Sawyer College for the purpose of granting scholarships to New Hampshire residents who have completed their freshman year and who be selected for scholarships by the college on the basis of financial need or merit.

#110 Authorized to award a \$19,000 grant to the Franklin Pierce College for the purpose of granting scholarships to New Hampshire residents who have completed their freshman year and who be selected for scholarships by the college on the basis of financial need or merit.

#111 Authorized to award a \$34,000 grant to the Keene State College for the purpose of granting scholarships to New Hampshire residents who have completed their freshman year and who be selected for scholarships by the college on the basis of financial need or merit.

#112 Authorized to award a \$33,000 grant to the Plymouth State College for the purpose of granting scholarships to New Hampshire residents who have completed their freshman year and who be selected for scholarships by the college on the basis of financial need or merit.

#113 Authorized to award a \$18,000 grant to the Saint Anselm College for the purpose of granting scholarships to New Hampshire residents who have completed their freshman year and who be selected for scholarships by the college on the basis of financial need or merit.

DEPARTMENT OF SAFETY

The Governor and Executive Council acted as follows:

#114 Authorized retroactively, Division of Fire Standards and Training sole source, maintenance agreement with Honeywell Inc., in the amount of \$11,684 for Honeywell fire and security system, effective July 1, 2001 to June 30, 2002 with two optional one year extensions.

#115 Authorized retroactive approval to pay, unencumbered, Adamson Industries Corporation , Lawrence, MA \$4,158.08 for installation of required emergency equipment in thirteen state police cruisers.

#116 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Griffin, with Councilor Wheeler voting NO, authorized contract with Kalkomey Enterprises, Inc., d/b/a Boat Ed of Dallas, TX with a price limitation up to \$200,000 to develop a Safe Boater Education and Testing web site for the State to include subsequent hosting, enhancement and management of the web site, effective upon G&C approval through June 30, 2003.

#117 Authorized to continue a full-time temporary Technical Support Specialist V position retroactively from July 1, 2001 through September 30, 2002. Fiscal Committee Approved.
(2) Further authorized retroactive approval to extend existing grant entitled "Computer Crime Grant" (previously approved at G&C meeting of April 28, 1999 Item #112 and September 28, 1999 Item #105), from October 1, 2001 through September 30, 2002.
(3) Further authorized adjustment as specified to the Grant as originally budgeted.

#118 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Griffin, with Councilor Wheeler voting NO, authorized to establish a Prosecuting Attorney position, LG 31, Step 1, effective upon G&C approval through September 30, 2002. Fiscal Committee Approved.
(2) Further authorized to accept a grant entitled "DOS Prosecuting Attorney" for the Highway Safety Agency in the amount of \$53,586.04 effective upon G&C approval through September 30, 2002.

#119 Authorized to approve the renewal permit application of South Down Boat Club, Lake Winnepesaukee, Laconia, NH as recommended by the Department of Safety, Division of Safety Services for a congregate mooring field under the authority of RSA 270:67. South Down Boat Club had been previously issued a permit for 40 mooring in 1997. It is recommended that the application be approved for a total of 40 moorings.

#120 Authorized to approve the renewal permit application of Scenic Heights Condominium Association, Lake Winnepesaukee, Gilford, NH as recommended by the Department of Safety, Division of Safety Services for a congregate mooring field under the authority of RSA 270:67. Scenic Heights Condominium Association had been previously issued a permit for 8 mooring in 1994. It is recommended that the application be approved for a total of 8 moorings.

#121 Authorized to approve the renewal permit application of Pine Harbor Condominium Association, Lake Winnepesaukee, Wolfeboro, NH as recommended by the Department of Safety, Division of Safety Services for a congregate mooring field under the authority of RSA 270:67. Pine Harbor Condominium Association had been previously issued a permit for 10 mooring in 1997. It is recommended that the application be approved for a total of 10 moorings.

#122 Authorized Division of Fire Standards and Training sole source agreement with Franklin R. Hubbell, d/b/a Solo, Inc., Conway, NH in the amount of \$42,000 to provide twelve continuing education services to Emergency Medical Providers, Law Enforcement Officers and Fire Fighters from around the state, effective upon G&C approval through December 21, 2002.

POLICE STANDARDS AND TRAINING COUNCIL

The Governor and Executive Council acted as follows:

#123 Authorized to hire a consultant funded from a grant from the New Hampshire Highway Safety Agency (NHSA), to train police officers in advanced traffic crash investigation techniques, effective through June 30, 2002. Fiscal Committee Approved.
(2) Further authorized to accept and expend grant from NHSA in the amount of \$26,040 entitled Traffic Crash Investigation Training effective upon G&C approval through June 30, 2002.
(3) Further authorized contract with the Institute of Police Technology and Management of the University of North Florida to provide two training courses "On-Scene Crash Investigation" and "Technical Crash Investigation" to be held before the end of the fiscal year, June 30, 2002 at a cost of \$11,000 per cost (plus \$1,000 for potential additional students for each class), or a total potential cost of \$24,000.

#124 Authorized to continue a Law Enforcement Training Specialist temporary part-time position (previously approved by Fiscal Committee on November 14, 2001 Item FIS 01-279, and G&C meeting of November 21, 2001 Item #109 through April 30, 2002), through June 30, 2003 to train police officers in anti-terrorism and homeland security investigation. Fiscal Committee Approved.
(2) Further authorized to accept and expend grant funds that total \$58,223.71 from the New

Hampshire Department of Justice entitled "Regional Anti-Terrorism Training" effective upon G&C approval through June 30, 2003.

DEPARTMENT OF TRANSPORTATION

The Governor and Executive Council acted as follows:

#125 Authorized (Dover 13153), contract #616244 with R.S. Audley, Inc., Bow, NH on the basis of a low bid of \$982,902.90 that consists of bridge rehabilitation and associated safety improvements carrying Glenwood Avenue over the Spaulding Turnpike, as specified in letter dated February 25, 2002 and effective upon G&C approval through with a final date of completion of September 27, 2002. Further authorized a contingency in the amount of 10% of the contract be approved for payment of latent conditions that may appear during execution of the project.

#125A Authorized (Swanzy BRF-X-T-330(001), 12775,) contract #616251 with Paragon Construction, Corp., Orford, NH on the basis of a low bid of \$1,397,684.47 that consists of replacement of the existing bridge over the South Branch Ashuelot River and reconstruction of roadway approaches of NH Route 32, as specified in letter dated March 8, 2002 and effective upon G&C approval through with a final date of completion of May 30, 2003. Further authorized a contingency in the amount of 10% of the contract be approved for payment of latent conditions that may appear during execution of the project.

#125B Authorized Bureau of Rail and Transit to expend an amount not to exceed \$150,000 to provide a portion of the funds required to complete the pier replacement on the Merrimack River Bridge C1.72 on the state-owned Concord-Lincoln railroad line as specified in letter dated March 13, 2002. Fiscal Committee Approved.

#125C Authorized Bureau of Rail and Transit to expend an amount not to exceed \$140,000 to complete repairs on the Frankenstein Trestle on the state-owned Mountain Division railroad line as specified in letter dated March 13, 2002. Fiscal Committee Approved.

#126 Authorized (Concord-Pembroke IM-393-1(128)08, 13184-A), contract #616243 with R.S. Audley, Inc., Bow, NH on the basis of a low bid of \$6,113,889.76 that consists of pavement and bridge rehabilitation on 7 bridges, improvements to drainage and high-mast lighting and replacement of guardrail and signs on I-393, as specified in letter dated February 25, 2002 and effective upon G&C approval through with a final date of completion of July 11, 2003. Further authorized a contingency in the amount of 5% of the contract be approved for payment of latent conditions that may appear during execution of the project.

#127 Authorized (Freedom-Wakefield 13768), contract #616242 with Capital Well Company, Inc., Dunbarton, NH on the basis of a low bid of \$16,220 that consists of a drilled well and pump at the Patrol Facility 303, 18 State Garage Way, Freedom, NH and Patrol Facility 312, 1540 Wakefield Road, Wakefield, NH, as specified in letter dated February 25, 2002 and effective upon G&C approval.

#128 Resolved to release whatever interest the State may have in a portion of the State-owned Northern Railroad corridor in Lebanon to Raymond E. and Sandra A. Currier of Enfield, NH for \$2,500 subject to the condition listed in the explanation as specified in letter dated February 21, 2002.

#129 Authorized agreement with Flecchia Engineering, P.C., Bedford, NH in an amount not to exceed \$300,000 for Professional Design and Construction Documents, On-site Observation, and Inspection Services for Public Works' Projects, effective for the period to December 31, 2004.

#130 Authorized (Milford-Merrimack STP-X-000S(303), 12887), contract #20159 with Pike Industries, Inc., Belmont, NH on the basis of a low bid of \$3,438,513.85 that consists of pavement and safety work along NH Route 101A in the Towns of Milford, Amherst, Hollis and Merrimack, as specified in letter dated February 25, 2002 and effective upon G&C approval through with a final date of

completion of November 1, 2002. Further authorized a contingency in the amount of 7% of the contract be approved for payment of latent conditions that may appear during execution of the project.

#131 Authorized to transfer \$2,747,839 being the remaining unneeded balance from RSA 237:7 I[i] Improvements to the Spaulding Turnpike Gosling Road interchange; to RSA 237:I [a] Improvements to the Blue Star Memorial Highway.

(2) Further authorized (Hampton-North Hampton 13689), contract #616245 with Pike Industries, Inc., Belmont, NH on the basis of a low bid of \$2,210,363.70 that consists of widening I-95 north and south of the Hampton toll Plaza as well as modifications at the Exit 2 north bound off ramp., as specified in letter dated February 25, 2002 and effective upon G&C approval through with a final date of completion of November 15, 2002. Further authorized a contingency in the amount of 7% of the contract be approved for payment of latent conditions that may appear during execution of the project.

#132 Authorized contract (Bureau of Public Works' Project Number 66010), with Moores Marine Construction Corporation, Dover, NH for a lump sum price of \$872,244 for Rehabilitation of Concord to Lincoln Railroad Bridge #C1.72, Concord, NH. Further authorized a contingency in the amount of \$114,819 be approved for payment of latent conditions that may appear during execution of the project.

ENVIRONMENTAL SERVICES

The Governor and Executive Council acted as follows:

#133 Authorized the request of Witch Cove Marina to remove deteriorated pilings from an existing waterfront commercial dock system and re-grade an existing boat ramp within the same footprint on property located at Sagamore Creek in Portsmouth, NH. File #2001-01275.

#134 Authorized the request of Barberry Coast Subdivision to expand existing 85 ft. overall length community dock structure on association common land on property located at Great Bay in Newmarket, NH. File #2001-00433.

#135 Authorized request of Carol Gould Herman to construct a breakwater with associated structures on property located at Lake Winnepesaukee in Alton, NH. File #2001-01133.

#136 Authorized request of John & Claire Batley to construct a breakwater with associated structures on property located at Tuftonboro Neck on Lake Winnepesaukee in Tuftonboro. File #2001-01919.

#137 Authorized request of Patricia Prudhomme to construct a breakwater with associated structures on property located at Lake Winnepesaukee in Alton, NH. File #2001-00455.

#138 Authorized request of Marc Bourgeois Revocable Trust to construct a breakwater with associated structures on property located at Lake Winnepesaukee in Gilford, NH. File #2001-01264.

#139 TUITION REQUESTS

The Governor and Executive Council approved the following tuition requests:

A. COMMUNITY TECHNICAL COLLEGE - Request permission to pay Nova Southeastern University, Ft. Lauderdale, FL, the sum of \$810.00 for the sole purpose of enrolling Ruth M. Heath, Assistant Professor, in the distance learning course entitled "Learning Theory and Computer Application".

B. NH HOSPITAL - Request permission to pay the University of New Hampshire, Manchester, NH, the sum of \$659.00 for the sole purpose of enrolling Barbara Landry, Registered Nurse III, in the course entitled "Nursing & Change in Health Services".

#140 TRAVEL REQUESTS

The Governor and Executive Council approved the following travel requests:

A. CULTURAL RESOURCES - Request permission for (1) employee, Janet Eklund, Administrator, or designee, to travel to Washington, DC on April 9 - 13, 2002, to attend the 2002 Organization of American Historians/National Council on Public History Annual Meeting. ALSO A CASH ADVANCE OF \$1,312.00 IS REQUESTED FOR Janet Eklund. Total Cost: \$1,312.00. Source of Funds: 100% Federal Funds. Registration Fee: \$90.00.

B. TRANSPORTATION - Request permission for (1) employee, David Szczublewski, Civil Engineer IV, or designee, to travel to Orlando, FL on May 13 - 16, 2002, to attend the North American Travel Monitoring Exhibition and Conference. Permission is also requested for a waiver to exceed the 300-mile radius by private vehicle. Total Cost: \$925.00. Source of Funds: 100% Federal Funds. Registration Fee: \$335.00.

LATE ITEMS:

The Governor and Council acted as follows:

A. DEPARTMENT OF ADMINISTRATIVE SERVICES: New Hampshire Health and Education Facilities Authority

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, approved the Report and Findings of Councilor Peter J. Spaulding with regard to the Capitol Note and Revenue Anticipation Note Program.

B. DEPARTMENT OF ADMINISTRATIVE SERVICES: New Hampshire Health and Education Facilities Authority

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, approved the Report and Findings of Councilor Peter J. Spaulding with regard to the New Hampshire Higher Education Loan Corporation.

C. DEPARTMENT OF ADMINISTRATIVE SERVICES: New Hampshire Health and Education Facilities Authority

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, approved the Report and Findings of Councilor Raymond S. Burton with regard to a certain project in participation with Dartmouth College, Hanover, NH.

The Governor set the next Governor and Executive Council Meeting for Wednesday, April 3, 2002 at 10:30 a.m., at the State House, Concord, New Hampshire.

The Honorable Board then Adjourned