

Minutes May 29, 2002

GOVERNOR AND EXECUTIVE COUNCIL MINUTES

State House, Concord, New Hampshire
May 29, 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 Wieczorek seconded by Councilor Burton, accepted the minutes of May 15, 2002.

The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, confirmed the appointment of several persons nominated for Civil Commissions from the May 15, 2002 meeting.

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

CONFIRMATIONS

The Governor and Executive Council confirmed the following:

NEW HAMPSHIRE STATE COUNCIL ON THE ARTS

Jasmine Shah, Nashua
Succeeding: Carlesta Henderson-Spearman, Nashua
Effective: May 29, 2002
Term: November 23, 2006

AVIATION USERS ADVISORY BOARD

Joseph Brigham, Bow
General Aviation
Reappointment
Effective: May 29, 2002
Term: April 23, 2006

AVIATION USERS ADVISORY BOARD

Wesley J. Lundquist, Londonderry
Airline
Reappointment
Effective: May 29, 2002
Term: April 23, 2006

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

Daniel R. Gray, Portsmouth
Small business
Succeeding: Janet Prince, Portsmouth (resigned)
Effective: June 1, 2002
Term: July 17, 2004

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

Kathleen M. Moore, Campton
Employment and Training Programs
Succeeding: Michael Swack, Lexington, MA
Effective: May 29, 2002
Term: July 1, 2006

HEALTHY KIDS SUBCOMMITTEE

Harvey Schwartz, Harrisville
Consumer
Vacancy
Effective: May 29, 2002
Term: May 29, 2004

MILK SANITATION BOARD

Timothy Button, Penacook
Milk Plant Licensee
Succeeding: Howard Hatch, N. Haverhill
Effective: May 29, 2002
Term: November 1, 2007

NEW MOTOR VEHICLE ARBITRATION BOARD

Brian F. Chase, Concord
Knowledgeable in auto mechanics
Succeeding: Joseph A. Mitchell, Nashua (resigned)
Effective: May 29, 2002
Term: August 28, 2004

PEASE DEVELOPMENT AUTHORITY

William S. Bartlett, Kingston
Reappointment
Effective: May 29, 2002
Term: May 23, 2005

PENALTY APPEALS BOARD

Gayle E. Troy, Dunbarton
Management
Reappointment
Effective: May 29, 2002
Term: April 11, 2005

POSTSECONDARY EDUCATION COMMISSION

William J. Farrell, PhD, Nashua
Rep. Rivier College - upon nomination of College and University Council
Succeeding: Sister Lucille Thibodeau, Nashua (resigned)
Effective: May 29, 2002
Term: June 30, 2006

RAILROAD APPEALS BOARD

David Woodbury, New Boston
Alternate/Legal Profession
Reappointment
Effective: May 29, 2002
Term: April 23, 2005

REAL ESTATE APPRAISER BOARD

Andrew G. LeMay, Concord
Real Estate Appraiser
Succeeding: Gordon Maynard, Nashua (resigned)
Effective: May 29, 2002
Term: August 12, 2005

TRANSPORTATION APPEALS BOARD

Eric G. Falkenham, Hopkinton

Legal Profession
Reappointment
Effective: May 29, 2002
Term: May 7, 2005

NOMINATIONS

The Governor nominated the following:

DIRECTOR, DIVISION OF ADULT SERVICES (WARDEN OF THE STATE PRISON): DEPARTMENT OF CORRECTIONS

Jane Coplan, Warner
Nominated by the Commissioner of the Department of Corrections
Effective: Upon confirmation
Term: To serve at the pleasure of the Commissioner
Salary: Grade II, Step IV - \$83,010

SPECIAL JUSTICE OF THE HANOVER-LEBANON DISTRICT COURT

Lawrence A. MacLeod, Jr., Lebanon
Vacancy
Effective: Upon confirmation
Term: Until 70 years of age

SPECIAL JUSTICE OF THE LITTLETON DISTRICT COURT

Jennifer B. Sobel, Hanover
Vacancy
Effective: Upon confirmation
Term: Until 70 years of age

SPECIAL JUSTICE OF THE HAVERHILL DISTRICT COURT

Jennifer B. Sobel, Hanover
Vacancy
Effective: Upon confirmation
Term: Until 70 years of age

SPECIAL JUSTICE OF THE LANCASTER DISTRICT COURT

Jennifer B. Sobel, Hanover
Vacancy
Effective: Upon confirmation
Term: Until 70 years of age

FIRE STANDARDS AND TRAINING COMMISSION

Stephen M. Carrier, Gilford
Fire Instructors and Officers Association of NH
Succeeding: Scott W. Carrigan, Exeter
Effective: Upon confirmation
Term: February 15, 2005

HAZARDOUS MATERIAL TRANSPORTATION ADVISORY BOARD

Leo A. Balzano, Nashua
Public member
Reappointment
Effective: Upon confirmation
Term: June 5, 2005

HEALTH SERVICES PLANNING AND REVIEW BOARD

Beth-Ann Roberts, Londonderry
Representative of Health Care Insurers
Succeeding: Robert Moses, Concord
Effective: Upon confirmation
Term: April 19, 2005

HEALTH SERVICES PLANNING AND REVIEW BOARD

Scott M. Wojtkiewicz, Bedford
Nominated by the NH Health Care Association
Succeeding: Dwight Sowerby, Lyndeborough
Effective: Upon confirmation
Term: April 19, 2004

PERSONNEL APPEALS BOARD

Patrick Wood, Laconia
Reappointment
Effective: Upon confirmation
Term: June 2, 2005

PUBLIC WATER ACCESS ADVISORY BOARD

Patricia Goodridge, Atkinson
Public member
Reappointment
Effective: Upon confirmation
Term: October 27, 2004

UNIVERSITY SYSTEM OF NEW HAMPSHIRE BOARD OF TRUSTEES

Debra B. Miller, Londonderry
Succeeding: Bruce W. Keough, Dublin (resigned)
Effective: Upon confirmation
Term: June 30, 2004

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 JMT Properties, LLC and PGM of New England, LLC located in Manchester, New Hampshire. 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 MAY 29, 2002 AT THE COUNCIL CHAMBER, STATE HOUSE, CONCORD

At 10:55 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 JMT Properties, LLC in Manchester 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. Jack Donovan, Executive Director 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 Nick Baldassara, Plant Manager of PGM of New England. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Wieczorek 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 JMT PROPERTIES, LLC IN MANCHESTER" 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 Wieczorek, 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 JMT PROPERTIES, LLC IN MANCHESTER

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 JMT Properties, LLC (the "Borrower") in Manchester by the Authority's issue of up to \$2,400,000 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 an existing manufacturing facility, remodeling of portions thereof and the acquisition of equipment for use in the business of contract manufacturing of metal components in the City of Manchester. 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 May 29, 2002.

OFFICE OF STATE PLANNING

The Governor and Executive Council acted as follows:

#2 Authorized to accept and expend an additional \$254,040.86 in prior year in federal Community Development Block Grant funds, effective upon G&C approval through June 30, 2002.

#3 Authorized agreement with Nashua Regional Planning Commission, Nashua, NH in the amount of \$30,000 for enhanced training and technical planning guidance to local land use boards, effective upon G&C approval through June 30, 2003.

#4 Authorized Scenic & Cultural Byways agreement with Fadden Construction Company, PO Box 68, North Woodstock, NH in the amount of \$87,085 for completion of Phase I of the Woodstock Gateway Interpretive Center, effective upon G&C approval through August 31, 2002.

#5 Authorized Memorandum of Agreement with the Department of Resources and Economic Development in the amount of \$5,000 under the provisions of the Community Development Block Grant, effective July 1, 2002 through June 30, 2003 for curriculum development, for the new Economic Developers Certification program.

#6 Authorized to retroactively amend agreement with the City of Laconia, NH (originally approved at G&C meeting of September 6, 2000 Item #6), changing the end date from December 31, 2002 to June 30, 2002 for Lakes Region Family Center construction project. No additional federal funds required.

#7 Authorized to amend Memorandum of Agreement with the University of New Hampshire, Durham, NH (originally approved at G&C meeting of July 25, 2001 Item #12), changing the completion date from June 30, 2002 to June 30, 2003 for restoration project as specified in letter dated May 13, 2002. No additional funds required.

OFFICE OF EMERGENCY MANAGEMENT

The Governor and Executive Council acted as follows:

#8 Authorized sole source agreement with Robert H. Foster d/b/a Media North Productions, Nashua, NH in the amount of \$15,000 through March 31, 2003 to develop and provide video and film production services.

#8A Authorized to hold the "Comprehensive Emergency Management Planning (CEMP) for Schools Course" on June 11 and 12, 2002 at The Holiday Inn, Concord, NH in an amount not to exceed \$4,300.

(2) Further authorized contract with Tsunis Holding, Inc., d/b/a The Holiday Inn, the low bidder, for a

function room, meals, and rooms in the amount of \$4,300 effective upon G&C approval through June 12, 2002.

#9 Authorized sole source contract with New Hampshire Association of Broadcasters in an amount not to exceed \$46,000 effective upon G&C approval through March 30, 2003 to purchase airtime for, and produce Non-Commercial Service Announcements on emergency preparedness, as specified in letter dated May 6, 2002.

#10 Authorized grant agreement with Southeastern NH Hazardous Materials Mutual Aid District in the amount of \$16,420 effective upon G&C approval through December 31, 2002 to conduct hazard analyses, as specified in letter dated May 6, 2002.

#11 Authorized grant agreement with Central NH HazMat Team in the amount of \$15,501.50 effective upon G&C approval through December 31, 2002 to continue funding their hazardous materials information manager.

#12 TABLED-The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding, voted to TABLE the request to amend planning contract with Gerald I. Coogan (originally approved at G&C meeting of July 25, 2001 Item #32A), increasing the amount by \$1,300 to a new total of \$81,300 to increase allowance for travel costs.

GOVERNOR'S OFFICE OF ENERGY AND COMMUNITY SERVICES

The Governor and Executive Council acted as follows:

#13 Authorized sole source contract in an amount not to exceed \$5,000 with New England Board of Higher Education to fund one student intern from the New England Environmental Internship Program to assist staff, effective upon G&C approval through December 31, 2002.

#14 Authorized to amend contract (originally approved at G&C meeting of December 20, 2000 Item #19B), with Conservation Services Group, Inc., Westborough, MA, increasing the amount by \$2,500 in an amount not to exceed \$27,500 broadening scope of workshops for officials on the New Hampshire Residential Energy Code, as specified in letter dated April 9, 2002.

OFFICE OF THE ADJUTANT GENERAL

The Governor and Executive Council acted as follows:

#15 Resolved to nominate for promotion to the rank of Lieutenant Colonel, New Hampshire Air National Guard: Major Denis J. Hebert, Newington, NH.

#16 Resolved to confirm for promotion to the rank of Major, New Hampshire Air National Guard: Captain Todd E. Swass, Strafford, NH.

#17 Resolved to retroactively confirm for appointment to the rank of Major, New Hampshire Air National Guard effective March 28, 2002: Major Stephen B. Buergin, New Boston, NH (nominated for appointment approved at G&C meeting of May 15, 2002 Item #14).

NEW HAMPSHIRE STATE VETERANS CEMETERY

#18 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton, authorized to accept and expend monetary contributions received April 22, 2002 in the amount of \$800 to be used for betterment of the cemetery.

ADMINISTRATIVE SERVICES

The Governor and Executive Council acted as follows:

#19 Authorized the list of Governor and Council meeting dates for the period of July through December 2002.

#19A The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, approved the Report and Findings of Councilor Raymond Wieczorek with regard to the proposal for the construction, renovation, capital equipment project and refinancing of existing indebtedness in connection with Catholic Medical Center, Manchester, NH.

#19B Authorized Bureau of Court Facilities, to enter into a 25 month lease agreement with Dusty's Transport, Inc., Auburn, NH for office and courtroom space for the Auburn District Court effective June 1, 2002 through June 30, 2004 in the amount of \$89,147.75. Further authorized to waive compliance to obtain a clean air certificate.

#20 Authorized Working Capital Warrant in the amount of \$320,000,000 to cover expenditures for the Month of June 2002.

(2) Authorized acceptance of the Working Warrant NO. 02-10 reporting expenditures of \$261,184,678.65 for the month of April the balance of \$68,815,321.35 be lapsed.

#21 Accept Informational Item containing list of vendors agencies contracted for the period of January 1, 2002 through March 31, 2002.

#22 Authorized Surplus Distribution Section for two or more employees to travel out of state July 1, 2002 through December 31, 2002. Further authorized a cash advancement of \$500 for each specific requirement.

#23 Authorized to accept a gift of approximately 6.35 acres of land in Ossipee from Carroll County by acceptance of the Quitclaim Deed for the purpose of building the Carroll County Court House.

#24 Authorized Bureau of Court Facilities contract with Guardian Technologies Ltd., Laconia, NH to provide and install a security camera system at the Plymouth District Court for \$12,156.

#25 Authorized Bureau of Court Facilities lease extension with the Town of Hampton, NH for office and courtroom space for the Hampton District Court effective July 1, 2002 through June 30, 2003 in the amount of \$26,141.64. Further authorized waiver in obtaining a clean air certificate.

#26 Authorized Bureau of Court Facilities lease agreement with Strafford County, NH for office and courtroom space for the Strafford County Superior and Probate Courts Court effective July 1, 2002 through June 30, 2003 in the amount of \$409,327.20. Further authorized waiver to obtain a clean air certificate.

#27 Authorized Bureau of Court Facilities lease extension with Grafton County, NH for office and courtroom space for the Grafton County Superior and Probate Courts effective July 1, 2002 through June 30, 2003 in the amount of \$262,139.16. Further authorized waiver to obtain a clean air certificate.

#28 Authorized Bureau of Court Facilities lease extension with the City of Berlin, NH for office and courtroom space for the Berlin District Court effective July 1, 2002 through June 30, 2003 in the amount of \$30,682.56. Further authorized waiver to obtain a clean air certificate.

DEPARTMENT OF JUSTICE

The Governor and Executive Council acted as follows:

#29 Authorized to accept and expend \$52,458 in federal grant funds effective upon G&C approval through September 30, 2003 for improvement of the criminal justice system's response in cases of child abuse and neglect.

(2) Further authorized to continue a Criminal Justice Program Specialist, full time, temporary (position #8T004), for the period July 1, 2002 through June 30, 2003. Fiscal Committee Approved.

#30 Authorized to accept and expend a federal grant in the amount of \$45,582 for the Youth Offender Program effective upon G&C approval through September 30, 2003 as specified in letter dated May 16, 2002.

(2) Further authorized subgrant for the Youth Offender Program effective upon G&C approval through September 30, 2003 with the Department of Corrections.

#31 Authorized subgrants for enforcing underage drinking laws effective upon G&C approval through May 31, 2003 with: Plymouth Police Department, in the amount of \$30,000; and Cheshire County Sheriff's Department, in the amount of \$57,300.

#32 DENIED The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Griffin, DENIED the petition of Joseph Sanders Haas, Jr. requesting a pardon hearing for the offense of Indirect Criminal Contempt of Court.

TREASURY DEPARTMENT

The Governor and Executive Council acted as follows:

#33 Authorized the Comptroller to issue a warrant in the amount of \$6,252.72 from funds not otherwise appropriated and the State Treasurer to issue checks as listed in attachment to letter dated May 16, 2002.

#33A Authorized Energy Master Lease Agreement with Citicorp Leasing Inc., Atlanta, GA in an amount not to exceed \$10,000,000 effective upon G&C approval to June 30, 2005 to continue the Building Energy Conservation Initiative Program to install equipment that will improve the energy efficiency of certain State owned buildings and facilities as specified in letter dated May 17, 2002.

DEPARTMENT OF AGRICULTURE, MARKETS AND FOOD

#34 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Griffin, authorized Division of Pesticide Control to accept and expend federal grant funds in the amount of \$1,000 effective upon G&C approval through September 30, 2002 to assist in animal disease emergency response planning and preparedness.

(2) Further authorized Division of Animal Industry to amend federal grant (originally approved at G&C meeting of February 6, 2002 Item #23), to reallocate funds between expenditure classes for best utilization of existing funds as specified in letter dated May 8, 2002.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Executive Council acted as follows:

#35 Authorized Division of the Arts to award Artists in Residence, Dover, NH a Professional Advancement Grant in the amount of \$1,000 for the period ending June 30, 2002.

#36 Authorized Division of the Arts to award an Operating Grant totaling \$16,000 to Sharon Arts Center, Sharon, NH for the period ending June 30, 2003.

#37 Authorized Division of the Arts to award Arts Alliance of Northern NH, Littleton, NH a Community Arts Project Grant in the amount of \$3,500 and a Community Arts Mini Grant of \$1,000 for the period ending June 30, 2002.

EMPLOYMENT SECURITY

The Governor and Executive Council acted as follows:

#38 Authorized to continue one Building & Grounds Utility Person, position #8T039, SG 8 on a full time temporary basis for a period of one year, from July 1, 2002 through June 30, 2003 to be funded from existing federal funds.

#38A Authorized to extend lease agreement with Larry Cooke Realty Trust, Brattleboro, VT, as assigned, for rental of 4,800 sq. ft. of office space located at 85 Mechanic Street, Lebanon, NH for one additional two year term effective June 1, 2002 through May 31, 2004 at a cost of \$48,000 annually for a total two year cost of \$96,000 to be expended from federal funds.

#39 Authorized agreement with the Workforce Opportunity Council Inc., in the amount of \$50,000 effective upon G&C approval through November 30, 2002 for web site development services towards implementation of the Workforce Investment Act as specified in letter dated May 7, 2002.

#40 Authorized amended retroactive agreement with Workforce Opportunity Council, Inc., extending the end date from February 28, 2002 to December 31, 2002 for services related to assisting in the implementation of the Workforce Investment Act as specified in letter dated May 6, 2002.

LIQUOR COMMISSION

The Governor and Executive Council acted as follows:

#41 Authorized to utilize the banking services of Connecticut River Bank, Littleton, NH as the depository of funds for the New Hampshire State Liquor Store #07, Littleton, NH.

#42 Authorized exemption to New Hampshire Purchasing Rules Manual to enable the Liquor Commissions Bureau of Enforcement to increase the Department's fleet by two vehicles.

DEPARTMENT OF CORRECTIONS

The Governor and Executive Council acted as follows:

#43 Authorized to reclassify vacant position #16835, Internal Affairs Investigator, LG 19, to Corrections Sergeant, LG 18, effective upon G&C approval.

#43A Authorized 3-month leave of absence with pay as provided under NH Division of Personnel Code of Administrative Rules for Corrections Sergeant Gary Smith, to be effective June 14, 2002.

#44 Authorized to accept donations of various sewing materials and notions with a total value of \$2,835 made from February 20, 2002 through April 30, 2002 from various individuals as specified in letter dated May 7, 2002.

#45 Authorized sole source contract for reaccreditation of the Women's Prison facility in Goffstown, NH with the American Correctional Association, Lanham, MD effective upon G&C approval through November 30, 2002, with a price limitation of \$9,270.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Executive Council acted as follows:

#46 Authorized Division of Parks and Recreation Memorandum of Understanding with The Student Conservation Association, Inc/NH Parks AmeriCorps, for completing projects and assignments effective upon G&C approval through November 1, 2003 in exchange for the use of Spruce Pond Camp in Bear Brook State Park and the payment of \$110,000 each fiscal year, match for Federal funding, as specified in letter dated March 13, 2002.

#47 Authorized Division of Parks and Recreation, Bureau of Trails Grant-in-Aid Trail Maintenance Contracts, effective upon G&C approval through June 30, 2002 with the following OHRV clubs: Pittsburg Ridge Runners, in the amount of \$10,125; Whitefield Sno Kings, in the amount of \$234.34; and Umbagog Sports Assoc., in the amount of \$5,850.

#48 Authorized Division of Travel and Tourism Development to award grants under the Joint Promotional Program, effective upon G&C approval though June 30, 2002 to: New London Lake Sunapee Region Chamber of Commerce, in the amount of \$1,200; and White Mountain Attractions Association, in the amount of \$13,349.80.

#49 Authorized Division of Forests and Lands to extend the following full time temporary employees beyond their one-year anniversary date of full time employment, as specified in letter dated May 8, 2002: Shaun Bresnahan, Forester I, position #8T372; Kevin Whiting, Maintenance Mechanic II, position # 8T365.

#50 Authorized Division of Forests and Lands to accept a \$700,000 Federal grant and assign grant directly to the Town of Dunbarton, NH to pay purchase price for acquisition of Conservation Easements on 962 acres, as specified in letter dated May 16, 2002.

(2) Further authorized to accept the 962-acre Kimball Pond Conservation Easement from the Town of Dunbarton and enter into a Snowmobile Agreement to insure continued access to the property.

FISH AND GAME DEPARTMENT

The Governor and Executive Council acted as follows:

#51 Authorized sole source contract with Hearst-Argyle, Properties, Inc., WMUR 9, Manchester, NH in an amount not to exceed \$16,500 to provide statewide television broadcast of two public service messages, effective upon G&C approval through June 30, 2003.

#52 Authorized the three following sole source contracts with the Audubon Society of New Hampshire, as specified in letter dated May 6, 2002 during the period July 1, 2002 through June 30, 2003: to continue surveys of Endangered and Threatened Bird Species for a total amount of \$9,600; to carry out additional nongame bird surveys for a total amount of \$55,900; and to conduct nongame and associated general surveys on two Wildlife Management Areas for a total amount of \$14,133.

(2) Further authorized to accept and expend an additional \$10,000 in Federal funds from the Wildlife Conservation and Restoration Program, as specified in letter dated May 6, 2002.

#53 Authorized to amend sole source contract with Brenda Charpentier of Sanbornton, NH, increasing the amount by \$2,326 to \$4,652 and extending the end date from June 30, 2002 to June 30, 2003 for research, interviews and to write text for four additional issues of Wildlines.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Executive Council acted as follows:

#54 Authorized to accept and expend \$13,950 from the New England Interstate Water Pollution Control Commission, effective upon G&C approval through September 30, 2003 for the New England Wadeable Streams Project.

#54A Authorized to retroactively amend a grant award from the US EPA (originally amended and approved by G&C on November 21, 2001), extending the end date of the grant from December 1, 2001 to December 1, 2002 with no additional funding.

#55 Authorized to accept and expend \$3,490 from Battelle Memorial Institute, Cincinnati, OH to perform a peer review of a water treatment design manual, effective upon G&C approval through July 31, 2002.

#56 Authorized sole source contract with the New England Board of Higher Education, Boston, MA in the amount of \$12,000 to contract for summer interns, effective upon G&C approval through August 30, 2002.

#57 Authorized Water Division agreement with Eckhardt & Johnson, Inc., Manchester, NH in an amount not to exceed \$10,582 for maintenance and repair of dual fuel boilers at the Franklin Wastewater Treatment Plant, effective July 1, 2002 through June 30, 2005.

#58 Authorized Water Division agreement with BK Systems, Inc., Goffstown, NH in the amount of \$14,650 for fire alarm system testing and maintenance, effective July 1, 2002 through June 30, 2004.

#59 Authorized agreement with Lycott Environmental, Inc., Southbridge, MA in the amount of \$33,140 for aquatic weed control in Robinson Pond, Hudson, NH, effective upon G&C approval through September 30, 2002.

#60 Authorized Air Resources Division sole source contract with Graphic Arts Institute of New England (d/b/a Printing Industries of New England (PINE)), Southborough, MA in the amount of \$19,314 from existing funds, as specified in letter dated April 13, 2002 and effective upon G&C approval through December 31, 2002.

#61 Authorized grant agreement with the City of Somersworth, NH in the amount of \$16,450 for illicit discharge remediation, effective upon G&C approval through December 31, 2002.

#62 Authorized to approve grant for the Town of Newport, NH for Grit Handling Improvements in the amount of \$13,080; a grant to Rockingham County, Brentwood, NH for Wastewater Lagoon Restoration project in the amount of \$103,034; and a grant for the Town of Swanzey, NH for Wastewater Treatment Facility Upgrade project in the amount of \$251,500.

#63 Authorized to award Local Source Water Protection grant to the Town of Ashland, NH in the amount of \$15,000 to complete project to protect drinking water, effective upon G&C approval through June 30, 2003.

#64 Authorized grant agreement with the Town of Amherst, NH in the amount of \$10,619 for the Baboosic Lake Community septic system planning efforts, effective upon G&C approval through September 30, 2002.

#64A Authorized to award a Household Hazardous Waste grant to City of Concord in the amount of \$8,225.30 for conducting a household hazardous waste collection project, effective upon G&C approval through September 15, 2002.

#65 Authorized to amend contract with Sanborn, Head & Associates, Inc., Concord, NH (Amendment #3 approved at G&C meeting of February 6, 2002 Item #53), increasing the amount by \$35,000 to \$1,531,650 for conducting site investigations, as specified in letter dated May 3, 2002.

#66 Authorized to amend contract with Allied Clearwater, LLC, Kingston, NH (originally approved at G&C meeting of August 18, 1999 Item #106), increasing the amount by \$200,000 to \$1,175,000 to mitigate contamination of waters due to discharges of gasoline containing ethers, as specified in letter dated May 2, 2002.

#67 Authorized loan agreement with the Town of Littleton, NH in the amount of \$1,470,000 under the State Water Pollution Control Revolving Loan Fund Program for the Town's landfill closure design and construction, effective upon G&C approval.

#68 Authorized loan agreement with the Town of Milton, NH in the amount of \$1,100,000 under the State Water Pollution Control Revolving Loan Fund Program for the Town's landfill closure design and construction, effective upon G&C approval.

#69 Authorized loan agreement with the Town of Strafford, NH in the amount of \$410,000 under the State Water Pollution Control Revolving Loan Fund Program for the Town's landfill closure design and construction, effective upon G&C approval.

#70 Authorized loan agreement with the City of Lebanon, NH in the amount of \$2,695,000 under the State Water Pollution Control Revolving Loan Fund Program for design and construction of improvements to the City's wastewater treatment facility, effective upon G&C approval.

#71 Authorized loan agreement with WML, LLC, Conway, NH in the loan amount of \$75,000 and direct financial assistance in the amount of \$25,000 under the State's Brownfields Cleanup Revolving Loan Fund Program for remediation of environmental contamination, as specified in letter dated May 15, 2002, effective upon G&C approval.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Executive Council acted as follows:

Office of Administration

#72 Authorized Division of Child Support Services to reclassify vacant position #12231 from Account Clerk III, SG 9, to Case Technician I, SG 14, at the Manchester District office.

#73 Authorized Office of Health Planning & Medicaid to reclassify vacant Positions #14781 and 9T746 from Public Health Nurse Coordinator, SG 21, to Program Specialist III, SG 23.

Office of Finance

#74 Authorized the Department of Health and Human Services, as administrator of the Social Security Program, to amend agreement between the Secretary of the US Department of Health and Human Services and the State of New Hampshire on behalf of the Town of Stratford, NH for adopting the optional exclusion from Social Security and Medicare coverage for the services performed by election officials or election workers for each calendar year in which the remuneration paid for such services is less than \$1,200.

Office of Information Systems

#75 Authorized agreement with Seneca Corporation, d/b/a Seneca Support Technologies, Vienna, VA (originally approved at G&C meeting of April 26, 2000 Item #75), increasing the amount by \$81,464, for a total price not to exceed an additional \$1,469,611 (total cost of this amendment is not to exceed \$1,551,075), and to extend the contract for a two-year period (for the period September 1, 2002-August 31, 2004), as specified in letter dated May 9, 2002.

Office of Health Planning & Medicaid

#76 Authorized Special Medical Services Bureau to amend contract with Camilla D. Jones, MD, Holderness, NH (originally approved at G&C meeting of July 5, 2001 Item #62), increasing the amount by \$7,520 to \$122,020 to provide developmental pediatric consultation to the Bureau, as specified in letter dated March 15, 2002 and effective upon G&C approval through June 30, 2003.

Office of Community and Public Health

#77 Authorized Bureau of Maternal and Child Health to amend agreement with Ann Bracken, Lyme, NH (originally approved at G&C meeting of August 22, 2001 Item #180), by extending end date to September 30, 2002 for data analysis services, as specified in letter dated April 12, 2002.

#78 Authorized Bureau of Health Statistics and Data Management to reimburse David Reichel, MPH for relocation expenses for up to \$650 based upon actual expenses incurred, as specified in letter dated May 3, 2002. Retroactive.

#79 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized Division of Family and Community Health to amend agreement with White Mountain Community Health Center, Conway, NH (originally approved at G&C meeting of July 5, 2001 Item #56), increasing the amount by \$181,391 to \$405,906 and extending end date to June 30, 2003 to provide health services, as specified in letter dated April 22, 2002.

#80 Authorized to amend agreement with Bi- State Primary Care Association, Concord, NH (originally approved at G&C meeting of October 24, 2001 Item #77), as recruiter of health providers for health provider agencies, as specified in letter dated April 22, 2002 increasing the amount by \$90,000 to \$170,000 and extending the end date effective from G&C approval through June 30, 2003.

#81 Authorized to amend agreement with BDMP/Westport, Augusta, ME (originally approved at G&C meeting of October 24, 2001 Item #76), to provide additional assistance with the development of the Rural Health Flexibility Program, increasing the amount by \$135,000 to \$270,000 and extending the end date effective from G&C approval through June 30, 2003.

#82 Authorized Division to amend agreement with Child and Family Services of Manchester, NH (originally approved at G&C meeting of May 23, 2001 Item #80), to provide home visiting services increasing the amount by \$101,615 to \$189,815 and extending the end date effective from G&C approval through June 30, 2003.

#83 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized to amend agreement with Ammonoosuc Community Health Services, Littleton, NH (originally approved at G&C meeting of July 5, 2001 Item #67), to provide medical care, counseling, testing and treatment services as specified in letter dated March 26, 2002 increasing the amount by \$494,292 to \$949,130 and extending the end date effective from G&C approval through June 30, 2003.

#84 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized to amend agreement with Weeks Medical Center of Lancaster, NH (originally approved at G&C meeting of August 22, 2001 Item #187), to provide medical care, counseling and testing services as specified in letter dated April 18, 2002 increasing the amount by \$85,884 to \$143,860 and extending the end date effective from G&C approval through June 30, 2003.

#85 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized to amend agreement with Community Action Program Belknap-Merrimack Counties, Inc., Concord, NH (originally approved at G&C meeting of July

5, 2001 Item #55), to provide medical care, testing and counseling services as specified in letter dated April 22, 2002 increasing the amount by \$314,896 to \$612,145 and extending the end date effective from G&C approval through June 30, 2003.

#86 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized to amend agreement with Coos County Family Health Services of Berlin, NH (originally approved at G&C meeting of July 5, 2001 Item #66), to provide medical care testing, and counseling as specified in letter dated March 26, 2001 increasing the amount by \$238,360 to \$449,320 and extending the end date effective from G&C approval through June 30, 2003.

#87 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized to amend agreement with Concord Hospital, Concord, NH (originally approved at G&C meeting of July 5, 2001 Item #76), to provide medical care, testing and counseling as specified in letter dated April 18, 2002 increasing the amount by \$466,996 to \$954,624 and extending the end date effective from G&C approval through June 30, 2003.

#88 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized to amend agreement with Lamprey Health Care of Newmarket, NH (originally approved at G&C meeting of July 5, 2001 Item #68), to provide medical care, screening, testing and counseling services as specified in letter dated March 26, 2002 increasing the amount by \$625,402 to \$1,234,021 and extending the end date effective from G&C approval through June 30, 2003.

#89 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized to amend agreement with Avis Goodwin Community Health Center of Dover, NH (originally approved at G&C meeting of July 5, 2001 Item #75), to provide medical care, screening, testing, treatment, counseling and oral services as specified in letter dated March 26, 2002 increasing the amount by \$594,575 to \$1,224,262 and extending the end date effective from G&C approval through June 30, 2003.

#90 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized to amend agreement with Home Healthcare, Hospice, and Community Services of Keene, NH (originally approved at G&C meeting of June 20, 2001 Item #145), to provide comprehensive child health and prenatal services increasing the amount by \$93,300 to \$186,600 and extending the end date effective from G&C approval through June 30, 2003.

#91 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized to amend agreement with The Feminist Health Center of Portsmouth, Inc., (originally approved at G&C meeting of August 22, 2001 Item #192), to provide medical care, counseling, testing, and treatment services as specified in letter dated April 29, 2002 increasing the amount by \$28,978 to \$57,956 and extending the end date effective from G&C approval through June 30, 2003.

#92 Authorized to amend agreement with Speare Memorial Hospital of Plymouth, NH (originally approved at G&C meeting of June 20, 2001 Item #140), to provide additional oral health services increasing the amount by \$42,625 to \$76,625 and extending the end date effective from G&C approval through June 30, 2003.

#93 Authorized to amend agreement with Milford School District, Milford, NH (originally approved at G&C meeting of July 5, 2001 Item #71), to provide additional oral health services increasing the amount by \$33,625 to \$58,625 and extending the end date effective from G&C approval through June 30, 2003.

#94 Authorized to amend agreement with Greater Nashua Dental Connection of Nashua, NH (originally approved at G&C meeting of July 5, 2001 Item #72), to provide additional oral health

services increasing the amount by \$57,000 to \$99,000 and extending the end date effective from G&C approval through June 30, 2003.

#95 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized to amend agreement with Seacoast VNA of North Hampton, NH (originally approved at G&C meeting of June 20, 2001 Item #137), to provide additional comprehensive child health services increasing the amount by \$15,400 to \$30,800 and extending the end date effective from G&C approval through June 30, 2003.

#96 Authorized to amend agreement with Health First Family Care Center of Franklin, NH (originally approved at G&C meeting of July 5, 2001 Item #63), to provide comprehensive primary care, breast cancer screening, and oral health services increasing the amount by \$310,510 to \$611,016 and extending the end date effective from G&C approval through June 30, 2003.

#97 Authorized to amend agreement with Manchester Community Health Center of Manchester, NH (originally approved at G&C meeting of June 20, 2001 Item #142), to provide comprehensive primary care and breast and cervical cancer screening services increasing the amount by \$188,648 to \$383,293 and extending the end date effective from G&C approval through June 30, 2003.

#98 Authorized to amend agreement with Home Health and Hospice Care of Nashua, NH (originally approved at G&C meeting of June 20, 2001 Item #138), to provide comprehensive child health services increasing the amount by \$15,300 to \$30,600 and extending the end date effective from G&C approval through June 30, 2003.

#99 Authorized to amend agreement with Families First of the Greater Seacoast of Portsmouth, NH (originally approved at G&C meeting of June 20, 2001 Item #139), to provide comprehensive prenatal, child health, and oral health services increasing the amount by \$116,400 to \$222,800 and extending the end date effective from G&C approval through June 30, 2003.

#100 Authorized to amend agreement with Claremont School District of Claremont, NH (originally approved at G&C meeting of July 5, 2001 Item #70), to provide comprehensive support and treatment services for oral health care increasing the amount by \$28,425 to \$48,225 and extending the end date effective from G&C approval through June 30, 2003.

#101 Authorized to amend agreement with Manchester Dental Alliance of Manchester, NH (originally approved at G&C meeting of July 5, 2001 Item #73), to provide comprehensive support and treatment services for oral health care increasing the amount by \$56,500 to \$98,000 and extending the end date effective from G&C approval through June 30, 2003. Division of Elderly and Adult Services

#102 Authorized agreement with New Hampshire Housing Finance Authority, Bedford, NH in the amount of \$21,500 to provide substance abuse to abuse education and brief intervention prevention counseling, effective upon G&C approval through September 30, 2002.

#103 Authorized to amend agreement with Child and Family Services of New Hampshire, Manchester, NH (originally approved at G&C meeting of June 20, 2001 Item #196), increasing the amount by \$45,546.06 to \$913,774.12 to provide Homemaker and Adult In-Home Care services, effective retroactive to July 1, 2001 through June 30, 2003.

#104 Authorized agreement with University of New Hampshire, Durham, NH in the amount of \$48,155 for "Informal Caregivers in New Hampshire: Concerns, Barriers, and Care Networks" support plan, effective upon G&C approval through September 30, 2002.

Division of Family Assistance

#105 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton, with Councilor Wheeler voting NO, authorized grant to Rockingham Community Action, Portsmouth, NH in the amount of \$150,000 for providing affordable car ownership and vehicle repair opportunities to low income individuals, effective upon G&C approval through June 30, 2003. Sole Source.

Division of Juvenile Justice

#106 Authorized to amend agreement with JSA, Inc., Portsmouth, NH (originally approved at G&C meeting of November 7, 2001 Item #68), extending the end date from June 30, 2002 to June 30, 2003 effective upon G&C approval, for professional and technical services for juvenile services and facilities as specified in letter dated April 15, 2002.

Division of Developmental Services

#107 Authorized to amend agreement with Region VIII, Community Developmental Services, Inc., Portsmouth, NH (originally approved at G&C meeting of June 20, 2001 Item #240), increasing the amount by \$87,000 to \$600,514 to support increased enrollment in Family Centered Early Supports and Services as specified in letter dated April 9, 2002 and effective upon G&C approval through June 30, 2002.

#108 Authorized to amend agreement with Region 10, Community Support Services, Inc., Atkinson, NH (originally approved at G&C meeting of July 5, 2001 Item #117), increasing the amount by \$250,000 to \$1,624,014 to support increased enrollment in Family Centered Early Supports and Services as specified in letter dated April 29, 2002 and for a pilot project to support children with diagnosis within the autism spectrum disorder and their families, effective upon G&C approval through June 30, 2002.

NEW HAMPSHIRE VETERANS HOME

#109 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wieczorek, authorized to amend agreement with Waste Management of New Hampshire-New Hampton, NH (originally approved at G&C meeting of June 21, 2000 Item #218), increasing the amount by \$22,096 to \$39,376; allow for an additional dumpster as specified in letter dated March 22, 2002; and extending the end date from June 30, 2002 through June 30, 2004. Retroactive.

DEPARTMENT OF TRANSPORTATION

The Governor and Executive Council acted as follows:

#110 Authorized Petition (SALEM-MANCHESTER, IML-IR-93-1(174)0, 10418-C), for a public hearing on alteration to be made to Interstate 93 in the Towns of Salem, Windham, Derry, and Londonderry and the City of Manchester, NH. Since the Petition is for the limitation or control of access, the Governor and Executive Council, on motion of Councilor Wheeler, seconded by Councilor Burton, authorized the appointment of a special committee to conduct a public hearing. The Governor appointed Councilor Griffin to serve as Chairman and Councilor Wieczorek and Councilor Wheeler to serve as the other members of the special committee. If, due to unforeseen circumstances, a Special Committee member is unable to attend the public hearing, three alternates should be appointed from the District in which the hearing is held at this time. If the Special Committee finds necessity for the project, the three alternates will become the Commission appointed to conduct negotiations with the property owners.

#111 Authorized Petition (DOVER-ROCHESTER-SOMERSWORTH, 11429), for a public hearing on alteration to be made to the Spaulding Turnpike and NH Route 108 in the Cities of Dover, Rochester and Somersworth, NH. Since the Petition is for the limitation or control of access, the Governor and Executive Council, on motion of Councilor Wheeler, seconded by Councilor Burton, authorized the

appointment of a special committee to conduct a public hearing. The Governor appointed Councilor Griffin to serve as Chairman and Councilor Spaulding and Councilor Wieczorek to serve as the other members of the special committee. If, due to unforeseen circumstances, a Special Committee member is unable to attend the public hearing, three alternates should be appointed from the District in which the hearing is held at this time. If the Special Committee finds necessity for the project, the three alternates will become the Commission appointed to conduct negotiations with the property owners.

#112 Authorized to increase the contingency for Contract #616144 (Seabrook OBD-STP-X-OOOS(304), 12888), with Pike Industries, Inc., Belmont, NH (originally approved at G&C meeting of October 10, 2001 Item #161), by \$72,000 to \$173,966.85 for unanticipated costs expected due to rock excavation costs, muck excavation costs, and additional beam guardrail and end section needed; as specified in letter dated May 10, 2002.

#113 Authorized to accept and place on file the Contemplated Award List for the period April 24, 2002 through May 7, 2002.

#114 Authorized to accept Federal funds in the amount of \$68,689 and to grant state assistance to the City of Laconia, NH in the amount of \$3,816 to be matched with Federal funds (\$68,689) and Local funds (\$3,816) totaling \$76,321 for AIP 12 an airport development project for easement acquisition in the Runway 26 approach at Laconia Airport, as specified in letter dated May 10, 2002.

#115 Authorized Bureau of Turnpikes to increase contract price of the toll collection system maintenance contract with TransCore LP, Hummelstown, PA (originally approved at G&C meeting of December 6, 2002 Item #199, and further amended), increasing the amount by \$28,000 to \$800,651.08 effective upon G&C approval.

#116 Authorized lease agreement, for a period of 20 years, with the City of Rochester, NH in an amount of \$1,500 per year and a one-time administrative fee of \$500 for 1.2 acres, more or less, of the State-owned portion of the Lakeport Branch railroad corridor for use as a public parking lot, as specified in letter dated April 17, 2002.

#117 Authorized (SALEM-MANCHESTER IM-IR-93-1(174)0 10418-C), amendment of engineering and environmental contract with Vanasse Hangen Brustlin, Inc., Bedford, NH and Watertown, MA, increasing the amount by \$645,487 to \$3,601,510 for preliminary design of reconstruction and widening of 18-mile section of I-93 from NH/MASS line in Town of Salem to I-93/I-293 Junction in City of Manchester, NH.

#118 Authorized to release whatever interest the State may have in a portion of the State-owned Northern Railroad corridor in Lebanon to Robert S. Poulos of Lebanon, NH for \$2,500 subject to the conditions listed in the explanation, as specified in letter dated May 6, 2002.

#119 Authorized Bureau of Turnpikes to make changes to budget performance measures as a result of an audit by the Office of Legislative Budget Assistant, as specified in letter dated May 8, 2002. Fiscal Committee Approved.

#120 Authorized contract with Gerard A. Laflamme, Inc., Londonderry, NH for a lump sum price of \$9,330 for New Electrical Service, 19 Pillsbury Street, Concord, NH (Project #80032). Further authorized a contingency in the amount of \$1,400 be approved for payment of latent conditions which may appear during execution of the project.

#121 Authorized contract with Park Lane Construction and Development Corporation, Clyde, NY for a lump sum price of \$383,500 for construction of two salt storage buildings at Hampton and Hooksett Turnpike Maintenance Facilities, Hampton and Hooksett, NH. Further authorized a contingency in the amount of \$57,525 be approved for payment of latent conditions which may appear during execution of the project.

(2) Further authorized the amount of \$1,850 be approved for payment to the Department of Transportation, Bureau of Public Works for engineering services provided.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Executive Council acted as follows:

#122 Approved NSTS Development's request to construct a breakwater and associated structures, following conditions as part of approval, on property located at Rum Point on Lake Winnepesaukee in Alton, NH. File #2001-653.

#123 Approved NSTS Development's request to construct a breakwater and associated structures, following conditions as part of approval, on property located at Rum Point on Lake Winnepesaukee in Alton, NH. File #2001-594.

#124 Approved Sturtevant Cove Assoc.'s request to permanently remove an existing seasonal pier and install a seasonal major docking facility and associated structures, following conditions as part of approval, on property located at Squam Lake in Center Harbor, NH. File #2001-02161.

#125 Approved George Vanderheiden's request to construct crib supported finger pier and associated structures, following conditions as part of approval, on property located at Lake Winnepesaukee in Wolfeboro, NH. File #2001-00193.

DEPARTMENT OF EDUCATION

The Governor and Executive Council acted as follows:

#126 Authorized to accept and expend additional funds from the US Department of Education in the amount of \$9,679,668.93 effective upon G&C approval through June 30, 2002 as specified in letter dated May 1, 2002.

#127 Authorized contract with Antioch University d/b/a Education by Design, Keene, NH to provide facilitation services from date of G&C approval through June 30, 2002 in the amount not to exceed \$7,000. Further authorized payment for services rendered and approved in lieu of withholding 25% of the total value of the contract.

#128 Authorized contract with the University of New Hampshire, Office of Sponsored Research, Durham, NH in an amount not to exceed \$23,466 to provide data organization, evaluating, and reporting for the 2001 USDA Team Nutrition Training Grant Obesity Assessment Project, effective July 1, 2002 through September 30, 2003.

#129 Authorized to renew contract with DLE Associates, Woodstock Valley, CT (originally approved at G&C meeting of November 21, 2001 Item #100), in an amount not to exceed \$47,600 to provide services of an independent evaluator for the State Improvement Grant, effective July 1, 2002 to June 30, 2004.

NEW HAMPSHIRE COMMUNITY TECHNICAL COLLEGE SYSTEM

The Governor and Executive Council acted as follows:

#130 Authorized Stratham Campus to extend temporary, full time position #8T089, Program Specialist II, LG 21, for the period from July 1, 2002 through June 30, 2003.

#131 Authorized to extend temporary, full time position #8T087, I/C Counselor I, LG 21, for the period of July 1, 2002 through June 30, 2003.

#132 Authorized Nashua Campus to extend temporary, full time position #8T084, TI/C Associate Professor, LG 22, for the period from July 1, 2002 through June 30, 2003.

#133 Authorized Nashua Campus to extend temporary, full time position #8T083, TI/C Professor, LG 25, for the period from July 1, 2002 through June 30, 2003.

#134 Authorized Manchester Campus to extend temporary, full time position #8T086, I/C Counselor I, LG 21, for the period from July 1, 2002 through June 30, 2003.

#135 Authorized to extend temporary, full time position #8T085, Assistant Chief Security Officer, LG 14, for the period from July 1, 2002 through June 30, 2003.

#136 Authorized Stratham Campus to extend temporary, full time position #8T088, TI/C Associate Professor, LG 22, for the period from July 1, 2002 through June 30, 2003.

#137 Authorized Laconia Campus to extend temporary, full time position #8T082, TI/C Professor, LG 25, for the period from July 1, 2002 through June 30, 2003.

#138 Authorized Stratham Campus to extend temporary, full time position #8T081, Program Specialist IV, LG 25, for the period from July 1, 2002 through June 30, 2003.

#139 Authorized Manchester Campus to extend temporary, full time position #8T080, Program Specialist III, LG 23, for the period from July 1, 2002 through June 30, 2003.

#140 Authorized Manchester Campus to extend temporary, full time position #8T077, TI/C Instructor, LG 18, for the period from July 1, 2002 through June 30, 2003.

#141 Authorized to extend temporary, full time position #8T092, Human Resources Assistant III, LG 14, for the period from July 1, 2002 through June 30, 2003.

#142 Authorized Laconia Campus to extend temporary, full time position #8T074, TI/C Professor, LG 25, for the period from July 1, 2002 through June 30, 2003.

#143 Authorized to extend temporary, full time position #8T094, Program Assistant I, LG 12, for the period from July 1, 2002 through June 30, 2003.

#144 Authorized to extend temporary, full time position #8T096, Program Specialist II, LG 21, for the period from July 1, 2002 through June 30, 2003.

#145 Authorized Berlin Campus to extend temporary, full time position #8T076, TI/C Instructor, LG 18, for the period from July 1, 2002 through June 30, 2003.

#146 Authorized Manchester Campus to extend temporary, full time position #8T075, Program Planner I, LG 19, for the period from July 1, 2002 through June 30, 2003.

#147 Authorized to extend full time position #8T091, Secretary, LG 9, for the period from July 1, 2002 through June 30, 2003.

#148 Authorized to extend, full time position #8T090, Technical Support Specialist I, LG 17, for the period from July 1, 2002 through June 30, 2003.

#149 Authorized Manchester Campus to extend temporary, full time position #8T095, TI/C Instructor, LG 18, for the period from July 1, 2002 through June 30, 2003.

#150 Authorized to extend temporary, full time position #8T093, Accounting Technician, LG 12, for the period from July 1, 2002 through June 30, 2003.

#151 Authorized Berlin Campus to extend the authority to expend the Project COMPACT (Career Oriented Materials for Physics and Contemporary Technology) grant, initially approved at G&C meeting of December 20, 2000 Late Item J, from June 30, 2002 to June 30, 2003.

(2) Further authorized to accept and expend additional grant funds from the National Science Foundation for the Project COMPACT grant program in the amount of \$29,936 for the program period of G&C approval through June 30, 2003.

#152 Authorized Claremont Campus agreement with Desilets General Contracting, Claremont, NH in the amount of \$3,200 for providing construction work in various classrooms, effective upon G&C approval through June 30, 2002.

#153 Authorized Claremont Campus agreement with Gobin Disposal Systems, Newport, NH in the amount of \$3,378 for rubbish removal, for the period from July 1, 2002 through June 30, 2003.

#154 Authorized to retroactively amend sole source contract with Square Spot Publishing, LLC, Sanbornton, NH (previously contracted with from September 17, 2001 through December 31, 2001), increasing the amount by \$10,525 to \$12,950 and extending the end date from December 31, 2001 to June 30, 2002 for professional website design and implementation services under the Technology Opportunities Grant and the NHCTC System Office, as specified in letter dated March 26, 2002.

CHRISTA MCAULIFFE PLANETARIUM

#155 The Governor and Executive Council on motion of C, seconded by C, authorized contract with Here's Where, Rye, NH in an amount not to exceed \$6,410 to distribute brochures to high traffic locations as a means of marketing the Planetarium, effective upon G&C approval through June 30, 2003.

POLICE STANDARDS AND TRAINING COUNCIL

#156 The Governor and Executive Council on motion of C, seconded by C, authorized contract with Mr. Carlos Oliva, Shelville, GA in the amount of \$3,500 to teach one session of "Survival Spanish" at the New Hampshire Police Standards & Training facility in Concord, NH from June 3-6, 2002.

POSTSECONDARY EDUCATION COMMISSION

The Governor and Executive Council acted as follows:

#157 Authorized to award a \$17,000 grant to Southern New Hampshire University under the provisions of RSA 188-D:33-35 for the purpose of granting scholarships to New Hampshire residents who have completed their freshman year and who will be selected for scholarships by the college on the basis of financial need or merit, as specified in letter dated May 13, 2002.

#158 Authorized to award a \$7,000 grant to Rivier College under the provisions of RSA 188-D:33-35 for the purpose of granting scholarships to New Hampshire residents who have completed their freshman year and who will be selected for scholarships by the college on the basis of financial need or merit, as specified in letter dated May 13, 2002.

#159 Authorized to award a \$8,000 grant to New England College under the provisions of RSA 188-D:33-35 for the purpose of granting scholarships to New Hampshire residents who have completed

their freshman year and who will be selected for scholarships by the college on the basis of financial need or merit, as specified in letter dated May 13, 2002.

#160 Authorized to award a \$6,500 grant to Rivier College under the provisions of RSA 188-D:33-35 for the purpose of granting nursing scholarships to full-time and part-time nursing students who are New Hampshire residents and who will be selected for scholarships by the college on the basis of financial need, as specified in letter dated May 13, 2002.

DEPARTMENT OF SAFETY

The Governor and Executive Council acted as follows:

#161 Approved congregate mooring permit application of Whittemore Shores Condominium Association located on Newfound Lake, Bridgewater, NH as modified by the Department of Safety, Division of Safety Services and the Office of State Planning under the authority of RSA 270:67. Whittemore Shores Condominium Association was previously issued a permit for 36 moorings in 1994. They are now applying for 42 moorings. It is recommended that the mooring light located to the north be moved twenty feet south, moorings #3, 4, and 5 be deleted to create a channel for boats to access the dock and that the revised application be approved for a total of 39 moorings.

#162 Approved congregate mooring permit application of Winnepesaukee Habitat Association A/K/A Meredith Moorings Condominium located on Lake Winnepesaukee, Meredith, NH as modified by the Department of Safety, Division of Safety Services and the Office of State Planning under the authority of RSA 270:67. Winnepesaukee Habitat Association was previously issued a permit for 22 moorings in 1997. They applied for and were denied 33 moorings at G&C meeting of May 15, 2002. They are now applying for 30 moorings. It is recommended that the application be approved for a total of 30 moorings (moorings #1 through #16 for use of PWCS and moorings #17 through #30 for use of large vessels).

#163 Approved congregate mooring permit application of Wagon Wheel Condominium Association located on Newfound Lake, Bridgewater, NH as recommended by the Department of Safety, Division of Safety Services under the authority of RSA 270:67. Wagon Wheel Condominium Association had been previously issued a permit for 10 moorings in 1994. It is recommended that the application be approved for a total of 10 moorings.

#164 Approved congregate mooring permit application of The Oakledge Association located on Sunapee Lake, Sunapee, NH as recommended by the Department of Safety, Division of Safety Services under the authority of RSA 270:67. The Oakledge Association had been previously issued a permit for 20 moorings in 1994. It is recommended that the application be approved for a total of 20 moorings.

#165 Authorized to accept and expend a grant in the amount of \$494,174.10 from the Federal Motor Carrier Safety Administration, effective upon G&C approval through September 30, 2002 to continue the support and training of the Motor Carrier Program, as specified in letter dated April 15, 2002.

#166 Authorized Division of Fire Standards and Training retroactive, sole source lease agreement with Maynesboro Industries Inc., Berlin, NH for office space for the Emergency Medical Services Office, effective from April 1, 2002 through March 31, 2005 in the amount of \$21,600.

#167 Authorized Division of State Police sole source contract with Pioneer Catering Service, Gilford, NH in the amount of \$3,659.25 to supply food for the State Police during Motorcycle Race week, effective upon G&C approval through June 30, 2002.

#168 Authorized Division of Fire Standards/EMS retroactive lease agreement with Wilton Main Street Association, Wilton, NH for office space at 6 Burns Hill Road in Wilton from May 1, 2002 to April 30, 2005 at a total cost for 3 year lease of \$38,025.

#169 Authorized Division of State Police amendment to contract with Concord Aviation Services, extending the current end date of June 30, 2002 to June 30, 2003 as specified in letter dated April 30, 2002.

#170 **TUITION REQUESTS**

The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting NO on Items #D,E,F,G,H,M, and N approved the following Tuition Requests:

A. COMMUNITY TECHNICAL COLLEGE - Request permission to pay Lesley University, Cambridge, MA, the sum of \$1,275.00 for the sole purpose of enrolling Christopher J. Crowley, Assistant Professor, in the Internet course entitled "Telecommunications: Curriculum in a Global Context".

B. EDUCATION - Request permission to pay the New Hampshire Technical Institute, Concord, NH, the sum of \$375.00 for the sole purpose of enrolling Sheila Monaghan, Human Resources Technician, in the course entitled "Supervision".

C. EMERGENCY MANAGEMENT - Request permission to pay the Southern New Hampshire University, Manchester, NH, the sum of \$1,212.00 for the sole purpose of enrolling William Shurbert, Information Systems Supervisor, in the courses entitled "The Short Story" and "Strategic Management & Policy".

D. EMERGENCY MANAGEMENT - Request permission to pay the Southern New Hampshire University, Manchester, NH, the sum of \$678.00 for the sole purpose of enrolling Tammy Vaillancourt, Senior Field Representative, in the course entitled "Survey of American Literature II".

E. EMERGENCY MANAGEMENT - Request permission to pay the Southern New Hampshire University, Manchester, NH, the sum of \$1,212.00 for the sole purpose of enrolling Janice Wing, Business Administrator I, in the courses entitled "Civil War and Reconstruction" and "Understanding Non-Western Philosophy".

F. EMPLOYMENT SECURITY - Request permission to pay the New Hampshire Community Technical College, Manchester, NH, the sum of \$492.00 for the sole purpose of enrolling Laura J. Byers, Certifying Officer I, in the course entitled "Developing College Writing Skills I".

G. EMPLOYMENT SECURITY - Request permission to pay the New Hampshire Community Technical College, Manchester, NH, the sum of \$123.00 for the sole purpose of enrolling Laura J. Byers, Certifying Officer I, in the course entitled "Critical Thinking Skills for College Success".

H. ENVIRONMENTAL SERVICES - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of \$419.00 for the sole purpose of enrolling Michael Racine, Biologist I, in the course entitled "Database Management Systems I".

I. ENVIRONMENTAL SERVICES - Request permission to pay 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 II".

J. HEALTH & HUMAN SERVICES, Office of Information Systems - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$1,260.00 for the sole purpose of enrolling Uma Bhusari, System Development Specialist V, in the course entitled "Principles of Database Design".

K. NH HOSPITAL- Request permission to pay University of New Hampshire, Durham, NH, the sum of \$871.00 for the sole purpose of enrolling Teresa Bryant, Social Worker III, in the course entitled "Psychology of Career & Personal Development".

L. SAFETY - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$1,134.00 for the sole purpose of enrolling Scott Bryer, Chief of Road Toll Operation, in the course entitled "Marketing Strategies".

M. TRANSPORTATION - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$499.50 for the sole purpose of enrolling Steven DuBois, Civil Engineer VI, in the course entitled "Organizational Behavior".

N. TRANSPORTATION - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$307.50 for the sole purpose of enrolling Robert Spinney, Bridge Construction Supervisor, in the course entitled "Principles of Accounting".

#171 TRAVEL REQUESTS

The Governor and Executive Council approved the following travel requests:

A. ENVIRONMENTAL SERVICES - Request permission for (2) employees, Frank Catanese, IT Manager, and Chris Simmers, Chief of Information Management & Planning, or designee, to travel to Philadelphia, PA on June 9 - 13, 2002, to attend the ECOS-EPA Technical Resources Group & Node 1.0 Technical Training/Meeting. Permission is also requested for a waiver to exceed the 300-mile radius by private vehicle. ALSO A CASH ADVANCE OF \$680.00 IS REQUESTED FOR Chris Simmers. Total Cost: \$1,636.00. Source of Funds: 100% Federal Funds. No Registration Fees.

B. FISH & GAME - Request permission for (3) employees, Judy Silverberg, Ed Program Supervisor, Marilyn Wyzga, Wildlife Educator, and Mary Goodyear, Wildlife Educator, or designee, to travel to Saint Catherine, Ontario, Canada on June 4 - 9, 2002, to attend the Project Wild International Coordinators Conference. Permission is also requested for a waiver to exceed the 300-mile radius by state vehicle. Total Cost: \$120.00. Source of Funds: 100% Fish & Game Funds. No Registration Fees.

C. OFFICE OF STATE PLANNING - Request permission for (3) employees, Jeffrey H. Taylor, Director OSP, David H. Hartman, Grants Manager NOAA, and Verna DeLaura, Assistant Planner NOAA, or designee, to travel to Sackville, New Brunswick, Canada on June 2 - 6, 2002, to attend the Gulf of Maine Council, Working Group and Committee Members Meetings. Permission is also requested for a waiver to exceed the 300-mile radius by state vehicle. Total Cost: \$2,188.23. Source of Funds: 100% Federal Funds. No Registration Fees.

D. RESOURCES & ECONOMIC DEVELOPMENT - Request permission for (1) employee, Robert D. Nelson, Chief, or designee, to travel to Gettysburg, PA on June 14 -21, 2002, to attend the Northeast Forest Fire Suppression Supervisors Annual Meeting. Permission is also requested for a waiver to exceed the 300-mile radius by private vehicle. Total Cost: \$1,315.00. Source of Funds: 100% Federal Funds. No Registration Fees.

LATE ITEM:

A. DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Griffin authorized Division of Forests and Lands to enter into a service contract with Natural Resource Consulting Services, Concord, NH in the amount of \$23,200 for wildlife monitoring surveys on the Nash Stream Forest in Stratford and Odell, NH, effective upon G&C approval through December 15, 2002.

The Governor set the next Governor and Executive Council Meeting for Wednesday, June 12, 2002 at 10:30 a.m., at the State House, Concord, New Hampshire.

The Honorable Board then Adjourned

