

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
 Rockingham County Nursing Home, Brentwood, NH
 April 16, 2003 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 April 2, 2003.

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 April 2, 2003 meeting.

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

CONFIRMATIONS

Advisory Committee on Travel and Tourism

Scott R. Labnon, Gorham
 (Replacing Peter A. Morgan)

Effective: April 16, 2003
 Term: December 1, 2005

Advisory Committee on Travel and Tourism

Rep. Retail Industry
 Nancy Kyle, Pembroke
 (Replacing Ann W. Sprague)

Effective: April 16, 2003
 Term: December 1, 2005

Advisory Council on Worker's Compensation

(Labor)
 Richard N. Joy, Dover
 Reappointment

Effective: April 16, 2003
 Term: June 13, 2006

Advisory Council on Worker's Compensation

(Health Care Providers)
 Gary L. Woods, Bow
 Reappointment

Effective: April 16, 2003
 Term: January 12, 2006

Board of Conciliation and Arbitration

(Employer)
 Robert J. Cricenti, New London
 Reappointment

Effective: April 16, 2003
 Term: July 1, 2006

Board of Conciliation and Arbitration

(Employees)
 R. Bruce Gagnon, Auburn
 Reappointment

Effective: April 16, 2003
 Term: July 1, 2006

Board of Dietitians

(Public Member)
 Alan S. Grigsby, Claremont
 Reappointment

Effective: April 16, 2003
 Term: March 28, 2006

Board of Licensing for Alcohol & Other Drug Abuse Professionals

Margaret Desfosses, Portsmouth
 Reappointment

Effective: April 16, 2003
 Term: January 28, 2006

Board of Podiatrists

Dave Kosofsky, Nashua
(Replacing Steven R. Rudman)

Effective: April 16, 2003
Term: December 5, 2007

Compensation Appeals Board

(Attorney)
Richard Mitchell, Candia
(Replacing Michael P King)

Effective: April 16, 2003
Term: February 13, 2007

Compensation Appeals Board

(Attorney)
David Siff, Concord
(Replacing Peter T. Foley)

Effective: April 16, 2003
Term: January 1, 2007

Department of Justice

Deputy Attorney General
Kelly Ayotte, Nashua
(Replacing Stephen J. Judge)

Effective: TBD
Term: March 31, 2007
Salary: Group Q \$84,619

Department of Labor Apprenticeship Council

(Management)
Philip M. Hamblet, Keene
Reappointment

Effective: April 16, 2003
Term: June 25, 2007

Department of Labor, Apprenticeship Council

(Labor)
John P. Jackson, Dover
Reappointment

Effective: April 16, 2003
Term: June 25, 2004

Department of Resources and Economic Development Advisory Commission

Michael H. Monks, Amherst
Reappointment
(Manufacturing)

Effective: April 16, 2003
Term: April 1, 2008

Employment Security Appellate Board

Attorney Vice-Chairman
Thomas P. Mullins, Greenfield
Reappointment

Effective: April 16, 2003
Term: November 21, 2006

Enhanced 911 Commission

Nominated by NH Telephone Assoc.
Marc Violette, Warner
(Replacing Paul Violette)

Effective: April 16, 2003
Term: July 8, 2005

Liquor Commission

Chairman
Anthony C. Maiola, Newport
Reappointment

Effective: April 16, 2003
Term: July 1, 2009
Salary: HH-5 \$84,232

Municipal Bond Bank

Jeffrey C. Towne, Concord
(Replacing Lee F. Mayhew)

Effective: April 16, 2003
Term: July 1, 2007

New Motor Vehicle Arbitration Board
 Alternate-Representing New Car Dealer
 Donna Gaudet Hosmer, Laconia
 (Replacing David Philipkoski)

Effective: April 16, 2003
 Term: February 1, 2006

New Motor Vehicle Arbitration Board
 New Car Dealer
 Peter Mans, Sunapee
 (Replacing Margaret Proko-Weisman)

Effective: April 16, 2003
 Term: August 28, 2005

NH Motor Vehicle Industry Board
 Lloyd Freese, Goffstown
 Reappointment

Effective: April 16, 2003
 Term: January 9, 2007

NH Wetlands Council
 Elected Municipal Official
 John S. Cobb, Woodsville
 (Replacing Burnham A. Judd)

Effective: April 16, 2003
 Term: January 3, 2006

NH Wetlands Council
 Nom.By Audubon/NH Society for Protection of Forests
 Tom Chrisenton, Lyndeborough
 (Replacing Bruce Schwaegler)

Effective: April 16, 2003
 Term: October 23, 2005

Northeast Interstate Dairy Compact Commission
 Dairy Processor
 Powell Cabot, Walpole
 Reappointment

Effective: April 16, 2003
 Term: June 19, 2005

Northeast Interstate Dairy Compact Commission
 Dairy Farmer
 Deborah A. Erb, Landaff
 Reappointment

Effective: April 16, 2003
 Term: June 19, 2004

Northeast Interstate Dairy Compact Commission
 Consumer Interests
 Douglas E. Morris, Durham
 Reappointment

Effective: April 16, 2003
 Term: June 19, 2006

Personnel Appeals Board
 Robert Johnson, Hillsborough
 Reappointment

Effective: April 16, 2003
 Term: June 2, 2006

Real Estate Appraiser Board
 (Public Member)
 Cliff Hurst, Manchester
 (Replacing James J. Tenn Jr.)

Effective: April 16, 2003
 Term: September 16, 2005

Rivers Management Advisory Committee
 Recreation Interests
 Kenneth D. Kimball, Jackson
 Reappointment

Effective: April 16, 2003
 Term: December 28, 2005

Rivers Management Advisory Committee

Granite State Hydro Assn
George K. Lagassa, North Hampton
Reappointment

Effective: April 16, 2003
Term: January 5, 2006

Rivers Management Advisory Committee

Rep. Of Agricultural Community
James C. Robertson, Contoocook
Reappointment

Effective: April 16, 2003
Term: March 22, 2006

Telecommunications Planning/Development Advisory Commission

Municipal Government
Robert D. Ciandella, New Castle
Reappointment

Effective: April 16, 2003
Term: October 18, 2005

Telecommunications Planning/Development Advisory Commission

County Government
Arthur Durette, Pembroke
(Replacing Peter B Davis)

Effective: April 16, 2003
Term: October 18, 2005

University System of New Hampshire Board of Trustees

Terry Morton, Rye
Reappointment

Effective: April 16, 2003
Term: June 30, 2007

Waste Management Council

Municipal Officer / Nom by NH Mun Assoc
Michael Garrity, Manchester
(Replacing E.Russell Bailey)

Effective: April 16, 2003
Term: December 23, 2005

NOMINATIONSAgricultural Advisory Board

David L. Babson Jr., Ossipee
Carroll County
(Replacing Benjamin D. Shambaugh)

Effective: Upon Confirmation
Term: January 31, 2008

American & Canadian French Cultural Exchange Commission

Adele B. Baker, Manchester
Reappointment

Effective: Upon Confirmation
Term: May 23, 2010

American & Canadian French Cultural Exchange Commission

Helen P. Closson, Manchester
Reappointment

Effective: Upon Confirmation
Term: July 17, 2009

American & Canadian French Cultural Exchange Commission

Ronald O. Mailhot, Manchester
Reappointment

Effective: Upon Confirmation
Term: February 6, 2010

Athletic Trainers Governing Board

Robert L. Merrow Jr., Keene
Reappointment

Effective: Upon Confirmation
Term: January 8, 2006

Board of Barbering, Cosmetology, and Esthetics

Sheila Covert, Milford
Cosmetologist
Reappointment

Effective: Upon Confirmation
Term: July 1, 2008

Board of Fire Control

Floyd Hayes, Bedford
Petroleum Industry
Reappointment

Effective: Upon Confirmation
Term: July 8, 2008

Board of Fire Control

James J. Todd, Portsmouth
Chemical Engineer
Reappointment

Effective: Upon Confirmation
Term: July 8, 2008

Board of Mental Health Practice

Larry J. Hansen, Durham
Marriage and Family Therapist
(Replacing George R. Samuels)

Effective: Upon Confirmation
Term: October 31, 2005

Board of Podiatrists

Raef Fahmy, Bedford
Public Member
(Replacing George J. Nameche)

Effective: Upon Confirmation
Term: August 4, 2007

Boxing and Wrestling Commission

Arthur Nolin, Pembroke
Reappointment

Effective: Upon Confirmation
Term: July 15, 2006

Enhanced 911 Commission

James S. Valiquet, Newbury
Nominated by NH Assoc. of Chiefs of Police
(Replacing Brad Russ)

Effective: Upon Confirmation
Term: July 8, 2004

Joint Board of Licensure of Natural Scientists

Patricia B. Barker, Campton
Public Member
(Replacing John C. Edgar)

Effective: Upon Confirmation
Term: November 19, 2007

Lakes Management Advisory Committee

James S. Morash, Meredith
Rep. Tourism Industry
(Replacing Mildred Beach)

Effective: Upon Confirmation
Term: August 1, 2004

Passenger Tramway Safety Board

Stanley Judge, Shelburne
Reappointment

Effective: Upon Confirmation
Term: June 20, 2007

Railroad Appeals Board

Benjamin E. Clark, Lincoln
General Public
(Replacing Donald J. Provencher)

Effective: Upon Confirmation
Term: April 23, 2006

Water Council

Ray S. Cowan, Loudon
Recreation Interests
Reappointment

Effective: Upon Confirmation
Term: December 16, 2006

BUSINESS FINANCE AUTHORITY

#1 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Wieczorek and further on a roll call vote as follows: Councilor Burton – yes, Councilor Spaulding – yes, Councilor Griffin – yes, Councilor Wieczorek – yes, and Councilor Wheeler – yes, Authorized to hold a Public Hearing with respect to the financing of an industrial facility by the Business Finance Authority for Lonza America, Inc. located in Portsmouth, New Hampshire. Action will 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 APRIL 16, 2003
IN THE ROCKINGHAM COUNTY NURSING HOME, BRENTWOOD**

At 10:55 a.m. the Governor announced that the next matter to be considered would be the financing of an industrial facility project, consisting of solid waste collection, treatment and disposal facilities, by the Business Finance Authority for Lonza America Inc. in Portsmouth. He said that he 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 and approve the issuance of the Bonds under Section 147(f) of the Internal Revenue Code. He also briefly explained the project, emphasized that the credit of the State was not involved, stated that Brenda L. Pelletier was present at 10:30 a.m. on April 16, 2003 at the Council Chamber, State House, Concord, being the time and place of the public hearing on this matter, and stated that no persons appeared at the public hearing to make or file oral or written comments with respect to this matter. Councilor Griffin introduced a resolution entitled “A RESOLUTION WITH RESPECT TO THE FINANCING OF AN INDUSTRIAL FACILITY, CONSISTING OF SOLID WASTE COLLECTION, TREATMENT AND DISPOSAL FACILITIES, BY THE BUSINESS FINANCE AUTHORITY FOR LONZA AMERICA INC. IN PORTSMOUTH” and moved its adoption, which was seconded by Councilor Wieczorek. 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 WITH RESPECT TO THE FINANCING
OF AN INDUSTRIAL FACILITY, CONSISTING OF SOLID WASTE COLLECTION,
TREATMENT AND DISPOSAL FACILITIES, BY THE BUSINESS FINANCE AUTHORITY
FOR LONZA AMERICA INC. IN PORTSMOUTH**

WHEREAS, the Governor and Council have received from the Business Finance Authority (the “Authority”) its written recommendations 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, consisting of solid waste collection, treatment and disposal facilities, for Lonza America Inc. (the “Borrower”) in Portsmouth by the Authority’s issuance of up to \$30,000,000 of Bonds under RSA 162-I (the “Act”) and to approve the issuance of the Bonds under Section 147(f) of the Internal Revenue Code;

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 consists of the acquisition, construction and installation of structures, facilities and equipment to be located at the manufacturing complex of Lonza Biologics Inc. (the "Subsidiary"), a wholly-owned subsidiary of the Borrower, at 101 International Drive in the City of Portsmouth which will be used by the Borrower, by and through the Subsidiary, in the collection, treatment and disposal of solid wastes (the "Project"). 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 Project will create and preserve employment opportunities within the State of New Hampshire and will help to protect and enhance the physical environment of the State of New Hampshire.

(b) General findings:

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

(2) The Borrower and the Subsidiary have the skills and financial resources necessary to operate the Project successfully;

(3) The Loan Agreement dated as of April 1, 2003 (the "Agreement") between the Authority and the Borrower and the Indenture of Trust dated as of April 1, 2003 (the "Indenture") between the Authority and Regions Bank, as trustee (the "Trustee") contain 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 Project except from Bond proceeds or from funds received under the Agreement, exclusive of funds received thereunder by the Authority for its own use;

(4) Neither the Agreement nor the Indenture purport to create any debt of the State with respect to the Project, 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 Project 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 Project 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 and approve the issue of the Bonds under Section 147(f) of the Internal Revenue Code.

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

Passed and Agreed to April 16, 2003.

OFFICE OF STATE PLANNING

The Governor and Council acted as follows:

#2 Authorized to enter into an agreement with the US Geological Survey, Pembroke, NH, to fund the installation of stream gages, aggregation of water use data, data collection on stream flows and existing groundwater data, under the provisions of the Coastal Zone Management Act, in the amount of \$60,000. Effective upon G&C approval through September 30, 2003.

#3 Authorized to amend an existing agreement with Strafford Regional Planning Commission, Dover, NH, (previously approved by G&C on 6-12-02, item #9), for the purpose of extending the end date from June 30, 2003 to December 31, 2003, and increasing the dollar amount by \$5,784 for a new total of \$23,734, to complete an additional training document on growth management as part of their series for planning board members.

#4 Authorized to amend an existing agreement with the Rockingham Planning Commission, Exeter, NH, (previously approved by G&C on 6-26-02, item #12), for the purpose of extending the end date from June 30, 2003 to December 31, 2003 to further enhance efforts to address local, municipal and regional planning issues.

#5 Authorized to amend an existing agreement with Southern NH Planning Commission, Manchester, NH, (previously approved by G&C on 6-12-02, item #7), for the purpose of extending the end date from June 30, 2003 to June 30, 2004, and increasing the dollar amount by \$5,784 for a new total of \$35,784, to conduct a more complete first phase analysis for the master planning handbook.

#6 Authorized to amend an existing agreement with Nashua Regional Planning Commission, Nashua, NH, (previously approved by G&C on 5-29-02, item #3), for the purpose of extending the end date from June 30, 2003 to December 31, 2003, and increasing the dollar amount by \$5,784 for a new total of \$35,784, to complete an additional task for the two towns they are working with on the smart growth training program for rural communities.

GOVERNORS OFFICE OF ENERGY AND COMMUNITY SERVICES

The Governor and Council acted as follows:

#7 Authorized to accept and expend additional Low Income Home Energy Assistance Program funds from the US Department of Health and Human Services in the amount of \$2,029,016, detailed in letter dated April 1, 2003. Effective upon G&C approval through September 30, 2004.

#7A Authorized to amend the Fuel Assistance Program contract with Community Action Program Belknap-Merrimack Counties, Inc., Concord, NH, (previously approved by G&C on 9-25-02, item #23, amended on 2-19-03, item #20), by increasing the amount of the contract from \$3,188,137 by \$375,945 to an amount not to exceed \$3,564,082.

#7B Authorized to amend the Fuel Assistance Program contract with Tri-County Community Action Program, Berlin, NH, (previously approved by G&C on 9-25-02, item #20, amended on 2-19-03, item #19), by increasing the amount of the contract from \$3,835,468 by \$452,448 to an amount not to exceed \$4,287,916.

#7C Authorized to amend the Fuel Assistance Program contract with Southern NH Services, Inc., Manchester, NH, (previously approved by G&C on 9-25-02, item #22, amended on 2-19-03, item #16), by increasing the amount of the contract from \$4,774,831 by \$565,587 to an amount not to exceed \$5,340,418.

#7D Authorized to amend the Fuel Assistance Program contract with Rockingham Community Action, Inc., Portsmouth, NH, (previously approved by G&C on 9-25-02, item #19, amended on 2-19-03, item #15), by increasing the amount of the contract from \$1,834,770 by \$213,005 to an amount not to exceed \$2,047,775.

#7E Authorized to amend the Fuel Assistance Program contract with Strafford County Community Action Committee, Inc., Dover, NH, (previously approved by G&C on 9-25-02, item #21, amended on 2-19-03, item #17), by increasing the amount of the contract from \$1,464,002.60 by \$169,826 to an amount not to exceed \$1,633,828.60.

#7F Authorized to amend the Fuel Assistance Program contract with Southwestern Community Services, Inc., Keene, NH, (previously approved by G&C on 9-25-02, item #18, amended on 2-19-03, item #18), by increasing the amount of the contract from \$2,156,964 by \$252,205 to an amount not to exceed \$2,409,169.

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#8 Authorized Nicole L Desilets-Bixler, Hampton, NH, be nominated for promotion to the rank of Lieutenant Colonel NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified. This is a position vacancy promotion.

#9 Authorized Paul N Loiselle, Falmouth, ME, be nominated for promotion to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified. This is a position vacancy promotion.

#10 Authorized to enter into a **sole source** memorandum of agreement with the University of NH, Chemical Engineering Department, Pollution Prevention Partnership, Durham, NH, to support the development of a Pollution Prevention Plan in accordance with Federal Executive Order, "Greening the Government Through Leadership in Environmental Management" of April 21, 2000, in an amount not to exceed \$13,000. Effective upon G&C approval through January 31, 2004.

#11 Authorized to amend a grant that extends the expenditure period for funds received from the Federal Government (National Guard Bureau) for the cost of National Guard Telecommunications within the State of NH through November 30, 2005 to a new end date of March 1, 2008, in the amount of \$655,456. (2)Further Authorized to amend the contract with Third Rail Americans Inc., Nashua, NH, (previously approved by G&C on 12-6-00, item #45), for Microwave Wide Area Network Services, data, voice, and video, extending the end date of the original five year contract from November 30, 2005 to a new end date of March 1, 2008.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#12 Authorized to accept and place on file the Report and Findings of Councilor Peter J Spaulding with regard to the Capital Note and Revenue Anticipation Note Program-Statewide project.

#13 Authorized to accept and place on file the Report and Findings of Councilor Peter J Spaulding with regard to the NH Higher Education Loan Corporation – Concord – student loan program.

#14 Authorized Ruth Griffin as a designee of the Executive Council to hold a hearing on the attached proposal, detailed in letter dated March 27, 2003, for the construction, renovation, furnishing and equipment project in connection with Phillips Exeter Academy, Exeter, NH.

#15 Authorized Ruth Griffin as a designee of the Executive Council to hold a hearing on the attached proposal, detailed in letter dated April 2, 2003, for the major construction, renovation, and equipping project at Exeter Hospital in connection with Exeter Hospital Obligated Group, Exeter, NH.

#16 Authorized Councilor David K Wheeler as a designee of the Executive Council to hold a hearing on the attached proposal, detailed in letter dated March 31, 2003, for the construction and equipping of the new continuing care retirement community, The Huntington at Nashua, Nashua, NH.

#17 Authorized to accept and confirm the report of Authorized adjustments to agency's quarterly allotments for the period through March 31, 2003.

#18 Authorized Salary adjustment fund and Employee Benefit adjustment fund and in conformance with the Governor and Council action of January 9, 2003, the attached agency transfers were Authorized for the month of March. Detailed in letter dated April 1, 2003.

#19 Authorized to accept and place on file a list of agency transfers Authorized for Fiscal Year 2003 during the month of March.

#20 Authorized the quarterly revised schedule and status report of Capital Budget Projects, detailed in letter dated April 3, 2003.

#21 Authorized Working Capital Warrant in the amount of \$250,000,000 to cover expenditures for the month of May 2003.

#22 Authorized to accept a donation from The College of William and Mary for Donald S Hill to attend the Executive Fellowship in Health Care Budget Tools and Techniques for the State Budget Officers being held on April 23-24, 2003 in Kissimmee, FL. The value of this donation is estimated to be less than \$800.

#23 Authorized to accept a donation for the use of a bus to transport designated personnel to Foxborough, MA, on May 7, 2003 to attend the Northeast District FileNet User Group Meeting. The estimated value of this donation is less than \$1,000.

#24 Authorized Bureau of Court Facilities, to enter into a **retroactive** agreement with Rockingham County Sheriff Department, for security services at the Rockingham County Courthouse, in an amount not to exceed \$20,500 for the one-year term. Effective January 1, 2003 through December 31, 2003.

#25 Authorized Bureau of Court Facilities to amend an existing lease agreement with the Town of Newport, NH, (previously approved by G&C on 6-12-02, item #25), to allow for the relocation of the Newport District Court to a newly renovated town-owned facility in Newport for additional courtroom, office and storage space. Effective March 25, 2003.

#25A Authorized to accept in the name of the State of NH, a gift of a plaque from the NH State Air Force Association honoring NH's Twentieth Century Air Force heroes.

TREASURY DEPARTMENT

#26 The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Spaulding authorized to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of \$8,760.22 to the rightful owners of abandoned or unclaimed funds that have escheated to the general fund.

ATTORNEY GENERAL

The Governor and Council acted as follows:

#27 Authorized to conduct a two-day conference at the Mount Washington Hotel and Resort scheduled for May 29-30, 2003, entitled the Ninth Statewide Conference on Domestic and Sexual Violence at a cost not to exceed \$44,381.80. (2)Further Authorized the Department of Justice to enter into an agreement with the Mount Washington Hotel, for necessary conference facilities and food service for the two-day advanced training conference, in an amount not to exceed \$26,581.80, as part of the cost noted in part one above. (3)Further Authorized the Department of Justice to expend funds in support of the conference noted above as detailed in the attached budget totaling \$4,100 and summarized as follows: \$2,700 for printing expenses including registration brochure, program guides, name tags, certificates, labels and CDs that will include workshop and handout materials; and \$1,400 for mailing and supplies. Effective upon G&C approval through December 31, 2003. (4)Further Authorized the Department of Justice to expend funds in support of the conference noted above as detailed in attached budget totaling \$13,700 summarized as follows: presenter speaking fees, travel and other expenses associated with speaking at the above named conference.

#28 Authorized the Department of Justice to enter into a sub-grant for the Enforcing of Underage Drinking Laws, with the University of NH, in the amount of \$15,000 to assist in the need for increased alcohol enforcement activities. Effective **retroactive** to April 10, 2003 through May 31, 2003.

#29 Authorized the Department of Justice to enter into sub-grants with the jurisdictions outlined in letter dated April 3, 2003, to be used to purchase personal protective equipment for local law enforcement and emergency medical services personnel and decontamination supplies for fire departments, in the amount of \$152,111.49. Effective upon G&C approval to June 30, 2004.

#30 Authorized the Department of Justice to accept and expend a grant in the amount of \$18,352.13 from the Bureau of Justice Assistance, to be used to reimburse the below listed state agencies for the purpose of Ballistic Vests. Effective upon G&C approval until September 30, 2003.

#31 Authorized the Department of Justice to enter into sub-grants with the jurisdictions outlined in letter dated April 3, 2003, to be used to purchase personal protective equipment for local law enforcement and emergency medical services personnel and decontamination supplies for fire departments, in the amount of \$197,988.16. Effective upon G&C approval to April 24, 2005.

#32 **DENIED** – The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wheeler denied the request of Tonya Koehler requesting a pardon hearing for the offences of Conspiracy to Commit Kidnapping in Hillsborough County and Escape in Belknap County should be granted. Ms. Koehler is not eligible for an annulment.

#33 Authorized the petition of Byron J. Rollins requesting a pardon **hearing** for the offense of Simple Assault. Mr. Rollins is not currently eligible for an annulment.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#34 Authorized the Division of Historical Resources to award a federally funded historic barn restoration grant to Ruby Wallace, Columbia, in the amount of \$10,400 as detailed in letter dated March 28, 2003.

#35 Authorized the Division of Libraries, to enter into a **sole source** contract with Gaylord Information Systems, Syracuse, NY, for data extraction services in the amount of \$6,750. Effective upon G&C approval through June 30, 2003. (2)Further Authorized Division of Libraries to make a payment to Gaylord Information Systems, in the amount of \$3,232.75 for software maintenance of the Galaxy Computerized Library System. Effective **retroactive** to January 1, 2003 through March 31, 2003. **Sole Source.**

HIGHWAY SAFETY AGENCY

#36 The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the NH Highway Safety Agency to accept and expend an additional \$4,319.49 in federal highway safety funds from the National Highway Traffic Safety Administration with the budget as indicated in letter dated March 26, 2003.

EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#37 Authorized with Councilor Wheeler voting – **no**, to enter into an agreement with the Workforce Opportunity Council Inc., for customer satisfaction survey services related to NHES provided services and as required by the Workforce Investment Act and the Wagner-Peyser Act, in the amount of \$14,400. Effective upon G&C approval through December 31, 2003.

#38 Authorized to enter into a service agreement with John C. Pratt Company for ceiling renovation services at NHES's Laconia office, in the amount of \$4,089. Effective upon G&C approval through June 30, 2003.

#39 Authorized to enter into a service agreement with Limmer Landscaping & Property Services Inc., for shrub, tree, and lawn care services at NHES's Conway Job and Information Center, in an amount not to exceed \$7,786 annually for the first year and in an amount not to exceed \$5,856 for each of the two subsequent years for an agreement total not to exceed \$19,498 for the three year period. Effective upon G&C approval through October 31, 2005.

#40 Authorized to enter into an amended **sole source** service agreement with Grounds Care Unlimited, Inc., (previously approved by G&C on 11-13-02, item #59), for snow plowing and removal services at NHES's Portsmouth, NH local office, by increasing the annual agreement amount of \$10,000 by \$3,500 to the revised annual amount of \$13,500. Effective upon G&C approval through June 30, 2003 only.

#41 Authorized to enter into an amended service agreement with Elf's Landscaping, Inc., (previously approved by G&C on 12-4-02, item #36), by increasing the annual agreement amount of \$10,000 by \$2,500 to the revised annual amount of \$12,500. Effective upon G&C approval through June 30, 2003 only.

#42 Authorized to enter into a service agreement with Julie Anne Van Dyne, dba A Home Away From Home, to provide janitorial services for the NHES's Conway local office, in the amount not to exceed \$9,300 annually for an agreement total of \$27,900 for the three year period upon G&C approval through June 30, 2006.

DEPARTMENT OF CORRECTIONS

#43 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton authorized to transfer \$236,323 and authorization for additional funding in the amount of \$1,162,019 for outside medical, dental and pharmacy expenses, as specified in letter date March 25, 2003. **Fiscal Committee approved.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#44 Authorized to enter into a contract with Silver Technologies, Inc., Manchester, NH, for adjustments to the database maintained by the Division of Travel and Tourism Development's Film and Television Office, for a total cost of \$4,950. Effective through June 30, 2003. (2)Further Authorized advance payment in the amount of \$2,475 upon G&C approval.

#45 Authorized the Division of Forests and Lands to enter into an agreement with The Nature Conservancy to undertake management measures and outreach activities to maintain and promote protection of NH's native plant species and natural plant communities for a total of \$47,500. Effective upon G&C approval through December 31, 2003.

#46 Authorized Division of Forest and Lands, Forest Protection Bureau to enter into a contract, as detailed in letter dated April 2, 2003, on a **sole source** basis with Hearst-Argyle Television, Inc WMUR-TV9 of Manchester, NH, to buy commercial air time to heighten awareness of the public in wild land fire issues, in the amount of \$7,500. Effective upon G&C approval through December 31, 2003.

FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#47 Authorized to accept and expend \$202.54 from Mr. and Mrs. Edward Salk for expenses resulting in their rescue by Fish and Game Personnel on August 14, 2002, and to provide these funds to the NH Outdoor Council, for the purpose of providing search and rescue equipment or training of volunteers. Effective upon G&C approval.

#48 Authorized to hold the fourteenth annual Discover Wild NH Day at its headquarters building in Concord, NH, on April 26, 2003 from 10 am – 3 pm. Cost of supplies, tent rental, publicity and other items necessary to run the event not to exceed \$4,700.

#49 Authorized to grant utility easement on a parcel of Fish and Game owned land in Holderness to NH Electric Cooperative for installation of utilities to the Department's Hunter Education Facility. (2)Further Authorized to grant a Limited Encroachment Easement to the N. Joan Sterndale Trust on a parcel of Fish and Game owned land in New Hampton.

#50 Authorized to enter into a contract with Dr. Anthony J Fedler, Gainesville, FL, for conducting surveys to evaluate the effectiveness of the Department's marketing strategies to increase angling participation among two target audiences, in the amount of \$12,700. Effective upon G&C approval through December 31, 2003.

#51 Authorized to enter into Off Highway Recreational Vehicle Law Enforcement Contracts in the amount of \$100,277.52 for aiding the police department with funding to provide enforcement within their jurisdictions, as detailed in letter dated March 31, 2003. Effective upon G&C approval through June 30, 2003.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#52 Authorized to accept and expend \$52,250 in federal flow through funds from the Department of Transportation, for the purpose of implementing a heavy-duty diesel truck and bus compliance assistance initiative. Effective upon G&C approval through October 30, 2004.

#53 Authorized to accept and expend the amount of \$15,774 from the US Environmental Protection Agency, under the provisions of the Assistance Amendment Grant awarded September 12, 2002 for a study on arsenic levels in drinking water. (2)Further Authorized to execute a memorandum of agreement with the US Geological Survey Atlanta, GA, in the amount of \$13,774. Effective upon G&C approval through June 30, 2003.

#54 Authorized to accept and expend \$225,000 in federal funds from the US Department of Commerce, National Oceanic & Atmospheric Administration, for a multi-purpose rapid response oil skimmer. (2)Further Authorized to enter into a contract with the Piscataqua River Cooperative, Portsmouth, NH, for the purpose of purchasing a multi-purpose rapid response oil skimmer, in the amount of \$212,000. Effective upon G&C approval through June 30, 2003.

#55 Authorized to accept and expend \$15,145 in federal funds to host a national wetlands conference. Effective upon G&C approval through December 31, 2003. Detailed in letter dated March 12, 2003.

#56 Authorized to **retroactively** amend a Joint Funding Agreement with the US Geological Survey, US Department of Interior, Pembroke, NH, (previously approved by G&C on 8-23-00, item #74), by extending the completion date to September 30, 2003 from December 31, 2002.

#57 Authorized to enter into a grant in aid agreement with the Town of Merrimack, NH, for closure of the Town of Merrimack's Phase I Unlined Municipal Landfill in an amount not to exceed \$500,000. Effective upon G&C approval.

#58 Authorized to award a Household Hazardous Waste Grant to the City of Portsmouth, NH, for the purpose of conducting a household hazardous waste collection project, for an amount not to exceed \$4,953.40. Effective upon G&C approval through June 30, 2003.

#59 Authorized to enter into a **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, South Portland, ME, in the amount of \$16,400 for laboratory testing of shellfish tissue for the NH Gulfwatch Program. (2)Further Authorized to award an advance payment in the amount of \$16,400 to the Association of US Delegates to the Gulf of Maine Council in accordance with the terms of the grant agreement. Effective upon G&C approval through December 31, 2004.

#60 Authorized to enter into a grant agreement with the City of Laconia, NH, for the Weirs Beach storm-water evaluation and design, in the amount of \$7,000. Effective upon G&C approval through December 31, 2003.

#61 Authorized to enter into an agreement with the Nashua Regional Planning Commission, Nashua, NH, for the creation of the Souhegan River Watershed Management Plan, in the amount of \$21,000. Effective upon G&C approval through June 30, 2005.

#62 Authorized to enter into an agreement with the Green Mountain Conservation Group, South Effingham, NH, for the Ossipee Lake Protection Project, in the amount of \$17,000. Effective upon G&C approval through December 31, 2005.

#63 Authorized to enter into an agreement with the Town of Amherst, NH, for the Amherst Baboosic Lake Community Septic System Design, in the amount of \$7,800. Effective upon G&C approval through December 31, 2004.

#64 Authorized to enter into an agreement with the Balmoral Improvement Association, Moultonborough, NH, for implementation of the Middle Brook Canal Dredging Project, in the amount of \$51,126. Effective upon G&C approval through April 30, 2005.

#65 Authorized to enter into an agreement with the Town of Lisbon, NH, for drainage system mapping and development of storm-water best management practices, in the amount of \$20,250. Effective upon G&C approval through December 31, 2004.

#66 Authorized to enter into an agreement with the NH Municipal Association, Concord, NH, for the creation of a Local Motor Vehicle Salvage Facility Regulations Handbook for Municipal Officials, in the amount of \$16,474. Effective upon G&C approval through December 31, 2005.

#67 Authorized to enter into an agreement with the Lake Winnepesaukee Association, Meredith, NH, for tributary monitoring in the Lake Winnepesaukee watershed, in the amount of \$18,106. Effective upon G&C approval through June 30, 2006.

#68 Authorized to enter into an agreement with the Town of Newbury, NH, for Gillingham Drive storm-water management improvements, in the amount of \$17,350. Effective upon G&C approval through December 31, 2004.

#69 Authorized to enter into an agreement with the Swift River Local Advisory Committee, Albany, NH, for channel stability analysis and preparation of conceptual plans, in the amount of \$9,600. (2)Further Authorized to award an advance payment in the amount of \$2,000 to the Swift River Local Advisory Committee in accordance with the terms of the grant agreement. (3)Further Authorized to enter into an agreement with the Swift River Local Advisory Committee, Albany, NH, for channel stability analysis and preparation of conceptual plans, in the amount of \$6,000. (4)Further Authorized to award an advance payment in the amount of \$1,000 to the Swift River Local Advisory Committee in accordance with the terms of the grant agreement. Effective upon G&C approval through December 31, 2004.

#70 Authorized to enter into a memorandum of agreement with the New England Interstate Water Pollution Control Commission (NEIWPC) for the purpose of carrying out activities related to the Total Maximum Daily Load Program (TMDL). (2)Further Authorized to accept and expend \$21,000 from NEIWPC to pay the Laboratory for lab analyses associated with water quality studies to determine if TMDLs are necessary. Effective upon G&C approval through May 31, 2004.

#71 Authorized Charles M Grinnell's permit amendment request to reflect as-built dimensions to remove an existing permanent pier and an existing seasonal dock and fill to construct breakwater, with a gap at the shoreline, and a cantilevered pier accessed by a walkway on Lake Winnepesaukee in Alton.

#72 Authorized Gregg L Gentile's request to construct a permanent pier and ramp leading to a moored float, providing two slips on frontage on property located along the Piscataqua River in Dover.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of Finance

#73 Authorized to amend the agreement with the Secretary of the US Department of Health and Human Services, to extend Social Security and Medicare coverage to the employees of Town of Epsom whose positions are covered by the NH Retirement System-Group I. Effective January 1, 2003.

#74 Authorized to amend the agreement with the Secretary of the US Department of Health and Human Services on behalf of the Towns of Canterbury and Bartlett, for the purpose of 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.

New Hampshire Hospital

#75 Authorized to **retroactively** enter into an Educational Tuition Agreement and to pay said costs in the amount of \$678, detailed in letter dated March 19, 2003.

#76 Authorized to increase the annual salary of Iva Pravdova, MD, Physician in charge by \$3,000 for being board certified.

#77 Authorized to compensate Brian Loughlin, a Mental Health Worker Trainee in the Patient Care Services area, for time lost while recovering from a work-related injury in accordance with Compensation for State Employees Injured in Line of Duty.

#78 Authorized to compensate George LeBrun, a Mental Health Worker in the Patient Care Services area, for time lost while recovering from a work-related injury in accordance with Compensation for State Employees Injured in Line of Duty.

#79 Authorized to compensate Jesse Stillman, a Mental Health Worker in the Patient Care Services area, for time lost while recovering from a work-related injury in accordance with Compensation for State Employees Injured in Line of Duty.

Office of Community & Public Health

#80 Authorized with Councilor Wheeler voting – **no**, to establish a Counter Clerk III position through June 30, 2003, as specified in their letter dated January 27, 2003. **Fiscal Committee approved.**

Division for Juvenile Justice Services

#81 Authorized to amend an agreement with the County of Strafford, Dover, NH, (previously approved by G&C on 10-9-02, item #93), for Juvenile Offender Locating Team supervision by increasing the price limitation by \$4,500 from \$9,357 to \$13,857. Effective upon G&C approval through September 30, 2003.

Division for Children, Youth & Families

#82 Authorized with Councilor Wheeler voting – **no**, to pay a membership fee to the American Public Human Services Association, Washington, DC, for annual membership renewal, in an amount not to exceed \$6,000. Effective upon G&C approval through December 31, 2003.

#83 Authorized to extend an existing agreement with Susan Fimilaro, Bedford, NH, (previously approved by G&C on 5-15-02, item #121), for Early Childhood Credential application services by increasing the agreement amount by \$15,600 to a new price limitation of \$34,200 and extending the end date to June 30, 2004. Effective July 1, 2003.

Office of Health Planning & Medicaid

#84 Authorized Special Medical Services Bureau to amend an existing contract with Camilla D. Jones, MD, Holderness, NH, (previously approved by G&C on 7-5-01, item #62, amended on 5-29-02, item #76), to provide developmental pediatric consultation to the Bureau's specialty clinics for children with neuromotor disabilities, by increasing the price limitation by \$6,800 from \$122,020 to \$128,820. Effective upon G&C approval through June 30, 2003.

Office of Program Support

#85 Authorized Office of Program Support, Bureau of Food Protection to enter into a **sole source** agreement with the NH Grocers Association, Manchester, NH, to provide meeting space and administrative support to NH Safe Food Alliance, in the amount of \$4,000. Effective upon G&C approval through June 30, 2003.

Division of Elderly & Adult Services

#86 Authorized to enter into an agreement with Community Action Program Belknap-Merrimack Counties, Inc., Concord, NH, to support the coordination of a transportation service program to meet the transportation needs of elderly and disabled adults in an amount not to exceed \$14,082. Effective upon G&C approval through June 30, 2003.

CHRISTA MCAULIFFE PLANETARIUM

#87 Authorized to enter into a contract with Dana Biscotti Myskowski, Henniker, NH, to write the script for the Christa McAuliffe Planetarium's multi-media planetarium show, Breathing Space, in an amount not to exceed \$18,600. Effective upon G&C approval to July 31, 2003.

NH COMMUNITY TECHNICAL COLLEGE SYSTEM

The Governor and Council acted as follows:

#88 Authorized the Manchester and Stratham College to accept and expend an additional \$46,600 in federal funding from the Title IV Financial Aid Federal Work Study Program. Effective upon G&C approval through June 30, 2003. Detailed in letter date March 31, 2003.

#89 Authorized to enter into a contract with Daniel G Boudette Specialized Turf Services, Pembroke, NH, for the purpose of athletic field maintenance at NHTI, in the amount of \$7,253.40. Effective upon G&C approval through November 15, 2003.

#90 Authorized the NH Community Technical College System and the Christa McAuliffe Planetarium to enter into an agreement with Ameresco Inc., Framingham, MA, to implement energy and resource conservation measures through-out various campuses of the NH Community Technical College System location throughout the state, including the Christa McAuliffe Planetarium, for a total limitation of \$1,401,108. Effective upon G&C approval through April 30, 2014. (2)Further Authorized to encumber funds for monitoring and verification services in the amount of \$73,934.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#91 Authorized to amend contract with Bernard T Davis, Contoocook, NH, (previously approved by G&C on 6-12-02, item #123), to assist in the administration of grants to local school districts under the federal School Renovation/IDEA/Technology Grant Program, by extending the termination date from June 30, 2003 to December 31, 2003.

#92 Authorized to exercise renewal option and enter into a grant with the Southeastern Regional Education Service Center, Inc., Bedford, NH, (previously approved by G&C on 8-14-02, item #213, amended on 3-19-03, item #127), to provide training and assigning of surrogate parents for educationally disabled students, for an amount not to exceed \$93,435.12. Effective July 1, 2003 through June 30, 2004. (2)Further Authorized unencumbered payment of said grant with internal accounting control within the Department of Education.

#93 Authorized to grant funds to the Southeastern Regional Education Service Center, Inc., Bedford, NH, to develop and implement a regionally-based Statewide Early Childhood Professional Development Technical Assistance Network, for an amount not to exceed \$100,000. Effective July 1, 2003 through June 30, 2004. (2)Further Authorized unencumbered payment of said grant with internal accounting control within the Department of Education. (3)Further Authorized to exercise a renewal option on this grant for up to three additional fiscal years, pending legislative approval of the next two biennium budgets.

#94 Authorized to enter into a contract with Riverbend Community Mental Health, Inc., Concord, NH, to provide vocational rehabilitation and employment related services to adults with serious mental illness, in an amount not to exceed \$32,335. Effective upon G&C approval to March 30, 2004. (2)Further Authorized to make advanced quarterly payments in the amount of \$8,083.25 for services to be provided under the terms of the contract.

POLICE STANDARDS & TRAINING COUNCIL

#95 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Wieczorek authorized to enter into a **sole source** service agreement with Computer Design Ranges, Inc, Algonquin, IL, to perform repairs and an upgrade to the indoor firing range at the Concord facility, at a cost not to exceed \$60,000.

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#96 Authorized to accept and expend a \$5,678.96 grant from the NH Highway Safety Agency entitled "DMV Commercial Vehicle Enforcement Patrols". Effective upon G&C approval through September 15, 2003. Detailed in letter dated April 2, 2003.

#97 Authorized to accept and expend a grant entitled "Join The NH Clique Seat Belt Campaign" from the NH Highway Safety Agency, to assist in enforcing the states child passenger safety law on seat belts, for \$45,795.16. Effective May 1, 2003 through December 15, 2003.

#98 Authorized to accept and expend an additional \$22,469 from the US Department of Transportation for the continuing grant entitled "Fatal Accident Reporting System", to continue the reporting of statistics in the Fatal Accident Reporting System. Effective upon G&C approval through September 30, 2003.

#99 Authorized to accept three dogs into the Canine Unit of the State Police. Detailed in letter dated March 27, 2003.

#100 Authorized to **retroactively** enter into a contract with Pat Neal, Newfields, NH, for snow plowing Troop A and MV Substation at Epping, in the amount of \$7,500. Effective November 1, 2002 to June 30, 2003.

#101 Authorized the Division of Fire Safety and Emergency Management to **retroactively** amend a memorandum of understanding, (previously approved by G&C on 8-22-01, item #31, amended on 6-26-02, item #122), that expired on December 31, 2002, to create a Dam Removal Plan to guide the removal of unwanted and potentially hazardous dams in the State of NH, by modifying the scope of work and extending the completion date to June 30, 2003.

#102 Authorized to enter into a **retroactive** contract with Bruce E Robinson Co for the FY 2002/2003, for snow-plowing, in the amount of \$10,000 to be encumbered as detailed in letter dated March 31, 2003. Effective November 1, 2002 through June 30, 2003.

#103 Authorized to amend an existing contract with Waste Management of Londonderry, NH, for trash pick-up, by increasing the FY 2003 amount from \$10,080 to \$11,008 an increase of \$928. Effective upon G&C approval through June 30, 2003.

#104 Authorized the renewal permit application of twenty moorings, for Lakeside Village Association, Inc., Newfound Lake, Bristol, NH. Lakeside Village Association, Inc. had been previously issued a permit for twenty moorings in 1998.

#105 Authorized the renewal permit application of forty-three moorings, for Freedom Village Condominium Association, Ossipee Lake, Freedom, NH. Freedom Village Condominium Association had been previously issued a permit for forty-three moorings in 1998.

#106 Authorized the renewal permit application of seven moorings, for Lochhaven Realty Trust, Ossipee Lake, Ossipee, NH. Lochhaven Realty Trust had been previously issued a permit for seven moorings in 1998.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#107 Authorized to accept and place on file the Bureau of Right-of-Way's contemplated award list for the period March 13, 2003 through March 25, 2003.

#108 Authorized the Bureau of Turnpikes contract with Pinard Waste Systems Co., Inc., Manchester, NH, to provide rubbish disposal services for South Nashua Maintenance Facility and Nashua Welcome Center, Central Turnpike, Nashua, NH, totaling \$9,152. Funding for FY 2004 and 2005 is contingent upon the availability and continued appropriation of funds. Effective upon G&C approval through June 30, 2005.

#109 Authorized Bureau of Turnpike contract with Coastline Waste Services, LLC, Portsmouth, NH, to provide rubbish disposal services for Hilton Park, Spaulding Turnpike, Dover, NH, seasonally for the period May 1, 2003 through October 31, 2003 and May 1, 2004 through October 31, 2004 totaling \$8,031.96. Funding for FY 2004 and 2005 in contingent upon the availability and continued appropriation of funds.

#110 Authorized Bureau of Turnpike contract with Union Meadows Company LLC, dba Southeast Portable Services, Union, NH, to provide four chemical portable toilets at Hilton Park, Dover, NH seasonally for the period May 1, 2003 through October 31, 2003 and May 1, 2004, through October 31, 2004 totaling \$6,480. Funding for FY 2004 and 2005 in contingent upon the availability and continued appropriation of funds.

#111 Authorized Bureau of Materials and Research to enter into three contracts for statewide materials inspection and testing having a total combined contract amount not to exceed \$1,050,000 with the companies and in the contract amounts as detailed in letter dated March 25, 2003. Effective upon G&C approval through December 31, 2004.

#112 Authorized Bureau of Highway Design to enter into an agreement with Hoyle, Tanner & Associates Incorporated, Manchester, NH, for reconstruction of NH Route 26 in Town of Colebrook, NH, for a lump-sum fee of \$494,094. Effective upon G&C approval through twenty-six months from the date of the Notice to Proceed.

#113 Authorized Division of Aeronautics to accept additional federal funds (previously approved by G&C on 6-26-02, item #323), in the amount of \$20,558 for the Nashua Airport, Boire Field, airport development project, AIP-22. (2)Further Authorized to grant additional state assistance to the City of Nashua, NH, in the amount of \$1,142.11 for AIP-22 an Airport Development Project to install airport security fencing, increasing the original federal project share from \$187,278 to \$207,836.

#114 Authorized Construction Bureau to increase contract with Evroks Corporation of Winnisquam, NH, (previously approved by G&C on 4-3-02, amended on 10-9-02), by \$35,904.28, for construction associated with the rehabilitation and safety improvements on the bridge carrying I-93 Collector-Distributor Road over I-89, northbound and southbound and Turkey River.

#115 Authorized Bureau of Construction contract with R.J. Olszak dba, All-Ways Wrecking, Bridgewater, NH, on the basis of a low bid of \$68,825, for demolition of buildings: the Northwood Nottingham contract will remove structures along the US Route 4 and NH Route 152 on three state-owned parcels. Madbury contract will remove structures on a state-owned parcel at the intersection of NH 155 and Pudding Hill Road and the Concord-Laconia contract will remove structures on at state-owned parcel along NH 106. Effective upon G&C approval through July 3, 2003.

#116 Authorized Bureau of Construction contract with Stewarts' Nursery, Inc., Turners Falls, MA, on the basis of a low bid of \$171,851. This contract consists of landscaping and related work associated with the construction of the new Hillsborough by-pass (Rte. 202 & 9) in the Town of Hillsborough. Effective upon G&C approval through July 30, 2004.

#117 Authorized Bureau of Construction contract with Visi-Flash Rentals Eastern, Inc. Dedham, MA, on the basis of a low bid of \$802,418, for removing and replacing signs, sign structures and sign bases along the northbound and southbound of I-93 and I-293/FE Everett Turnpike through the City of Manchester, Bedford and the Town of Hooksett. Effective upon G&C approval through May 14, 2004.

#118 Authorized Bureau of Construction contract with T. Buck Construction Inc., Auburn, ME, on the basis of a low bid of \$685,859.79, for rehabilitation and safety improvements to Bridge No. 098/115, which carries the Spaulding Turnpike over the Branch River. Effective upon G&C approval through October 31, 2003.

#119 Authorized Bureau of Construction contract with E.D. Swett Inc., Concord, NH, on the basis of a low bid of \$8,023,933.87, for construction of the NH 111 bypass bridge over Harris Road and Flatrock Brook, and also construct the embankment fill between existing NH 28 and the new bridge and includes the reconstruction of Harris Road in the vicinity of the new bridge. Effective upon G&C approval through November 1, 2004.

#120 Authorized Bureau of Construction contract with Evroks Corporation, Winnisquam, NH, on the basis of a low bid of \$888,481.86, for bridge rehabilitation and safety improvements to the bridge carrying Tolend Road over the Spaulding Turnpike. Effective upon G&C approval through September 26, 2003.

#121 Authorized Bureau of Construction contract with Barletta Heavy Division, Inc., Rolindale, MA, on the basis of a low bid of \$2,114,726.75, for pavement rehabilitation and safety work along US Route 4 in the Towns of Northwood, Nottingham, Barrington and Lee and along the NH Route 125 in the Town of Lee. The Route 4 section begins at the pavement joint at Ridge Road in Northwood and proceeds east to the traffic circle in Lee, Route 125 section begins at the traffic circle in Lee and proceeds south to the pavement joint north of Route 152. Effective upon G&C approval through September 26, 2003.

#122

TUITION REQUESTS

The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Wheeler authorized the requests:

- A. **ADMINISTRATIVE SERVICES** - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$615.00 for the sole purpose of enrolling Donna L. Raymond, Administrator I, in the course entitled "Government and Business".
- B. **COMMUNITY TECHNICAL COLLEGE** - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$452.00 for the sole purpose of enrolling Sheri Gonthier, Financial Aid Officer, in the course entitled "Introduction to the Humanities I: Greece through the Renaissance".
- C. **COMMUNITY TECHNICAL COLLEGE** - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$452.00 for the sole purpose of enrolling Sheri Gonthier, Financial Aid Officer, in the course entitled "Personal Financial Planning".
- D. **EDUCATION** - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$606.00 for the sole purpose of enrolling Teresa Vincent, Program Specialist II, in the course entitled "Database Management Systems".
- E. **EDUCATION, Vocational Rehabilitation** - Request permission to pay Springfield College, St. Johnsbury, VT, the sum of \$3,429.00 for the sole purpose of enrolling Jean Mainguy, Rehabilitation Counselor II, in the courses entitled "Medical Aspects of Disability", "Economics of Change" and "Research Project, Phase III".
- F. **HEALTH & HUMAN SERVICES, Employee Assistance Program** - Request permission to pay the University of New Hampshire, Durham, NH, the sum of \$614.00 for the sole purpose of enrolling Linda Brewer, Employee Assistance Program Specialist, in the course entitled "Research Methods in Social Work".
- G. **HEALTH & HUMAN SERVICES, Employee Assistance Program** - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$606.00 for the sole purpose of enrolling Patricia Thompson, Administrative Assistant, in the course entitled "Advanced Public Speaking".
- H. **HEALTH & HUMAN SERVICES, Office of Finance** - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$615.00 for the sole purpose of enrolling Margaret Curtis, Accountant II, in the course entitled "Cost Accounting I".

- I. **HEALTH & HUMAN SERVICES, Division for Children, Youth & Families** - Request permission to pay Springfield College, Manchester, NH, the sum of \$1,835.00 for the sole purpose of enrolling Anna Phinney, Child Protective Service Worker I, in the courses entitled "Leadership: A Lifelong Journey" and "Project I".
- J. **HEALTH & HUMAN SERVICES, Division for Children, Youth & Families** - Request permission to pay Boston University, Boston, MA, the sum of \$1,360.00 for the sole purpose of enrolling Alyssa Adams, Child Protective Service Worker I, in the course entitled "Social Work Research II".
- K. **HEALTH & HUMAN SERVICES, Division of Family Assistance** - Request permission to pay the College for Lifelong Learning, Gorham, NH, the sum of \$778.00 for the sole purpose of enrolling Lucille Wiemer, Supervisor III, in the course entitled "Theories of Personality".
- L. **NH HOSPITAL** - Request permission to pay New England College, Henniker, NH, the sum of \$936.00 for the sole purpose of enrolling Kimberly Gatchell, Occupational Therapist II, in the course entitled "Managerial Economics of Service Sectors".

Late Items:

The Governor and Executive Council approved the following late items:

PEASE DEVELOPMENT AUTHORITY

- A. Resolved that Pease Development Authority be permitted to make a payment of 650,000.00 as a partial repayment of the FY96 Loan of 1,947,886.00 upon receipt of approval of the Governor and Executive Council.

DEPARTMENT OF TRANSPORTATION

- B. Authorized to pay Waterville Valley Ski Resort an amount not to exceed \$7850.00 for the costs of the facility, food and audio visual equipment to hold the Fifth Annual Bicycle/Pedestrian Conference on May 22, 2003. Further resolved that the DOT be authorized to encumber the total of \$7850.00 and to accept and deposit \$25 per person registration fee, \$75.00 charge for booth space.

DEPARTMENT OF SAFETY

- C. Request approval to enter into a \$11,000.00 snow plowing contract with Mike Wells of Mont Vernon, NH to continue plowing of Troop B and Motor Vehicle sub-station in Milford for the balance of the winter season. Contract effective with G&C approval through 6-30-03.

DEPARTMENT OF ENVIRONMENTAL SERVICES

- D. Authorize the Dept of Environmental services to enter into a sole source, \$27,750 contract with Research Triangle Institute, from the time of Governor and Council approval through March 31, 2004 to provide gravimetric analysis of environmental samples.

Next Governor and Executive Council meeting is scheduled for Wednesday, May 7, 2003 at 10:30 a.m. at the State House in Concord, NH.

The Honorable Board then Adjourned