

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House Concord, New Hampshire
February 19, 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 Burton, seconded by Councilor Wheeler accepted the minutes of February 5, 2003.

The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton accepted the minutes of February 13, 2003.

The Governor and Executive Council, on motion of Councilor Wheeler, seconded by Councilor Burton, confirmed the appointment of several persons nominated for Civil Commissions from the February 5, 2003 meeting.

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

CONFIRMATIONS

Attorney General

The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, with Councilor Wheeler voting – **no**, confirmed:

Peter Heed, Westmoreland	Effective: February 19, 2003
Succeeding: Philip McLaughlin (resigned)	Term: March 31, 2005
	Salary: LL/MAX \$99,317

Cannon Mountain Advisory Board

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, with Councilor Griffin voting – **no**, confirmed:

Georgie Thomas, Thornton	Effective: February 19, 2003
Reappointment	Term: January 1, 2006

Current Use Advisory Board

The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Wieczorek, confirmed:

Thomas Thomson, Orford	Effective: February 19, 2003
(Public Member)	Term: November 16, 2004
Reappointment	

Board of Licensed Dietitians

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, confirmed:

Jil Shangraw, Lebanon	Effective: February 19, 2003
Reappointment	Term: December 6, 2005

State Coordinator of Highway Safety

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wieczorek, confirmed:

Peter Thomson, Orford	Effective: February 19, 2003
Reappointment	Term: February 5, 2008

NOMINATIONS

The Governor nominated the following:

State Board of Education

John E Lyons Jr., Portsmouth
(Replacing Chris Houpis)

Effective: March 28, 2001
Term: January 31, 2007

Human Rights Commission

Gary Daniels, Milford
(Replacing Richard Hesse)

Effective: Upon Confirmation
Term: January 1, 2008

NH Motor Vehicle Industry Board

Archie C. Burnett III, Milford
Reappointment

Effective: Upon Confirmation
Term: January 9, 2007

Nursing Board

Richard Brothers, Campton
(Replacing Mary Lou Asbell)

Effective: May 10, 2003
Term: May 10, 2006

Pari-Mutuel Commission

Timothy J. Connors, Portsmouth
Reappointment

Effective: April 9, 2003
Term: April 9, 2006

Department of Safety; Assistant Commissioner

John A. Stephen, Manchester
Assistant Commissioner
Reappointment

Effective: Upon Confirmation
Term: March 31, 2007
Salary: Group Q/Maximun: \$74,381

University System of NH, Board of Trustees

Edward Dupont, Durham
(Replacing Ralph Brickett)

Effective: Upon Confirmation
Term: June 30, 2007

Veteran's Home, Board of Managers

Donald Caron, Goffstown
(Veteran of Foreign Wars)
Reappointment

Effective: Upon Confirmation
Term: March 31, 2008

BUSINESS FINANCE AUTHORITY

#1 The Governor and Executive Council on motion of Councilor Spaulding, 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 Business Finance Authority's purchase of a loan made by Strafford Economic Development Corporation to Contract Manufacturing Technologies, LLC in Somersworth, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 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 ON FEBRUARY 19, 2003
COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE**

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At approximately 11:00 a.m., the Governor announced that the next matter to be considered would be the purchase by the Business Finance Authority of a loan to be made by Strafford Economic Development Corporation and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loan. The Governor then said that the meeting would hear anyone wishing to speak on the subject. Michael Donahue, Senior Credit Officer of the Authority, briefly explained the project and introduced Dennis McCann, Executive Director of Strafford Economic Development Corporation, and Brian Kelley of Contract Manufacturing Technologies. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Spaulding introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDDING A LOAN PURCHASE UNDER RSA 162-A:10 WITH RESPECT TO A CERTAIN LOAN FROM STRAFFORD ECONOMIC DEVELOPMENT CORPORATION" and moved its adoption, which was seconded by Councilor Wiczorek. There being no discussion, the Governor called for a vote on the motion. Those voting in favor were: The Governor and Councilor Burton, Councilor Spaulding, Councilor Griffin, Councilor Wiczorek, and Councilor Wheeler; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None; The Governor declared that the resolution was passed.

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**A RESOLUTION UNDER RSA 162-A:18
AWARDDING A LOAN PURCHASE UNDER RSA 162-A:10
WITH RESPECT TO A CERTAIN LOAN FROM
THE STRAFFORD ECONOMIC DEVELOPMENT CORPORATION TO
CONTRACT MANUFACTURING TECNOLOGIES, LLC**

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the purchase and acquisition by the Authority of a loan in the principal amount of up to Two Hundred Thousand Dollars (\$200,000) (the "Loan") made by the Strafford Economic Development Corporation, a corporation, organized and existing under the laws of the State of New Hampshire and a local development organization (the "Lender") to Contract Manufacturing Technologies, LLC, a New Hampshire limited liability company (the "Borrower") to be used to purchase a product line and working capital.

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is authorized to approve the recommendation of the Authority and to authorize and approve the purchase of the Loan by the Authority upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed purchase of the Loan by the Authority; and

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

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and after a public hearing the Governor and Council find:

(a) Special Findings.

(i) The purchase and acquisition of the Loan will make available funds for the local or regional promotion, encouragement, or development of business activities in an area where such funds are needed; and

(ii) The Loan to be purchased by the Authority does not impose an undue risk of loss to the Authority.

(b) General Findings.

(i) The purchase of the Loan by the Authority as proposed will serve a public use and provide a public benefit.

(ii) The purchase of the Loan by the Authority as proposed is within the policy of, and the authority conferred by RSA Chapter 162-A.

(iii) The purchase of the Loan by the Authority as proposed will preserve or increase the social welfare 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.

(iv) The purchase of the Loan by the Authority as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the purchase of the Loan by the Authority as recommended by the Authority and authorize the Authority to cause the execution and delivery of a Loan Purchase Agreement substantially in the form submitted to the Governor and Council and to take such further action under the Act with respect to the transaction as may be required.

3. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to February 19, 2003.

OFFICE OF STATE PLANNING

The Governor and Council acted as follows:

#2 Authorized to **retroactively** amend an existing agreement with Rockingham Planning Commission, Exeter, NH, (previously approved by G&C on 4-3-02, item #5), for the purpose of extending the agreement end date from December 31, 2002 to December 31, 2003, under the provisions of the NH Estuaries Program.

#3 Authorized to enter into a memorandum of agreement with the University of NH, Jackson Estuarine Laboratory, Office of Sponsored Research, Durham, NH, to undertake environmental monitoring activities under the provisions of the NH Estuaries Project, in the amount of \$46,200. Effective upon G&C approval through December 31, 2003.

#4 Authorized to enter into a memorandum of agreement with the Department of Safety, Division of Fire Safety and Emergency Management, Concord, NH, to assume direct management of the National Flood Insurance Program, and to transfer certain responsibilities associated with the National Flood Insurance Program from OSP the FS&EM. (2)Further Authorized to accept and expend \$13,500 from OSP and amend the current budget as indicated in letter dated February 3, 2003. Effective upon G&C approval through June 30, 2003.

#5 Authorized to enter into an agreement with the Portsmouth School District, Portsmouth, NH, for a habitat restoration education program, in the amount of \$5,725 under the provisions of the NH Estuaries Project. Effective upon G&C approval through July 31, 2003.

#6 Authorized to enter into an agreement with the Rockingham Planning Commission, Exeter, NH, to conduct non-point source pollution outreach to municipal officials under the provisions of the NH Coastal Program, in the amount of \$11,670. Effective upon G&C approval through December 31, 2003.

#7 Authorized to enter into an agreement with the Town of Troy, NH, to conduct a feasibility study to upgrade town water and sewer systems under the provisions of the Community Development Block Grant Program, in the amount of \$12,000. Effective upon G&C approval through December 31, 2003.

#8 Authorized to enter into an agreement with the Seacoast Land Trust, Portsmouth, NH, to conduct land protection activities for the town of Greenland under the provisions of the NH Estuaries Project, in the amount of \$3,625. Effective upon G&C approval to December 31, 2003.

#9 Authorized to enter into an agreement with Ducks Unlimited, Inc., Exeter, NH, to conduct a restoration of Pickering Creek saltmarsh under the provisions of the NH Coastal Program, in the amount of \$30,000. Effective upon G&C approval through December 31, 2003.

#10 NOT USED

#11 Authorized to amend **retroactively**, an existing agreement with the Town of Derry, NH, (previously approved by G&C on 1-2-01, item #13, amended on 12-19-01, item #4), to allow the Town of Derry to complete the study for elderly housing and purchase the site, by extending the completion date from December 31, 2002 to December 31, 2003.

#12 Authorized to amend an existing memorandum of agreement with the University of NH, Office of Sponsored Research, Durham, NH, (previously approved by G&C on 9-4-02, item #12, amended on 12-18-02, item #4), to convert the existing GRANIT database to a new format, by providing additional funding in the amount of \$32,673 for a new total of \$120,673.

#13 Authorized to amend **retroactively**, an existing agreement with the Town of Hillsborough, NH, (previously approved by G&C on 3-8-00, item #5, amended on 5-15-02, item #5), for a community center feasibility study under the Community Development Block Grant Program, by extending the end date from June 30, 2002 to June 30, 2003.

GOVERNORS OFFICE OF ENERGY AND COMMUNITY SERVICES

The Governor and Council acted as follows:

#14 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 \$5,071,541.59. Effective upon G&C approval through September 30, 2004.

#15 Authorized to amend contract with Rockingham Community Action, Inc., Portsmouth, NH, (previously approved by G&C on 9-25-02, item #19), Fuel Assistance Program, by increasing the amount of the contract from \$1,166,515 by \$668,255 to an amount not to exceed \$1,834,770.

#16 Authorized to amend contract with Southern NH Services, Inc., Manchester, NH, (previously approved by G&C on 9-25-02, item #22), Fuel Assistance Program, by increasing the amount of the contract from \$3,000,424 by \$1,774,407 to an amount not to exceed \$4,774,831.

#17 Authorized to amend contract with Strafford County Community Action Committee, Inc., Dover, NH, (previously approved by G&C on 9-25-02, item #21), Fuel Assistance Program, by increasing the amount of the contract from \$931,206 by \$532,796 to an amount not to exceed \$1,464,002.60.

#18 Authorized to amend contract with Southwestern Community Services, Inc., Keene, NH, (previously approved by G&C on 9-25-02, item #19), Fuel Assistance Program, by increasing the amount of the contract from \$1,365,725 by \$791,239 to an amount not to exceed \$2,156,964.

#19 Authorized to amend contract with Tri-County Community Action Program, Inc., Berlin, NH, (previously approved by G&C on 9-25-02, item #19), Fuel Assistance Program, by increasing the amount of the contract from \$2,416,007 by \$1,419,461 to an amount not to exceed \$3,835,468.

#20 Authorized to amend contract with Community Action Program Belknap-Merrimack Counties, Inc., Concord, NH, (previously approved by G&C on 9-25-02, item #19), Fuel Assistance Program, by increasing the amount of the contract from \$2,008,692 by \$1,179,445 to an amount not to exceed \$3,188,137.

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#21 Authorized John Mirabello, Laconia, NH, be confirmed for appointment to the rank of Lieutenant Colonel, NH Air National Guard.

#22 Authorized Glen R Wass, Stratham, NH, be confirmed for appointment to the rank of Lieutenant Colonel, NH Air National Guard.

#23 Authorized Sean P Mooney, Manchester, NH, be confirmed for appointment to the rank of Major, NH Air National Guard.

#24 Authorized Scott W Normandeau, Manchester, NH, be confirmed for appointment to the rank of Lieutenant Colonel, NH Air National Guard.

#25 Authorized Laurie M Farris, Groveland, MA, be confirmed for appointment to the rank of Lieutenant Colonel, NH Air National Guard.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#26 Authorized Working Capital Warrants, in the amount of \$500,000,000 to cover expenditures for the Month of March 2003. (2)Further Authorized Working Capital Warrant reporting expenditures of \$278,921,681.39 for the Month of January and recommends the balance of \$11,078,318.61 be lapsed.

#27 Authorized Salary and Benefit Adjustment Transfers for the month of January, as indicated in letter dated February 3, 2003.

#28 Authorized list of agency transfers for Fiscal Year 2003, as indicated in letter dated February 3, 2003.

#29 Authorized Bureau of Court Facilities to enter into a **retroactive** contract with Carroll County, Ossipee, NH, to reimburse a portion of the salary paid weekly for the professional services of a Resident Project Representative associated with the construction of the Carroll County Courthouse. Total reimbursements will not exceed \$34,600. Effective August 1, 2002 through December 31, 2003.

#30 Authorized Bureau of Court Facilities to pay Liberty Mutual Insurance Group, Dover, NH, for providing emergency services to evaluate indoor air quality conditions in specific areas of the Rockingham County Courthouse, Brentwood, NH, totaling \$7,920.

TREASURY DEPARTMENT

The Governor and Council acted as follows:

#31 Authorized Abandoned Property Division to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of \$115,893.72 to the rightful owners of abandoned or unclaimed funds that have escheated to the general fund.

#32 Authorized Abandoned Property Division to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of \$12,426.06 to the rightful owners of abandoned or unclaimed funds that have escheated to the general fund.

#33 Authorized amendment to a memorandum of Understanding with the Department of Health and Human Services, Division of Child Support Services, (previously approved by G&C on 5-23-01, item #27), for processing of DCSS checks on Treasury's PayBase check disbursement system in an amount not to exceed \$100,000, by extending the ending date from June 30, 2003 to June 30, 2005 with authority to extend the MOU for an additional two years for an amount to be determined upon amendment and agreement of the parties.

DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

#34 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, authorized to budget and expend prior year unexpended revenues of Animal Population Control fees in the amount of \$136,393. Effective upon G&C approval through June 30, 2003. To be budgeted as detailed in letter dated January 22, 2003.

ATTORNEY GENERAL

#35 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton, authorized Department of Justice to accept and expend a grant in the amount of \$1,032,000 from the US Department of Justice, Violence Against Women Office. Effective upon G&C approval through December 31, 2003.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#36 Authorized with Councilor Wheeler voting – **no**, Division of the Arts, to award Art Links Grants in the amount of \$35,000 to the vendors listed in letter dated January 27, 2003. Effective upon G&C approval through June 30, 2003.

#37 Authorized with Councilor Wheeler voting – **no**, Division of the Arts to enter into a contract with Dharma Creative, Nashua, NH, for the design and layout of various publications for three newsletters and one biennial report in Calendar year 2003, in the amount of \$11,915. Effective upon G&C approval through November 30, 2003.

BANKING DEPARTMENT

#38 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, authorized to continue one Executive Secretary, position #9Temp, salary grade 11 on a full time temporary basis for an additional period of three months. Effective April 1, 2003 through June 30, 2003.

INSURANCE DEPARTMENT

#39 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, authorized to extend a current lease agreement with Pasquale Alosa, Concord, NH, (previously approved by G&C on 8-28-98, item #54, second building approved by G&C on 2-18-98, item #50A), for building space, for an additional two years, in the amount of \$371,294.56. Effective March 1, 2003 through February 28, 2005.

HIGHWAY SAFETY AGENCY

#40 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wieczorek, authorized to enter into a contractual agreement with the Safety & Health Council of NH, to conduct the "Operation Lifesaver" public relations and education campaign, in the amount of \$7,500. Effective upon G&C approval through September 30, 2003. **Sole source.**

PUBLIC UTILITIES COMMISSION

#41 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, authorized to enter into a contract with Steven E Patnaude, CSR, Concord, NH, to provide court-reporting services, in an amount not to exceed \$7,500. Effective upon G&C approval through December 31, 2004.

EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#42 Authorized to enter into a service agreement with Page Belting Company, Inc., for power conveyors and electric hydraulic lift maintenance at NHES's Administrative offices, Concord, NH, in an amount not to exceed \$1,500 annually for an agreement total of \$4,500 for the three year period. Effective upon G&C approval through June 30, 2005.

#43 Authorized to enter into an amended service agreement with Eckhardt & Johnson, Inc., (previously approved by G&C on 8-14-02, item #73), for heating, ventilation, and air conditioning services at NHES's office's in Concord, NH, by increasing the original annual agreement amount of \$35,000 by \$10,000 to the revised annual amount of \$45,000, Effective upon G&C approval through June 30, 2003.

#44 Authorized to enter into a service agreement with Hansen Fox Co., Inc., for plumbing repair services at NHES's offices statewide, in the amount of \$30,000, and \$10,000 annually for each of the two subsequent annual periods, for an agreement total of \$50,000. Effective upon G&C approval through June 30, 2005.

#45 Authorized with Councilor Wheeler voting – **no**, to enter into a service agreement with Holiday Inn, Concord, NH, for the large ballroom, a smaller meeting room and a buffet luncheon for the seventh biennial Wellness Day Conference for the 350 NHES employees and 60 One-Stop Partner employees working in our offices as well as their immediate families for March 29, 2003, in an amount not to exceed \$4,124.35. (2)Further Authorized to expend Federal funds in an amount not to exceed \$4,124.35 to hold the biennial Wellness Day Conference for NHES for the FY 2002-2003 to be held on March 29, 2003.

#46 Authorized to enter into a **retroactive** agreement with the South Carolina Employment Security Commission for voluntary participation in the Labor Market Information Training Institute Consortium. (2)Further Authorized to accept and expend \$5,000 from the SCESC as reimbursement for travel and related costs incurred by the NHES staff in conjunction with this agreement. Effective January 1, 2003 through June 30, 2003.

LIQUOR COMMISSION

The Governor and Council acted as follows:

#47 Authorized to enter into a contract with Thermal Stor Refrigeration Inc., Hooksett, NH, for the sole purpose of providing maintenance, and service of heating, and air conditioning systems at various liquor store locations throughout NH. The total contract price limitation is \$57,937.50. Effective July 1, 2003 through December 31, 2005.

#48 Authorized to enter into an amendment with Thermal Stor Refrigeration Inc., Hooksett, NH, (previously approved by G&C on 6-22-99, item #92, amended on 8-22-01, item #109, amended on 1-23-02, item #34), for the sole purpose of adding maintenance, and service of heating, and air conditioning systems at various liquor store locations throughout NH, by increasing the price limitation from \$95,179.32 to \$105,179.32 an increase of \$10,000.

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#49 Authorized with thanks, to accept a donation of \$100 to be used for educational supplies from the Women's Union Brookside Congregational Church in Manchester, NH.

#50 Authorized with thanks, to accept a donation of 38 books from Kevin Gagnon, NH Area Assembly, Hooksett, NH. The approximate value of these books relating to Alcoholics Anonymous is \$150.

#51 Authorized with thanks, to accept a donations of ink stamps from Mary Alice Warner, Volunteer, Center Harbor, NH. The approximate value of this donation if \$15.

#52 Authorized with thanks, to accept a donation of books and book bags from Ann Trombly, NH Circle of Home and Family Association, Laconia, NH. The approximate value of this donation is \$105.

#53 Authorized with thanks, to accept donations of various sewing materials and notions with a total value of \$1,230. The donations were made from November 4, 2002 through December 23, 2002 from the various individuals as indicated in letter dated February 3, 2003.

#54 Authorized with thanks, to accept donations of various sewing materials and notions with a total value of \$1,520.90. The donations were made from September 3, 2002 through October 31, 2002 from the various individuals as indicated in letter dated February 3, 2003.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#55 Authorized Bureau of Ski Operations to submit the year to date regarding season passes issued for Cannon Mountain for the quarter ending December 31, 2002, as detailed in letter date January 28, 2003.
Informational Item.

#56 Authorized Division of Travel and Tourism Development to **retroactively** enter into an Educational Tuition Agreement to pay costs not to exceed \$4,473 as indicated in letter dated January 7, 2003.

#57 Authorized Division of Forests and Lands to purchase, from Marilyn M Ellingwood, Trustee, a certain 113 acre tract of undeveloped forestland with right-of-way off of Lost Nation Rd, Northumberland, NH, to provide access to a considerable portion of the state land that is presently inaccessible, and reducing the states external property boundary would reduce long-term boundary line maintenance costs, for the sum of \$30,000.

#58 Authorized Division of Parks and Recreation to amend a contract with Waste Management of NH Keene, (previously approved by G&C on 7-10-02, item #48), at Greenfield State Park , due to the increase of rubbish removal, increasing the total cost from \$8,440 to \$13,440, a \$5,000 increase. Effective upon G&C approval through June 30, 2003.

#59 Authorized to accept and expend an additional federal grant from the National Park Service, through the Land and Water Conservation Fund, for “Franconia Notch Summit Improvements and Tramway Upgrade project”, Phase Two in the amount of \$385,034.68. (2)Further Authorized to extend the grant date to December 31, 2003.

#60 Authorized the Trails Bureau to enter into Recreational Trails Program grant with Sta-North Economic Development, Stratford, NH, to establish a federal program of allocating funds to the States for development and maintenance of recreational trails, trail education programs and trail-related projects, to assist the organization with funds for trail maintenance in Dixville Notch, in an amount of \$6,005. Effective upon G&C approval with an ending date of September 30, 2003.

#61 Authorized the Trails Bureau to amend the Grant-in Aid Development contracts with the OHRV clubs (Winter Trail Grooming), (previously approved by G&C on 12-4-02, item #46), as indicated in letter dated February 5, 2003, with an increase not to exceed 25% of the original contract.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#62 Authorized to enter into an agreement with the City of Portsmouth, NH, for Peirce Island Pool Discharge Elimination, in the amount of \$15,000. (2)Further Authorized to award an advance payment in the amount of \$3,000 to the City of Portsmouth in accordance with the terms of the grant agreement. Effective upon G&C approval through December 31, 2003.

#63 Authorized to accept and expend \$7,330.72 in federal funds from the US Environmental Protection Agency for expansion of Private Well Initiative outreach efforts through May 31, 2003.

#64 Authorized to amend a contract with the Town of Newmarket, NH, (previously approved by G&C on 4-17-02. item #61), for storm drainage system mapping, by **retroactively** extending the completion date to June 30, 2003 from December 31, 2002.

#65 Authorized to **retroactively** amend a contract with the City of Nashua, NH, (previously approved by G&C on 1-24-01, item #96), for the repair of damage done to an existing trail in Mine Falls Parks by erosion, by extending the completion date to December 31, 2003 from December 31, 2002.

#66 Authorized to amend a contract with Rochester Department of Public Works, Rochester, NH, (previously approved by G&C on 5-23-01, item #60), to produce an EPA Phase II NPDES storm water public education video, **retroactive** to December 31, 2002 through December 31, 2003.

#67 Authorized to **retroactively** amend a contract with the Town of Wolfboro – DPW, Wolfboro, NH, (previously approved by G&C on 12-20-00, item #91), by extending the completion date to December 31, 2003 from December 31, 2002.

#68 Authorized to **retroactively** amend a contract with the Merrimack River Watershed Council, Lawrence, MA, (previously approved by G&C on 4-11-01, item #65), to quantify the potential impact of development on the Powwow River watershed and to make recommendations ho how communities might minimize those impacts, by extending the completion date to December 31, 2003 from December 31, 2002.

#69 Authorized to **retroactively** amend a contract with the City of Manchester, NH, (previously approved by G&C on 5-9-01, item #97), for restoration of a three-acre vacant lot along the Piscataquog River in Manchester, by extending the completion date to December 31, 2003 from December 31, 2002.

#70 Authorized Edward & Joann Holland's request to amend permit, (previously approved by G&C on 5-26-99), to fill, construct breakwater at the shoreline, connect a cantilevered pier to a walkway to a piling pier, dredge below existing access steps, and temporarily impact stockpile stone for breakwater construction on shoreline frontage on property located at Sewall Point on Lake Winnepesaukee in Wolfeboro.

FISH AND GAME DEPARTMENT

#71 The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton, authorized to enter into a **sole source** contract with Cochran & Wilken, Inc., Springfield, IL, for Aquaculture Engineering consultation for hatchery system evaluation of: Berlin, Warren & Twin Mountain hatcheries, submit final study incorporating data from all six State Fish Hatcheries, and technical assistance for National Pollution Discharge Elimination System NPDES permit applications for all six state hatcheries, in the amount of \$150,000. Effective upon G&C approval through June 30, 2005, with the provision for a Contract Renewal for no more than a two-year term, dependent upon the availability of funds and approval of the G&C.

NEW HAMPSHIRE BOARD OF DENTAL EXAMINERS

#72 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, authorized to expend examination fees collected for examinations, related services, and supplies, as long as fees charged to applicants are equivalent to 125% of direct expense of the examination, as indicated in letter date September 24, 2002.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of Information Systems

#73 Authorized to amend an agreement with Scientific Technologies Corporation, Tucson, AZ, (previously approved by G&C on 5-15-02, item #93), by increasing the price limitation for information technology services by \$5,200 from \$75,000 to \$80,200. Effective upon G&C approval.

Office of Community & Public Health

#74 Authorized to amend an existing agreement with Valley Regional Healthcare, Inc., Claremont, NH, (previously approved by G&C on 8-22-01, item #188, amended on 6-26-02, item #157), to enable the contractor to provide breast and cervical cancer screening by increasing the Price Limitation amount by \$5,373 from \$465,441 to \$470,814. Effective upon G&C approval through June 30, 2003.

Division of Family Assistance

#75 Authorized to renew agency membership in the American Public Human Services Association, Washington, DC, in the amount of \$8,494, for the period **retroactive** to January 1, 2003 through December 31, 2003.

Division for Children, Youth & Families

#76 Authorized with Councilor Wheeler voting – **no**, to award one accreditation stipend in the amount of \$750, to the family child care program, and seven accreditation stipends in the amount of \$1,500 per center based child care program, for a total amount not to exceed \$11,250. Effective upon G&C approval through June 30, 2003

#77 NOT USED

#78 Authorized with Councilor Wheeler voting – **no**, to provide quality child care awards in the amount of \$116,995 to a total of twenty accredited child care programs throughout the State of NH who partner with the Department of Health and Human Services to provide child care services. Effective upon G&C approval to June 30, 2003.

#79 NOT USED

Division of Elderly & Adult Services

#80 Authorized to enter into an agreement with Manchester Housing and Redevelopment Authority, Manchester, NH, to provide Congregate Housing Services in an amount not to exceed \$89,090. Effective March 1, 2003 through February 29, 2004.

#81 NOT USED

#82 NOT USED

#83 NOT USED

#84 NOT USED

#85 NOT USED

#86 NOT USED

#87 NOT USED

#88 NOT USED

#89 NOT USED

#90 NOT USED

New Hampshire Hospital

#91 Authorized to accept and expend \$1,873.50 in donations for the quarter ending October 1, 2002 through December 31, 2002, as specified in letter dated February 4, 2003. **Fiscal Committee approved.**

Behavioral Health

#92 Authorized with thanks, to accept and expend \$390 in donations for the quarter ending October 1, 2002 through December 31, 2002, as specified in letter dated February 4, 2003. **Fiscal Committee approved.**

NEW HAMPSHIRE VETERANS HOME

#93 The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton, authorized with thanks, to accept the list of monies totaling \$32,133.87 received during the period of October 1, 2002 to December 31, 2002, as a result of fundraising drives from various organizations and from personal contributions, as detailed in letter dated January 28, 2003.

#94 NOT USED

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#95 Authorized to budget and expend carry forward funds in the amount of \$446,606 from the US Department of Education, to assist all learners to meet high standards. Effective upon G&C approval through June 30, 2003.

#96 Authorized to accept and expend \$108,341 from the US Department of Education, Office of Educational Research and Improvement to develop, implement, evaluate and replicate a comprehensive model of character education throughout NH. Effective upon G&C approval through June 30, 2003.

#97 Authorized to grant funds to Keene State College, Keene, NH, University of NH, Office of Sponsored Research, Durham, NH, Plymouth State College, Plymouth, NH, and Rivier College, Nashua, NH, to jointly develop a secondary transition certificate program designed to prepare educators to support children and youth with disabilities, in an amount not to exceed \$572,773. (2)Further Authorized unencumbered payment of said grant with internal accounting control within the Department of Education. Effective upon G&C approval through August 31, 2004.

#98 Authorized to grant funds to Second Start, Concord, NH, to fund a Year Long Site Program Approval Process, in an amount not to exceed \$10,000. (2)Further Authorized unencumbered payment of said grant with internal accounting control within the Department of Education. Effective **retroactively** to December 1, 2002 through June 30, 2003.

#99 NOT USED

#100 NOT USED

#101 Authorized Division of Adult Learning and Rehabilitation to enter into a contract with Ferd Construction, Inc., Hollis, NH, to provide home modifications to a client's residence, in an amount not to exceed \$6,993. (2)Further Authorized to withhold 10% of the contract price until satisfactory completion of all contract requirements. (3)Further Authorized that a contingency in the amount of \$699.30 be approved for payment because latent conditions exist which may appear during execution of the project. Effective upon G&C approval to June 30, 2003.

NH COMMUNITY TECHNICAL COLLEGE SYSTEM

The Governor and Council acted as follows:

#102 Authorized to accept and expend additional federal funds from the US Department of Education for the TRIO/SSS Grant Program, in the amount of \$229,338. Effective upon G&C approval to August 31, 2003. To be budgeted as indicated in letter dated February 6, 2003.

#103 Authorized Berlin Campus to be granted permission to enter into a **retroactive sole source** license agreement with Berlin High School, Berlin, NH, for the purpose of licensing space to provide educational training programs to the citizens of Coos County, in the amount of \$1,850. Effective From February 4, 2003 through September 30, 2003.

POSTSECONDARY EDUCATION COMMISSION

The Governor and Council acted as follows:

#104 Authorized to award a \$5,500 grant to McIntosh College for the purpose of granting scholarships to NH 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.

#105 Authorized to award a \$6,000 grant to Rivier College for the purpose of granting nursing scholarships to full-time and part-time nursing students who are NH residents and who will be selected for scholarships by the college on the basis of financial need.

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#106 Authorized to accept and expend an additional \$7,044.18 for the grant entitled "State Police DWI Patrols" from the NH Highway Safety Agency, which provides overtime money to maintain high visibility of State Police in order to deter would-be-violators of driving while under the influence of drugs and alcohol.

#107 Authorized Division of Information Technology to accept a grant from the Department of Justice, to be used to continue the development of the State Criminal Justice Information System, known as J-One, in the amount of \$150,000. Effective January 1, 2003 through December 31, 2003.

#108 Authorized to enter into a one year memorandum of agreement with the NH Technical Institute, Concord, NH, to provide classroom space and parking lot space for a Motorcycle Rider Training Program, in the amount of \$24,000. (2)Further Authorized to adjust between fiscal years through the Budget Office, Department of Administrative Services, if needed. Effective April 1, 2003 through October 31, 2003.

#109 Authorized to extend a current rental lease with First Development Corp., Gorham, NH, (previously approved by G&C on 3-18-98, item #105A), for office space, in the amount of \$19,920 per year for a total cost of \$39,840 for the two years. To be budgeted as detailed in letter dated January 14, 2003. Effective April 1, 2003 through March 31, 2005.

#110 Authorized the Division of Fire Safety and Emergency Management to execute a grant agreement with the Town of Grafton, for the purpose of purchasing an emergency generator/housing shelter to power critical facilities, in the amount of \$16,000. Effective upon G&C approval through March 31, 2003.

#111 Authorized a **retroactive** Grant agreement with the Town of Hampton, to be used for overtime for first responders to participate in weapons of mass destruction training programs, in the amount of \$17,586.43. Effective upon G&C approval through January 11, 2003.

#112 Authorized the Division of Fire Safety and Emergency Management to execute an agreement with The University of NH, for the purpose of identifying, collecting and entering survey data on critical facilities in the InCast program in accordance with the copyrighted format provided by Klotz Consultants, Inc., in the amount of \$6,746. Effective upon G&C approval through March 31, 2003.

#113 NOT USED

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#114 Authorized to accept and place on file the Bureau of Right-of-Way's Contemplated Award list for the period of January 16, 2003 through January 28, 2003.

#115 Authorized to accept and place on file the Bureau of Right-of-Way's Contemplated Award list for amounts less than \$5,000 for the time period extending from October 1, 2002 through December 31, 2002.

#116 Authorized the Bureau of Bridge Design to enter into an agreement with the State of Vermont for the rehabilitation of the existing steel arch bridge carrying NH Route 9 over the Connecticut River between Chesterfield, NH, and Brattleboro, VT. Detailed in letter dated January 30, 2003.

#117 Authorized a petition for a hearing on alterations to US Route 3 NH Route 11 and Clark Road intersection, to relocate Clark Road and Town Line Plaza entrance along US Route 3 NH Route 11 in the town of Tilton. This will require the acquisition of some right-of-way, with a total budget of \$3,324.

#118 Authorized Bureau of Right-of-Way to transfer a parcel of State owned property for property needed for the purpose of developing a functional replacement in conjunction with reconstruction of US Rout 302 and replacement of the bridge over the Ellis River in the Town of Bartlett.

#119 NOT USED

#120 NOT USED

#121 NOT USED

#122 NOT USED

#123 NOT USED

#124 **TUITION REQUESTS**

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, authorized the following requests:

- A. **COMMUNITY TECHNICAL COLLEGE** - Request permission to pay Plymouth State College, Plymouth, NH, the sum of \$545.00 for the sole purpose of enrolling Cynthia Davis, Director of Learning Resources, in the course entitled "Learning in Adulthood".
- B. **COMMUNITY TECHNICAL COLLEGE** - Request permission to pay Plymouth State College, Plymouth, NH, the sum of \$545.00 for the sole purpose of enrolling Chris Merritz, Assistant Professor, in the course entitled "Learning in Adulthood".
- C. **COMMUNITY TECHNICAL COLLEGE** - Request permission to pay Plymouth State College, Plymouth, NH, the sum of \$545.00 for the sole purpose of enrolling William Miller, Counselor, in the course entitled "Learning in Adulthood".
- D. **COMMUNITY TECHNICAL COLLEGE** - Request permission to pay Plymouth State College, Plymouth, NH, the sum of \$545.00 for the sole purpose of enrolling Janet Paddack, Professor, in the course entitled "Learning in Adulthood".
- E. **COMMUNITY TECHNICAL COLLEGE** - Request permission to pay Plymouth State College, Plymouth, NH, the sum of \$545.00 for the sole purpose of enrolling Fran Seigle, Professor, in the course entitled "Learning in Adulthood".
- F. **EDUCATION** - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of \$990.00 for the sole purpose of enrolling Carol Angowski, Secretary II, in the course entitled "Project Management".
- G. **EDUCATION** - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of \$990.00 for the sole purpose of enrolling Gary Guzouskas, Administrator, in the course entitled "Project Management".
- H. **EDUCATION** - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$606.00 for the sole purpose of enrolling Ora LeMere, Accounting Technician, in the course entitled "Intro to Business Finance".
- I. **EDUCATION** - Request permission to pay the College for Lifelong Learning, Bow, NH, the sum of \$728.00 for the sole purpose of enrolling Lorraine Payeur, Executive Secretary Stenographer, in the course entitled "Behavior in Organizations".
- J. **EDUCATION** - Request permission to pay the College for Lifelong Learning, Bow, NH, the sum of \$728.00 for the sole purpose of enrolling Lorraine Payeur, Executive Secretary Stenographer, in the course entitled "Principles of Management".
- K. **ENVIRONMENTAL SERVICES** - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$606.00 for the sole purpose of enrolling Wendy Hullinger, Executive Secretary, in the course entitled "Management of Information Technology".

- L. **INSURANCE** - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$678.00 for the sole purpose of enrolling Mary Verville, Financial Records Auditor, in the course entitled "Intermediate Accounting II".
- M. **LIQUOR** - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$678.00 for the sole purpose of enrolling Christina Demers, Statistician I, in the course entitled "Statistics".
- N. **LIQUOR** - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$678.00 for the sole purpose of enrolling Margaret LaBrecque, Accountant III, in the course entitled "Business Ethics".
- O. **NH HOSPITAL** - Request permission to pay the University of Dundee, Scotland, UK, the sum of \$750.00 for the sole purpose of enrolling Diane Allen, Nursing Coordinator, in the Internet course entitled "Dissertation: Masters in Nursing".
- P. **NH HOSPITAL** - Request permission to pay the University of North Texas, Denton, TX, the sum of \$779.64 for the sole purpose of enrolling Wandajune Bishop-Towle, Psychologist, in the Internet courses entitled "Introduction to Verbal Behavior", "Functional Analysis in School Settings" and "Professional/Ethical Issues".
- Q. **NH HOSPITAL** - Request permission to pay New England College, Henniker, NH, the sum of \$936.00 for the sole purpose of enrolling Richard Greenwood, Training & Development Therapist, in the course entitled "Managing Projects".
- R. **NH HOSPITAL** - Request permission to pay New England College, Henniker, NH, the sum of \$936.00 for the sole purpose of enrolling Heather McAllister, Recreational Therapist II, in the course entitled "Managing Projects".
- S. **RETIREMENT** - Request permission to pay the Southern New Hampshire University, Manchester, NH, the sum of \$1,299.00 for the sole purpose of enrolling Jeff Gendron, Investment Analyst, in the course entitled "Research Methods in Business".
- T. **ADMINISTRATIVE SERVICES** - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$615.00 for the sole purpose of enrolling Donna Raymond, Administrator I, in the course entitled "Small Business Management".

#125 TRAVEL REQUESTS

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, authorized the following requests:

- A. **FISH & GAME** - Request permission for (1) employee, Robert Calvert, Wildlife Damage Control Specialist, or designee, to travel to Mount Olive, NJ, on March 2 – 5, 2003, to attend the 17th Eastern Black Bear Workshop. Permission is also requested for a waiver to exceed the 300-mile radius by state vehicle. Total Cost: There will be no cost to the state. Source of Funds: All cost to be covered by USDA APHIS Wildlife Services. No Registration Fees.

TABLED: (from the meeting of 2-5-03)

HEALTH AND HUMAN SERVICES

The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Griffin, voted to remove the following item from the table:

#78 **Office of Knowledge Management and Decision Support**

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Griffin authorized to accept and expend \$50,000 in federal funds, as specified in letter dated January 15, 2003. **Fiscal Committee approved.**

Late Items:

A. OFFICE OF STATE PLANNING

The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Griffin: Authorized to enter into an agreement with Milton, NH and the County of Strafford, Dover, NH to construct a day care facility in the amount of \$400,000 under the provisions of the Community Development Block Program.

B. DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Wieczorek:

Authorized the Division of Alcohol and Drug Abuse Prevention & Recovery to enter an agreement with the NH Association of Broadcasters, Inc., to provide broadcast activities (during the period of January 1, 2003 through December 31, 2003) in an amount not exceeding \$70,000 on behalf of the Governor's Commission on Alcohol and Drug Abuse Prevention, Intervention, and Treatment.

C. DEPARTMENT OF TRANSPORTATION

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Griffin:

Authorized to enter a contract with Brookstone Builders to increase the contingency by \$26,000 for a total contingency of \$150,926 in various locations of the Division of Motor Vehicle Testing Facility.

D. DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton:

Authorized appointment of Councilor Peter J Spaulding to hold a hearing for the NH Higher Education Loan Corporation pursuant to RSA 195-D:21.

E. DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton:

Authorized appointment of Councilor David K Wheeler to hold a hearing for the equipment financing and renovation project in connection with the Mondadnock Community Hospital pursuant to RSA 195-D:21.

F. EMPLOYMENT SECURITY

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Griffin:

Authorized to continue four Certifying Officer III positions salary grade 20 on a full-time temporary basis for an additional period of for months (March 1, 2003 through June 30, 2003), pursuant to the provisions of RSA 21.1:54.

Next Governor and Executive Council meeting is scheduled for Wednesday, March 5, 2003 at 10:30 a.m. at the State House in Concord, NH.

The Honorable Board then Adjourned