

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
 State House, Concord, New Hampshire
 February 5, 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 Wheeler accepted the minutes of January 15, 2003.

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wheeler accepted the minutes of January 24, 2003.

The Governor and Executive Council, on motion of Councilor Griffin, seconded by Councilor Burton, confirmed the appointment of several persons nominated for Civil Commissions from the January 15, 2003 meeting.

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

The Governor and Executive Council swore in the following representative-elect.

District 22 (Claremont Wards 1-3, Lemster, Unity)

David C Allison, d & r, Cornish (RR2 Box 889) 03745.

CONFIRMATIONS

The Governor and Executive Council confirmed the following:

Business Finance Authority

Steve Griffin, Berlin

Effective: February 5, 2003

Appointment

Term End Date: November 3, 2005

Succeeding: William J Veroneau, Penacook

Board of Barbering, Cosmetology and Esthetics

Sheila Covert, Milford

Effective: February 5, 2003

Succeeding: Sally A Wells, Newbury (resigned)

Term End Date: July 1, 2003

Cannon Mountain Advisory Commission

Jere Peabody, Franconia

Effective: February 5, 2003

Reappointment

Term End Date: January 1, 2006

Board of Licensed Dietitians

Collette Janson-Sand, Rollinsford

Effective: February 5, 2003

Reappointment

Term End Date: December 6, 2005

Board of Natural Scientists

Craig Wood, Deerfield

Effective: February 5, 2003

Succeeding: Mark West, Nottingham

Term End Date: October 26, 2007

New Hampshire State Council on the Arts

Gary Samson, Concord

Effective: February 5, 2003

Succeeding: Grace Freije, Manchester

Term End Date: November 23, 2007

New Hampshire State Council on the Arts

Tim Sappington, Randolph

Effective: February 5, 2003

Reappointment

Term End Date: November 23, 2007

New Hampshire Water Well Board

Terrell Swain, Dunbarton

Effective: February 5, 2003

Technical Driller - Reappointment

Term End Date: September 15, 2005

Rivers Management Advisory Committee

Michele Tremblay, Boscawen
Reappointment

Effective: February 5, 2003
Term End Date: December 28, 2005

State Historical Resources Council

Sheryl Hack, Canterbury
Reappointment

Effective: February 5, 2003
Term End Date: December 10, 2007

State Historical Resources Council

Jason Hoch, Littleton
Reappointment

Effective: February 5, 2003
Term End Date: December 10, 2007

Travel and Tourism Advisory Committee

Clint Bean, Grantham
Reappointment

Effective; February 5, 2003
Term End Date: December 1, 2005

Travel and Tourism Advisory Committee

William Best, Portsmouth
Reappointment

Effective; February 5, 2003
Term End Date: December 1, 2005

Travel and Tourism Advisory Committee

Ronald Brown, Twin Mountain
Nominated by the Commissioner of the Department of
Resources and Economic Development - Camping
Reappointment

Effective; February 5, 2003
Term End Date: December 1, 2005

Travel and Tourism Advisory Committee

Tarry Gallichon, Nashua
Nominated by the Commissioner of the Department of
Resources and Economic Development – Member at Large
Reappointment

Effective; February 5, 2003
Term End Date: December 1, 2005

Travel and Tourism Advisory Committee

Richard Hamilton, North Woodstock
Nominated by the Commissioner of the Department of
Resources and Economic Development - Attractions
Reappointment

Effective; February 5, 2003
Term End Date: December 1, 2005

Travel and Tourism Advisory Committee

Richard Ober, Hillsborough
Nominated by the Commissioner of the Department of
Resources and Economic Development – Environment
And Wildlife.

Effective; February 5, 2003
Term End Date: December 1, 2005
Reappointment

Travel and Tourism Advisory Committee

Erick Leadbeater, Contoocook
Nominated by the Commissioner of the Department of
Resources and Economic Development – Member at Large
Reappointment

Effective; February 5, 2003
Term End Date: December 1, 2005

Travel and Tourism Advisory Committee

Alice Pearce, North Woodstock
Nominated by the Commissioner of the Department of
Resources and Economic Development – Recreation
Reappointment

Effective; February 5, 2003
Term End Date: December 1, 2005

Travel and Tourism Advisory Committee

William Petersen, Bedford
Reappointment

Effective; February 5, 2003
Term End Date: December 1, 2005

CommissionerDepartment of Safety

Richard M Flynn, Dover
Reappointment

Effective: February 5, 2003
Term End Date: March 31, 2007
Salary: LL-5 \$99,317

Waste Management Council

John Osgood, Wolfeboro
Private Solid Waste Management Industry
Reappointment

Effective: February 5, 2003
Term End Date: December 23, 2006

NOMINATIONS

The Governor nominated the following:

Cannon Mountain Advisory Board

Georgie Thomas, Thornton
Reappointment

Effective: Upon Confirmation
Term End Date: January 1, 2006

Current Use Advisory Board

Thomas Thomson, Orford
Reappointment

Effective: Upon Confirmation
Term End Date: November 16, 2004

Board of Licensed Dietitians

Jil Shangraw, Lebanon
Reappointment

Effective: Upon Confirmation
Term End Date: December 6, 2005

Director of Personnel

Joseph D'Allesandro, Tuftonboro
Appointed by the Commissioner of Administrative Services
Succeeding: Tom Manning

Effective: March 7, 2003
Term End Date: January 1, 2007
Salary: HH, Step 2 \$71,594

State Coordinator of Highway Safety

Peter Thomson, Orford
Reappointment

Effective: Upon Confirmation
Term End Date: February 5, 2008

#1 NOT USED

OFFICE OF STATE PLANNING

The Governor and Council acted as follows:

#2 Authorized to enter into an agreement with the Town of Madbury, NH, under the provisions of the Community Development Block Grant Program, to upgrade water infrastructure for the Bunker Lane Condominium, in the amount of \$210,550, until June 30, 2004.

#3 Authorized to enter into an agreement with the Town of Jaffrey, NH, under the provisions of the Community Development Block Grant Program, to study water and waste water upgrades to Forest Park Estates Mobile Home Park, in the amount of \$12,000. Effective upon G&C approval to December 31, 2003.

#4 Authorized to enter into an agreement with the Exeter River Local Advisory Committee, Exeter, NH, to provide financial support for the third annual Exeter River Alewife Festival, under the provisions of the NH Estuaries Project, in the amount of \$5,250. Effective upon G&C approval through December 31, 2003.

#5 NOT USED

#6 NOT USED

#7 Authorized to amend an existing memorandum of agreement with the Department of Environmental Services, Concord, NH, (previously approved by G&C on 2-20-02, item #6, amended on 4-17-02, item #8), under the provisions of the NH Estuaries Program, to modify work tasks, completion dates for tasks, and reporting requirements. Effective upon G&C approval through June 30, 2003.

#8 Authorized to **retroactively** amend an existing agreement with the US Department of Commerce, National Oceanic and Atmospheric Administration, Coastal Services Center for the provision of technical planning assistance to three coastal communities, (previously approved by G&C on 10-24-01, item #4), by extending the end date from December 31, 2002 to June 30, 2003.

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#9 Authorized John Mirabello, Laconia NH, be nominated for appointment 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.

#10 Authorized Sean P Mooney, Manchester NH, be nominated for appointment 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.

#11 Authorized Glen R Wass, Stratham NH, be nominated for appointment 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.

#12 Authorized Scott W Normandeau, Manchester NH, be nominated for appointment 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.

#13 Authorized Laurie M Farris, Groveland MA, be nominated for appointment 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.

#14 Authorized to accept material donations in the amount of \$1,099 for the NH State Veterans Cemetery to be used for the betterment of the cemetery as detailed on the letter dated January 10, 2003.

#15 Authorized to accept and expend funds in the amount of \$124,772.91 from the National Guard Bureau to pay for environmental remediation projects at departmental facilities, cost of the projects shall be reimbursed 100% by the federal government. Effective upon G&C approval through September 30, 2003.

#16 Authorized to enter into a memorandum of agreement with the Department of Fish and Game, to perform Habitat Management and Monitoring of the Concord Municipal Airport Conservation Zones. The maximum price is \$85,450. Effective upon G&C approval through January 31, 2004. **Sole Source.**

#17 NOT USED

#18 Authorized amendment to an existing agreement with Independent Archaeological Consulting, LLC, Portsmouth, NH, to perform Archaeological Planning Level Survey, Phase 1B, by extending the end date from February 15, 2003 to July 30, 2003 and increase the contract price by \$17,485.20 from \$79,847.07 to \$97,332.27, cost of the project shall be reimbursed 100% by the federal government.

ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#19 Authorized to accept and place on file the revised schedule and status report of Capital Budget Projects as detailed in letter dated January 16, 2003.

#20 Authorized to accept and confirm the report of Authorized adjustments to agency's quarterly allotments for the period through December 31, 2002, as detailed in letter dated January 13, 2003. (Previously approved by G&C on 12-4-02).

#21 Authorized to accept and place on file a list of agency transfers, Authorized for FY 2003 during the month of December, as indicated in letter dated January 7, 2003.

#22 Authorized to enter into a statewide contract with West Publishing Corporation, Albuquerque, NM, for software licensing, maintenance, support, training and installation services for legal case management solutions. Effective upon G&C approval through June 30, 2008, that includes an initial active term until December 31, 2004, with options to extend in annual increments up to an additional four years, at the discretion of the State.

#23 NOT USED

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#24 Authorized Division of the Arts to grant an award in the amount of \$19,500 to the New England Foundation for the Arts, Boston, MA, for the subsidized funding of NH Artists and Presenters.

#25 Authorized Division of Arts to award Community Arts Project Grants in the amount of \$10,750 to the organizations listed in letter dated January 9, 2003. Effective upon G&C approval and ending June 30, 2003.

#26 Authorized Division of Arts to award a two-year Operating Grant totaling \$13,200 to the NH Institute of Art, Manchester, NH for the period ending June 30, 2004.

ATTORNEY GENERAL

The Governor and Council acted as follows:

#27 NOT USED

#28 Authorized Department of Justice to enter into a sub-grant with the Department of Safety, Division of Fire Safety and Emergency Management, to procure domestic preparedness equipment for state and local usage, hire a full time temporary employee to conduct an annual needs assessment and state strategy, and to contract for staffing to manage the statewide terrorism exercise program, in the amount of \$360,518. (2) Further Authorized Department of Justice to enter into a sub-grant with the Department of Safety, Division of Fire Safety and Emergency Management, to procure domestic preparedness equipment for state and local usage, in the amount of \$26,755. Effective upon G&C approval to June 30, 2004.

#29 NOT USED

#30 **DENIED** – The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Griffin denied the petition of Harvey W. Pratt Jr. requesting a pardon hearing for the offense of Interference with Custody. Mr. Pratt is not eligible for an annulment.

#31 **DENIED** – The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Spaulding denied the petition of Susan McLaughlin Cook requesting a pardon hearing for the offenses of Accomplice to First Degree Murder, Conspiracy to Commit Murder, and two counts of Witness Tampering. Ms. Cook is not eligible for an annulment.

EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#32 NOT USED

#33 NOT USED

#34 Authorized to enter into a service agreement with RDD & Sons for building repair services at NHES's offices statewide, in the amount of \$25,000 for the first year and \$15,000 annually thereafter, for a total agreement price limitation of \$55,000 for the three year period. Effective upon G&C approval through June 30, 2005.

#35 Authorized to enter into an agreement with the Nebraska Workforce Development, Department of Labor, for voluntary participation in the Benefits Workgroup Consortium as Authorized and funded by the Employment and Training Administration of the US Department of Labor. (2) Further Authorized to accept and expend up to \$6,000 from the NWD-DOL as reimbursement for travel and related costs incurred by NHES Staff in conjunction with this agreement. Effective upon G&C approval through August 31, 2003.

#36 Authorized to enter into a service agreement with American Air Systems, Inc., for heating, ventilating and air conditioning system purchase and installation services at NHES's Laconia, NH Works One-Stop Center, in the amount of \$125,350. Effective upon G&C approval through June 30, 2003.

#37 Authorized amended service agreement with CW Titus & Sons Inc., (previously approved by G&C on 8-22-01, item #95, amended on 11-21-01, item #39, amended on 2-20-02, item #27), for painting services at NHES's offices statewide, by increasing the amount of \$7,500 by \$12,000 to the revised total of \$19,500 annually only for the current annual period, thereby increasing the total price limitation in the amount of \$40,000 by \$12,000 to the revised total agreement price limitation of \$52,000 for the three year period. Effective upon G&C approval and ending June 30, 2003.

LIQUOR COMMISSION

The Governor and Council acted as follows:

#38 Authorized to transfer \$212,354 as specified in letter date January 15, 2003.

#39 Authorized to enter into a professional services agreement with SSA Global Technologies, Chicago IL, for the sole purpose of upgrading the existing financial accounting and reporting software package, the total contract price limitation is \$119,000. Effective upon G&C approval through December 31, 2003. **Sole source.**

#40 Authorized to enter into a software licensing and support contract with SSA Global Technologies, Chicago, IL, for the sole purpose of providing continued software maintenance and support for the financial accounting and reporting software package, the total price limitation is \$56,903. Effective upon G&C approval through June 30, 2006. **Sole Source and Retroactive.**

#41 Authorized to **retroactively** enter into a three year contract with Johnson Controls Inc., Manchester, NH, for providing service and maintenance for heating and air conditioning systems at various liquor store locations throughout NH, the total contract price limitation is \$239,184. Effective January 1, 2003 through December 31, 2005.

DEPARTMENT OF CORRECTIONS

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

#42 Authorized to pay \$35,190 in overtime for permanent personnel services out of salaries for vacant positions due to pending recruitment of the period July 1, 2002 through December 31, 2002.

#43 NOT USED

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#44 NOT USED

#45 NOT USED

#46 Authorized to accept a gift of a Recreational Trail Easement on the former Boston and Maine Railroad property in Warren, NH from Kedoma LLC of Milford, NH, to preserve a trail corridor across the property.

#47 Authorized Division of Parks and Recreation to renew membership for the 2002/2003 season with the NH Campground Owner's Association, for better coordination of activities, programs and promotion, in the amount of \$7,208.50.

#48 NOT USED

#49 Authorized Division of Travel and Tourism Development to award grants as indicated in letter dated January 15, 2003, under the Joint Promotional Program, in an amount of \$30,205, to assist tourist promotion groups. Effective upon G&C approval through completion dates as listed in letter.

#50 NOT USED

#51 Authorized Division of Design, Development, and Maintenance to enter into a contract with A.W. Therrien Co., Inc., Manchester, NH, for roof replacement of the Coolidge Center, Portsmouth, NH, on the basis of a low bid of \$29,879. Effective upon G&C approval through April 30, 2003.

#52 Authorized Division of Forests and Lands to budget prior year carry forward funds in the amount of \$4,000 from the Fox Forest Trust for the purpose of purchasing property insurance for the buildings located at the Fox Forest facility in Hillsboro as indicated in letter dated January 13, 2003.

#53 Authorized Division of Parks and Recreation to enter into an agreement, as detailed in letter dated December 20, 2002, for sublease with Yankee Microwave, Inc., Harrison, ME, to operate from the Summit of Mt. Washington, in the amount of \$28,500 annually. Effective upon G&C approval through June 30, 2005.

#54 Authorized Division of Parks and Recreation to pay for emergency repairs to the Caterpillar generator on the summit of Mt. Washington, with Southworth Milton, Scarborough, ME, with total services of \$14,397.69. **Retroactive.**

#55 Authorized Division of Parks and Recreation to amend the service agreement with William Robinson, Whitefield, NH, for groundwater discharge testing at Franconia Notch State Park, for an additional \$1,000 bringing the total contract to \$4,000.

#56 NOT USED

#57 Authorized Division of Parks and Recreation to enter into a **retroactive** agreement, as detailed in letter dated December 23, 2002, for sublease with Citadel Broadcasting Company of Dover, NH, for WPKQ-FM and WHOM-FM to operate from the summit of Mt. Washington, each sublease requires payment to the Department of \$17,500 annually. Effective July 1, 2002 through June 30, 2005.

DEPARTMENT OF FISH AND GAME

The Governor and Council acted as follows:

#58 Authorized to accept a donation of gravel, stone and loam in the amount of \$816.60 by Pike Industries used in the construction of the Hunter Education training facility in Holderness, NH to bring the surroundings up to "final grade".

#59 Authorized to enter into an extension of contract with Louis T Memolo, General Contractor for Gorham, NH, to complete construction of the new dining/multi-use facility at the Barry Conservation Camp within the Berlin Hatchery in Berlin, NH, (previously approved by G&C on 7-10-02, item #57), by extending the completion date to April 15, 2003.

#60 NOT USED

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#61 NOT USED

#62 Authorized Air Resources Division to accept and expend \$37,538 from the US Environmental Protection Agency. To be budgeted as indicated in letter dated January 21, 2003.

#63 Authorized the Oil Disbursement Board to budget and expend prior year carry forward funds in the amount of \$1,100,000. Effective upon G&C approval through June 30, 2003. To be budgeted as detailed in letter dated December 13, 2002.

#64 Authorized the Oil Disbursement Board to budget and expend prior year carry forward funds in the amount of \$3,000,000. Effective upon G&C approval through June 30, 2003. To be budgeted as indicated in letter dated December 13, 2002.

#65 Authorized Water Resources Council to accept and expend unallocated water user fees in the amount of \$15,000 in FY 03. To be budgeted as detailed in letter dated December 27, 2002.

#66 Authorized to accept and place on file the Performance Based Budgeting Pilot– Third and Fourth Quarter FY 02 Report, as detailed in letter dated December 20, 2002. **Informational Item.**

#67 Authorized to **retroactively** amend a contract with J&S Technical Electric, Milton, NH, (previously approved by G&C on 11-13-02, item #97), by extending the completion date to February 28, 2003, due to weather conditions during the month of December.

#68 Authorized to **retroactively** amend a contract with Gerard A. Laflamme, Inc., Manchester, NH, (previously approved by G&C on 10-23-02, item #48), by extending the completion date to February 28, 2003 and increasing the contract amount by \$1,811.17 from \$6,300 to \$8,111.17, due to weather conditions during the month of December.

#69 Authorized to enter into a grant agreement with the Town of Seabrook, NH for storm drainage system mapping, in the amount of \$15,375. Effective upon G&C approval through December 31, 2003.

#70 NOT USED

#71 Authorized Supplemental Loan Agreement, as detailed in letter dated December 16, 2002, with the Town of Gilmanton, (previously approved by G&C on 6-8-02, item #47), in the principal amount of \$483,077.44, this amendment reduces the loan to the Town of Gilmanton by \$266,922.56. Effective upon G&C approval.

#72 Authorized loan agreement with Carroll County, Ossipee, NH, for design and construction of the improvements to the County's wastewater treatment plant, in the amount of \$1,260,000. Effective upon G&C approval.

#73 Authorized to accept and place on file the 2002 Annual Report of the Water Council.
Informational Item.

#74 Authorized Richard Kourian's request to permanently remove an existing docking facility an canopy, excavate bank and dredge lakebed to construct a dug in boathouse, on 132 ft of frontage on property located at Lake Winnepesaukee in Wolfeboro, NH.

#75 Authorized Public Service of NH's request to stabilize eroded shoreline along the Piscataqua River using Class C rock riprap on property located on the Piscataqua River in Portsmouth, NH.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office of Finance**

The Governor and Council acted as follows:

#76 Authorized to amend the agreement with the State of NH on behalf of the City of Manchester, NH, for the purpose of adopting the optional exclusion from Social Security and Medicare coverage for the services performed by election workers for each calendar year in which the remuneration paid for such services is less than \$1,200.

#77 Authorized to transfer \$120,000 as specified in letter dated January 15, 2003. **Fiscal Committee approved.**

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

The Governor and Council on motion of Councilor Wiczorek, seconded by Councilor Wheeler voted to **Table** the request to accept and expend \$50,000 in federal funds, as specified in letter dated January 15, 2003. **Fiscal Committee approved.**

#79 NOT USED

#80 NOT USED

#81 NOT USED

Office of Community and Public Health

The Governor and Council acted as follows:

#82 Authorized to enter into an agreement with White Glove Paint & Papering Co., Inc., Pembroke NH, for wall repair and interior painting of the Department's Thayer Building, in the amount of \$27,450. Effective upon G&C approval to end June 30, 2003

#82A NOT USED

#83 Authorized Bureau of Rural Health & Primary Care to enter into an agreement with Christina M Anderson, Tuftonboro, NH, for physician loan repayment, for an amount not to exceed \$40,000. Effective upon G&C approval through June 30, 2005.

#84 Authorized Bureau of Rural Health & Primary Care to enter into an agreement with Nathan Swanson, Portsmouth, NH, for dentist loan repayment, in an amount not to exceed \$40,000. Effective upon G&C approval through June 30, 2005.

#85 Authorized Bureau of Rural Health & Primary Care to enter into an agreement with Mary Y Peterson, Amherst, NH, for physician loan repayment, in an amount not to exceed \$20,000. Effective upon G&C approval through June 30, 2005.

#86 Authorized Bureau of Rural Health & Primary Care to enter into an agreement with John Kukay, Nashua, NH, for physician loan repayment, in an amount not to exceed \$40,000. Effective upon G&C approval through June 30, 2005.

#87 Authorized Bureau of Rural Health & Primary Care to enter into an agreement with Virginia A Jeffries, Franconia, NH, for physician loan repayment, in an amount not to exceed \$60,000. Effective upon G&C approval through June 30, 2005.

#88 Authorized Bureau of Rural Health & Primary Care to enter into an agreement with Valerie Niece, Thornton, NH, for physician loan repayment, in an amount not to exceed \$40,000. Effective upon G&C approval through June 30, 2005.

#89 Authorized Bureau of Rural Health & Primary Care to enter into an agreement with Nidal Morrar, Bethlehem, NH, for physician loan repayment, in an amount not to exceed \$40,000. Effective upon G&C approval through June 30, 2005.

#90 Authorized to accept and expend \$304,071 in federal funds and establish a Public Health Nurse Consultant position through June 30, 2003, as specified in letter dated January 15, 2003. **Fiscal Committee approved.**

#91 Authorized Bureau of Emergency Preparedness and Response, to expend approximately \$8,532 in federal funds for a day-long bio-terrorism preparedness training seminar on January 18, 2003 regarding clinical aspects of the imminent implementation of the state of NH's plan for smallpox vaccination. **Retroactive.**

#92 NOT USED

#93 NOT USED

#94 NOT USED

#95 NOT USED

#96 NOT USED

#97 NOT USED

#98 NOT USED

#99 NOT USED

#100 NOT USED

#101 NOT USED

#102 NOT USED

#103 NOT USED

#103A Authorized to **retroactively** enter into an Educational Tuition Agreement and to pay said costs in the amount of \$393, as detailed in letter dated January 13, 2003.

#104 NOT USED

Division of Alcohol & Drug Abuse Prevention and Recovery

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

#105 NOT USED

#106 NOT USED

#106A Authorized to enter into a **retroactive** Educational Tuition Agreement and to pay said costs in the amount of \$197, as detailed in letter dated January 10, 2003. **Fiscal Committee approved.**

New Hampshire Hospital

The Governor and Council acted as follows:

#107 Authorized to **retroactively** enter into an Educational Tuition Agreement and to pay said costs in the amount of \$936, as detailed in letter dated January 10, 2003.

#107A Authorized to accept and expend \$52,726.44 in revenue from the operation of the Transitional Housing Program. **Fiscal Committee approved.**

#107B Authorized agreement with NH Technical Institute for Enhanced Nurse Development and Training, (previously approved by G&C on 5-15-02, item #144), Authorized Austin Brownlee to receive tuition assistance under this program in the amount not to exceed \$5,160. Effective upon G&C approval through the completion of all course requirements for the Institute's Registered Nurse Associate Degree Program.

Employee Assistance Program

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

#108 Authorized to **retroactively** enter into an Educational Tuition Agreement and to pay said costs in the amount of \$693, as detailed in letter dated December 31, 2002.

Office of Information Systems

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

#109 Authorized to **retroactively** enter into an Educational Tuition Agreement and to pay said costs in the amount of \$568, as detailed in letter dated December 6, 2002.

#110 NOT USED

#111 NOT USED

Office of Health Planning & Medicaid

The Governor and Executive Council acted as follows:

#112 NOT USED

#113 Authorized to amend an existing contract with Public Consulting Group Inc., Boston, MA, (previously approved by G&C on 12-19-01, item #80, amended on 6-26-02, item # 137), for the provision of Medicaid Rate Setting and Billing Review Services by extending the completion date from September 30, 2002 to March 31, 2003.

Division of Elderly & Adult Services

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

#114 Authorized to amend an existing agreement with Carroll County Health and Home Care Services, Ossipee, NH, (previously approved by G&C on 5-23-01, item #101, amended on 3-20-02, item #81), to provide Homemaker, Adult In-Home Care, Home Health Aide and Alzheimer's disease and Related Disorders Respite Care Services, by increasing the contract by #121,757.89 from \$560,098.18 to \$681,856.07. Effective upon G&C approval through June 30, 2003.

#115 NOT USED

#116 NOT USED

Division of Behavioral Health

The Governor and Council acted as follows:

#117 Authorized contract with Merrimack Valley Assistance Program, Concord, NH, (previously approved by G&C on 4-26-00, item #92), to provide housing assistance and supportive services to individuals with HIV/AIDS and their families, by extending the contract by seventeen months. Effective **retroactive** to October 6, 2002 through February 28, 2004. **Sole source.**

#118 Authorized contract with Southwestern Community Services, Inc., Keene, NH, (previously approved by G&C on 9-19-01, item #170, amended on 6-26-02, item #226), for homeless assistance services, by increasing the price limitation by \$72,412 from \$512,000 to \$584,412. Effective upon G&C approval through June 30, 2003.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#119 Authorized to pay registration and hotel fees to the National Institute for Community Innovations for Fiscal Year 2002 travel expenses for attending an annual Conference of the Virtual Professional Development School Project, with Fiscal Year 2003 appropriation, in the amount of \$452.

#120 Authorized to pay the General Educational Development Testing Service, the participation fee for Fiscal Year 2003 in the amount of \$9,832.50.

#121 NOT USED

#122 Authorized to grant funds to the Danbury Community Center Danbury, NH, to offer extended day programming for youth and their families, in an amount not to exceed \$124,962. Effective upon G&C approval through September 30, 2003 and Authorized unencumbered payment of said grant with internal accounting control within the department, pending legislative approval of the next biennium budget. (2)Further Authorized to exercise a renewal option on this grant for up to three additional fiscal years.

#123 Authorized to grant funds to Southeastern Regional Education Service Center Inc., Bedford, NH, to provide academic content/pedagogy courses needed by middle and high school teachers for certification, in an amount not to exceed \$199,908. Effective upon G&C approval through September 30, 2003, and Authorized unencumbered payment of said grant with internal accounting control within the department. (2)Further Authorized to exercise a renewal option for up to two additional fiscal years, subject to the contractor's acceptable performance.

#124 NOT USED

#125 NOT USED

#126 NOT USED

#127 NOT USED

NH COMMUNITY TECHNICAL COLLEGE SYSTEM

The Governor and Council acted as follows:

#128 Authorized to increase the Petty Cash revolving fund from \$200 to \$450 to make change for students.

#129 Authorized to accept and expend additional funds from the US Department of Education for the FIPSE Grant Program, for improvement of Postsecondary Education, in the amount of \$108,638. Effective upon G&C approval through August 31, 2003. To be budgeted as indicated in letter dated January 21, 2003

#130 Authorized to **retroactively** accept and expend additional grant funds from the City College of San Francisco, for the Bio-Link grant program in the amount of \$121,922. Effective January 1, 2003 to August 31, 2003. (2)Further Authorized the Comptroller to increase appropriation with the authority to adjust through the budget office between fiscal years, as detailed in letter dated January 21, 2003.

#131 NOT USED

POSTSECONDARY EDUCATION COMMISSION

The Governor and Council acted as follows:

#132 Authorized to award a \$2,000 grant to Colby-Sawyer 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.

#133 Authorized to award an \$11,000 grant to Hesser 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.

#134 Authorized to award a \$23,000 grant to Franklin pierce 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.

#135 Authorized to award a \$5,500 grant to Daniel Webster 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.

#136 Authorized to award a \$9,500 grant to Colby-Sawyer 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.

#137 Authorized to award a \$40,000 grant to the NH Department of Regional Community Technical Colleges, 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. Under the grant agreement, The NH Department of Regional Community Technical College must match the state funds from new private sources of funding in order to participate in this program. (2)Further Authorized to accept and expend the funds referred to in the above mentioned, as detailed in letter dated January 21, 2003.

#138 Authorized to award a \$12,500 grant to the NH Department of Regional Community Technical Colleges, for the benefit of students pursuing approved programs of nursing study. Under the grant agreement, The NH Department of Regional Community Technical College must match the state funds from new private sources of funding in order to participate in this program. (2)Further Authorized to accept and expend the funds referred to in the above mentioned, as detailed in letter dated January 21, 2003.

#139 Authorized to award a \$2,000 grant to Saint Anselm 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.

#140 Authorized to award an \$18,000 grant to Saint Anselm 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.

#141 Authorized to award a \$32,000 grant to Keene State 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.

#142 Authorized to award an \$8,500 grant to New England 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.

#143 Authorized to award a \$29,000 grant to Plymouth State 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.

#144 Authorized to award a \$6,500 grant to Rivier 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.

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#145 Authorized with thanks, to accept the donation of one female, black and tan, AKC registered blood hound puppy from Mr. Stephen W Fish and Family, Enfield, NH, with the possibility of more in the future to the State Police, the value of the dog is in the \$700 range.

#146 NOT USED

#147 Authorized to **retroactively** reimburse Marine Patrol Officer Jonathan O'Rourke for prior year travel expense of fill-in for the Seacoast Security Unit, from Gilford to Portsmouth, NH, in the amount of \$803.13, for the time period of January 26, 2002 through April 28, 2002.

#148 Authorized applications for a total of twelve moorings of Wagon Wheel Condominium Association, Bridgewater, NH, for a congregate mooring field. Previously issued a permit for ten moorings in 2002, submitted a revised application for twelve moorings.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#149 Authorized to accept and place on file The Bureau of Right-of-Way award list for the period December 31, 2002 through January 15, 2003.

#150 Authorized to accept and place on file the departments Equipment Acquisition Plan status report for the period ending December 31, 2002.

#151 Authorized to transfer \$350,000, as detailed in letter dated January 15, 2003. **Fiscal Committee approved.**

#152 Authorized Bureau of Turnpikes to continue its membership with the International Bridge, Tunnel and Turnpike Association, Washington, DC, for calendar year 2003. (2)Further Authorized Administration & Support – Organizational Dues for Fiscal Year 2003, totaling \$14,917.

#153 Authorized to expend Section 163 federal funds to purchase two dynamic electronic message signs, in an amount not to exceed \$29,500. (2)Further Authorized to transfer ownership of the two dynamic message signs to the Milford Police Department.

#154 Authorized Bureau of Highway Design to enter into an agreement with McFarland-Johnson, Incorporated, Concord, NH, to provide payment for additional services that may be required during the engagement of Engineering and Environmental Services for Planning-Level study of section of interstate route 93 in town of Bow and City of Concord, for a total fee not to exceed \$797,525. The department is Authorized to increase the encumbrance by an amount not to exceed ten percent through the issuance of change orders in the implementation of the above services. Effective upon G&C approval with the final completion date in eighteen months from the date of the notice to proceed.

#155 Authorized Bureau of Highway Design to amend agreement with Vanasse Hangen Brustlin, Bedford, NH and Watertown, MA, (previously approved by G&C on 12-16-98, item #128), by increasing the total amount payable by \$153,071.92 from \$1,684,786.20 to \$1,837,858.12, for consultant engineering services for final design of improvements to I-293, NH Route 101, US Route 3 and Kilton Road in the Town of Bedford, NH. The department is authorized to increase the encumbrance by an amount not to exceed ten percent through the issuance of change orders in the implementation of the above services.

#156 Authorized Bureau of Rail & Transit to amend the existing agreement with Jalbert Leasing, Inc., Portsmouth, NH, (previously approved by G&C on 10-18-00, item #104A), changing the total of five over-the-road coaches to seven over-the-road coaches to provide commuter bus service connecting the Seacoast area with Boston, MA. Effective upon G&C approval.

#157 Authorized Bureau of Rail and Transit to enter into a lease agreement with 18 Mile Point Drive Realty Trust, Dallas, TX, for a parcel of land with private overhead pedestrian crossing on the State-owned Concord to Lincoln Railroad Line in Meredith for \$17,550 per year for five years and negotiable for an additional five year period.

#158 Authorized Bureau of Rail and Transit to enter into a new lease agreement with Hobo Hills Adventure Golf, Inc., Lincoln, NH, for a parcel of land on the State-owned Concord to Lincoln Railroad Line in Lincoln for \$1,800 per year for five years, and negotiable for an additional five year period.

#159 Authorized Bureau of Right of Way to transfer control of the Pine Road Wetland Mitigation Area to the Department of Fish and Game to utilize the property as a wildlife management area.

#160 Authorized Bureau of Bridge Design to enter into an agreement with the State of Vermont for the deck replacement of the bridge carrying NH Route 119 over the Connecticut River between Hinsdale, NH and Brattleboro, VT.

#161 Authorized Bureau of Public Works to increase the contingency with Eclipse Construction, Bedford, NH, by \$29,868 for a total contingency of \$42,640 for the purpose of Life Safety Updates, State House Annex, Concord, NH. (2)Further Authorized the contingency increase from the appropriation account as indicated in letter dated January 7, 2003.

#162 Authorized Bureau of Construction contract with E.D. Swett, Inc., replacement of the NH Route 87 bridge over the Lamprey River and reconstruction of Route 87 in the bridge area including improvements to Jacobs Well Road and its intersection with Route 87, on the basis of a low bid of \$2,333,745.20. (2)Further Authorized payment of \$163,362.16 for latent conditions which may appear during execution of the project. Effective upon G&C approval with a final completion date of June 23, 2005.

#163

TUITION REQUESTS

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

- A. COMMUNITY TECHNICAL COLLEGE** - Request permission to pay Franklin University, Columbus, OH, the sum of \$453.00 for the sole purpose of enrolling Jocelyn Cote, Tech Support Specialist, in the internet course entitled "Learning Strategies".
- B. EDUCATION** - Request permission to pay Argosy University, Sarasota, FL, the sum of \$2,940.00 for the sole purpose of enrolling Chrys Bouvier, Education Technology Consultant, in the internet course entitled "Dissertation Block 3".
- C. EDUCATION** - Request permission to pay Argosy University, Sarasota, FL, the sum of \$2,940.00 for the sole purpose of enrolling Lynda Thistle Elliott, Education Consultant II, in the Plymouth State College Campus & Internet course entitled "Multicultural Education for the 21st Century".
- D. EDUCATION** - Request permission to pay Argosy University, Sarasota, FL, the sum of \$1,470.00 for the sole purpose of enrolling, Cathy Higgins, Education Technology Consultant II, in the Plymouth State College Campus course entitled "Descriptive Research Methods".
- E. EDUCATION** - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$615.00 for the sole purpose of enrolling Scott A. Vittner, Assistant Vending Stand Coordinator, in the course entitled "Community Organization".
- F. ENVIRONMENTAL SERVICES** - Request permission to pay the New Hampshire Technical Institute, Concord, NH, the sum of \$524.00 for the sole purpose of enrolling Normajeane Smith, Air Pollution Technician II, in the course entitled "Finite Mathematics".
- G. FISH & GAME** – Request permission to pay Hesser College, Concord, NH, the sum of \$597.00 for the sole purpose of enrolling Jamie Belrose, Payroll Officer I, in the course entitled "Information Resource Management".
- H. TRANSPORTATION** - Request permission to pay Southern NH University, Manchester, NH, the sum of \$649.50 for the sole purpose of enrolling Diana Smestad, Accountant IV, in the course entitled "Information Technology".

164

TRAVEL REQUESTS

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

- A. **BANKING** - Request permission for (1) employee, Lenore Leavitt, Bank Examiner Trainee, or designee, to travel to Arlington, VA on March 9 - 28, 2003, to attend the Introductions to Examinations. ALSO A CASH ADVANCE OF \$600.00 IS REQUESTED FOR Lenore Leavitt. Total Cost: \$1,350. Source of Funds: 100% Other Funds. No Registration Fee.
- B. **ENVIRONMENTAL SERVICES** - Request permission for (1) employee, Margaret P. Foss, TMDL Coordinator, or designee, to travel to Washington DC, on February 10 - 14, 2003, to attend the QUAL2E Water Quality Model Training. ALSO A CASH ADVANCE OF \$750.00 IS REQUESTED FOR Margaret P. Foss. Total Cost: \$750.00. Source of Funds: 100% Federal Funds. No Registration Fee.
- C. **FISH & GAME** - Request permission for (2) employees, Edward Robinson, Wildlife Biologist, and Julie Robinson, Wildlife Bio-Tech or designee, to travel to Peterborough, Ontario, on March 2 - 7, 2003, to attend the Atlantic Flyway Council Technical Section Meeting. Permission is also requested for a waiver to exceed the 300-mile radius by state vehicle. Total Cost: \$1,620.00. Source of Funds: 100% Other Funds. Registration Fee: \$200.00.
- D. **SAFETY** - Request permission for (1) employees, Bruce Taylor, Criminalist, or designee, to travel to Baltimore, MD and Quantico, VA, on February 13-14 and on February 18-21, 2003, to attend the Forensic Video Analysis Training Course. ALSO A CASH ADVANCE OF \$1,250.00 IS REQUESTED FOR Bruce Taylor. Total Cost: \$1,250.00. Source of Funds: 100% Highway Funds. No Registration Fee.

LATE ITEMS:**OFFICE OF THE ADJUTANT GENERAL**

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

- A. Authorized to enter into a lease agreement with General Growth Properties, Inc., for lease of 414 sq ft of recruiting storefront space to be located at the Steeplegate Mall for the period of March 1, 2003 to September 30, 2007 in the amount of \$36,909.09.

ADMINISTRATIVE SERVICES

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

- B. Authorized to amend an existing agreement with Liberty Mutual Insurance Company of Bedford, NH. Approval of this amendment will extend the contract expiration date from July 1, 2003 to July 1, 2004 and reduce the cost of services by a total of \$248,837.
- C. Authorized to amend an existing software contract and rewrite underlying license agreement, **Sole Source** and **Retroactively** with Chicago-Soft at a cost of \$27,200.

DEPARTMENT OF ENVIRONMENTAL SERVICES

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

- D. Authorized to enter into a **retroactive** agreement with AMRO Environmental Laboratories Corporation to pay for prior fiscal year expenses for biosolids analysis, for the amount of \$16,666.

- E. Authorized to budget unallocated Maintenance of Dams funds in the amount of \$78,130.02 for FY 03.
- F. Authorized to amend a contract with H.L. Turner Group Inc., by \$17,375.60 from \$94,000 to \$111,375.60 for engineering, design, and construction services.

FISH AND GAME DEPARTMENT

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

- G. Authorized to enter into an extension of a **sole source** contract with Philip Vaughn and Steve Giordani d/b/a Nebula Television Productions, of Somersworth, NH, to assist with the production of NH Fish and Games Department's television program by increasing the amount of the contract by \$5,000 to a total of \$7,499.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

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

- H. Authorized to amend contract for homeless shelter assistance services by \$50,000 from \$40,000 to \$90,000.
- I. Authorized to amend contract to provide services to homeless individuals by \$22,000 from \$50,000 to \$72,000.
- J. Authorized to amend contract to provide services to homeless individuals by \$39,000 from \$50,000 to \$89,000.
- K. Authorized to amend contract to provide for homeless assistance services by \$50,000 from \$584,412 to \$634,412.
- L. Authorized to amend contract to provide for homeless assistance services by \$13,000 from \$203,700 to \$216,700.
- M. Authorized to amend contract to provide for homeless assistance services by \$10,000 from \$1,775,000 to \$1,785,000.
- N. Authorized to amend contract to provide for homeless assistance services by \$108,505 from \$490,000 to \$598,505.

DEPARTMENT OF TRANSPORTATION

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

- O. Authorized to enter into a contract with Meridian Construction Corporation for a lump sum price of \$380,600 for Addition and Renovations to Liquor Commission Store, Salem, NH. Further resolve that a contingency in the amount of \$57,000 be approved for payment of latent conditions which may appear during execution of the project.

DEPARTMENT OF SAFETY

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

- P. Authorized request to hold workshops for "Disaster Related Needs of Seniors and Persons with Disabilities" and "Evacuation and Re-Entry Planning" on February 11, 12, and 13, 2003 at the Best Western Sovereign Hotel, Keene, NH. The total cost of the Workshop shall not exceed \$6,300. (2)Further authorized a contract with The Best Western Sovereign Hotel, Keene, NH, the low bidder, for a function room, meals, and rooms in the amount of \$6,300 for the period upon G&C approval through February 13, 2003.

The Governor set a special meeting on February 13, 2003, for the purpose of nominating an Attorney General; the time is to be announced.

Next Governor and Executive Council meeting is scheduled for Wednesday, February 19, 2003 at 10:30 a.m. at the State House in Concord, NH.

The Honorable Board then Adjourned