

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

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

Hillsborough District 50 (Manchester Wards 2,3,10,11)

Thomas Katsiantonis, d , Manchester (156 Boynton St) 03745.

CONFIRMATIONS

The Governor and Executive Council unanimously approved the following:

Air Resources Council

Muriel Lajoie, Concord
Filling Vacancy (General Public)

Effective: March 19, 2003
Term End Date: November 21, 2006

Connecticut River Valley Resource Commission

Glenn E. English, North Haverhill
Reappointment

Effective: March 19, 2003
Term End Date: February 10, 2006

Electricians' Board

George E. Maihos, Salem
Reappointment
(Master Electrician)

Effective: March 19, 2003
Term End Date: July 1, 2005

Electrician's Board

Joan M. DeLorie, Pembroke
Reappointment
(Public Member)

Effective: March 19, 2003
Term End Date: August 26, 2006

Oil Fund Disbursement Board

Kevin A. Sheppard P.E., Manchester
Reappointment
(Public Member)

Effective: March 19, 2003
Term End Date: January 1, 2006

Railroad Appeals Board

John W. Flanders, Kingston
Reappointment
(Alternate/Public Member)

Effective: March 19, 2003
Term End Date: July 25, 2005

NOMINATIONS

The Governor made the following nominations:

Advisory Committee on Travel and Tourism

(Food and Beverage)
Robert D. Greenleaf, Madbury
Reappointment

Effective: Upon Confirmation
Term End Date: December 15, 2005

Advisory Committee on Travel and Tourism

Member-at-Large

Timothy M. Bechert, Bedford
(Replacing Stephen B Barba)Effective: Upon Confirmation
Term End Date: December 1, 2005Advisory Council on Unemployment Compensation

(Employers)

Kevin P. Sullivan, Hampton
ReappointmentEffective: Upon Confirmation
Term End Date: March 26, 2006Advisory Council on Unemployment Compensation

Chairman

Robert T. Turner, Laconia
ReappointmentEffective: Upon Confirmation
Term End Date: March 26, 2005State Board of Education

Chairman, Dist. 5-at large

Fredrick J. Bramante Jr., Durham
(Replacing Chris C Houpis)Effective: Upon Confirmation
Term End Date: January 31, 2007Board of Hearing Care Providers

Hearing Aid Dealer

David P. Dachowski B.S., Manchester
(Replacing Herbert J Hodgdon II)Effective: Upon Confirmation
Term End Date: April 23, 2006Board of Licensing for Alcohol & Other Drug Abuse ProfessionalsRobert O. Kelley Jr., Lee
ReappointmentEffective: Upon Confirmation
Term End Date: January 9, 2006Board of ArchitectsChristopher Williams, Meredith
Succeeding James SomesEffective: Upon Confirmation
Term End Date: September 9, 2005Board of Nursing

(Public Member)

Elizabeth S. Gabler, Hebron
(Replacing Harley Featherston)Effective: March 20, 2003
Term End Date: March 20, 2006Board of Veterinary MedicineBrad Taylor DVM, Canterbury
(Replacing Susan M Haley)Effective: Upon Confirmation
Term End Date: March 5, 2008Compensation Appeals Board

(Attorney)

John C. Emery Esq., Bedford
ReappointmentEffective: Upon Confirmation
Term End Date: January 1, 2007Compensation Appeals Board

(Attorney)

Jon H. Levenstein Esq., Bedford
ReappointmentEffective: Upon Confirmation
Term End Date: February 15, 2007

Compensation Appeals Board

(Attorney)

William Schubert , Hooksett
ReappointmentEffective: Upon Confirmation
Term End Date: February 15, 2007Current Use Advisory Board

(Public Member/Agriculture)

Robert J. Berti , Rumney
(Replacing Phyllis Sherman)Effective: Upon Confirmation
Term End Date: November 16, 2004Department of Cultural ResourcesDirector, Division of the ArtsRebecca L. Lawrence , Concord
ReappointmentEffective: Upon Confirmation
Term End Date: March 11, 2008Emergency Shelter and Homeless Coordination CommissionPatricia E. Howe , Franklin
(Replacing Maria Skaperdas)Effective: Upon Confirmation
Term End Date: August 26, 2004Housing Finance Authority

(Public Member)

Kenneth N. Ortmann , Rochester
(Replacing Rhona Charbonneau)Effective: Upon Confirmation
Term End Date: July 1, 2007Moorings Appeals BoardJohn F. Bridges , Wolfeboro
ReappointmentEffective: Upon Confirmation
Term End Date: October 28, 2005Oil Fund Disbursement Board

(Petroleum Refiner)

Thomas J. Frawley , Lyme
ReappointmentEffective: Upon Confirmation
Term End Date: January 1, 2006Oil Fund Disbursement Board

Petroleum Distributor

James E. Robertson , Spofford
ReappointmentEffective: Upon Confirmation
Term End Date: January 1, 2006Pesticides Control Board

Public Member

Timothy J. Fleury , Sunapee
ReappointmentEffective: Upon Confirmation
Term End Date: April 10, 2006Railroad Appeals Board

General Public

Wayne M. Gagne , Nashua
(Replacing Peter Leishman)Effective: Upon Confirmation
Term End Date: May 7, 2005Respiratory Care Practitioners Governing BoardSean Kenneally RRT, Meredith
(Replacing Carl J Rod)Effective: Upon Confirmation
Term End Date: January 8, 2006Retirement System Board of Trustees

(Nominated by NH Police Association)

Dean Crombie , Somersworth
Succeeding Dale RobinsonEffective: Upon Confirmation
Term End Date: July 1, 2004

Commission to Study Uniform State Laws

W. Michael Dunn , Concord
Reappointment

Effective: Upon Confirmation
Term End Date: December 30, 2005

Commission to Study Uniform State Laws

Michael D. Ruedig , Concord
Reappointment

Effective: Upon Confirmation
Term End Date: January 4, 2006

NH Commission for Human Rights

Gayle E Troye SPHR, Dunbarton
(Replacing Philip Palmer)

Effective: Upon Confirmation
Term End Date: January 1, 2008

NH Commission for Human Rights

Rogers Johnson, Stratham
(Replacing Richard Hesse)

Effective: Upon Confirmation
Term End Date: January 1, 2008

BUSINESS FINANCE AUTHORITY

#1 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding and further on a roll call vote as follows: Councilor Burton – yes, Councilor Spaulding – yes, Councilor Griffin – yes, Councilor Wieczorek – yes, and Councilor Wheeler – yes, authorized to hold a Public Hearing with respect to the financing of a commercial facility by the Business Finance Authority for Valley Regional Hospital, Inc. located in Claremont and Newport, New Hampshire. Action will Authorized a Resolution under RSA 162-I: 9 to determine the financing will serve a public use provide public benefit and are within the policy and authority of the Act.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE
GOVERNOR AND COUNCIL HELD ON MARCH 19, 2003 IN THE
STATE HOUSE, CONCORD, NEW HAMPSHIRE

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At 10:55 a.m. the Governor announced that the next matter to be considered would be the financing of a commercial facility project by the Business Finance Authority for Valley Regional Hospital, Inc. (the "Hospital") in Claremont, New Hampshire and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received the written recommendation of the Authority and other documentation and information with respect to the project. The Governor said that the meeting would then hear anyone wishing to speak on the subject. Jack Donovan, Executive Director of the Authority, briefly explained the project, emphasized that the credit of the State was not involved and introduced Dean J. Bither, Vice President of Finance of the Hospital. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; after Joe Haas' comments, Councilor Burton introduced a resolution entitled "A RESOLUTION UNDER RSA 162-1:9 AUTHORIZING A NOT TO EXCEED \$12,000,000 FINANCING OF A COMMERCIAL FACILITY BY THE BUSINESS FINANCE AUTHORITY FOR VALLEY REGIONAL HOSPITAL, INC. IN CLAREMONT" and moved its adoption, which was seconded by Councilor Spaulding. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Burton, Councilor Spaulding, Councilor Griffin, Councilor Wieczorek, and Councilor Wheeler; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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A RESOLUTION UNDER RSA 162-I:9 WITH RESPECT TO THE FINANCING
OF A COMMERCIAL FACILITY BY THE BUSINESS FINANCE
AUTHORITY FOR VALLEY REGIONAL HOSPITAL, INC.
IN CLAREMONT

WHEREAS, the Governor and Council have received from the Business Finance Authority (the "Authority") its written recommendation that the Governor and Council make certain findings and a determination pursuant to RSA 162-I:9 with respect to the financing and refinancing of a commercial facility (the "Facility") for Valley Regional Hospital, Inc. (the "Borrower") in Claremont by the Authority's issue of Revenue Bonds (Valley Regional Hospital Issue) Series 2003 (the "Bonds") in an aggregate amount not to exceed \$12,000,000 under RSA 162-I (the "Act");

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

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

IT IS HEREBY RESOLVED THAT:

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

(a) Special findings:

(1) The Bonds will be used to finance and refinance certain projects to be owned or leased and operated by the Valley Regional Hospital, Inc. (the "Hospital") and located on the Hospital's campus at Elm Street in Claremont including (i) the acquisition of radiology, anesthesia, laboratory, oncology, cardiac and surgical patient care equipment, information system equipment, an HVAC system and other miscellaneous equipment for the Borrower facility, (ii) renovations to the Borrower facility, (iii) refunding and refinancing of the outstanding portion of revenue bonds issued by the New Hampshire Health and Educational Facilities Authority, consisting of Borrower Revenue Bonds, Valley Regional Hospital Issue, Series 1993, the proceeds of which indebtedness were used to finance and refinance capital projects and equipment at the Borrower facility, and (vi) certain costs of issuance, a reserve fund and credit enhancement. In addition, a portion of the bonds will be used to repay bank loans to the Borrower, the proceeds of which were used to finance Borrower facilities at 241 Elm Street, 228 Elm Street and 224 Elm Street in Claremont and at 958 John Stark Highway in Newport, New Hampshire. The refinancing together with the new projects for the commercial facility are collectively referred to as the "Project." The existing and proposed facilities as to be improved are referred to as the "Facility." The Project is a "commercial facility" within the meaning of RSA 162-I:2, III-a (the "Act") and may therefore be financed under the Act.

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

(b) General findings:

- (1) The Project and the proposed financing of the Project are feasible;
- (2) The Borrower has the skills and financial resources necessary to operate the Facility successfully;
- (3) The LOAN AND TRUST AGREEMENT (which is a combined financing document and security document, hereinafter called the "Agreement") contains provisions so that under no circumstances will the Authority be obligated directly or indirectly to pay project costs, debt service or expenses of operation, maintenance and upkeep of the Facility except from Bond proceeds or from funds received under the Agreement, exclusive of funds received thereunder by the Authority for its own use;
- (4) The Agreement does not purport to create any debt of the State with respect to the Facility, other than a special obligation of the Authority acting on behalf of the State under the Act; and
- (5) The proposed financing of the Project by the Authority and the operation and use of the Facility will serve one or more needs and implement one or more purposes set forth in RSA 162-I: 1, will preserve or increase the social or economic prosperity of the State and one or more of its political subdivisions, and will promote the general welfare of the State's citizens.

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

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

Section 4. Effective Date. This resolution shall take effect upon its passage. Passed and Agreed to March 19, 2003.

OFFICE OF STATE PLANNING

The Governor and Council acted as follows:

#2 Authorized to accept and expend \$3,331,766.02 in prior year funds from the US Department of Housing and Urban Development. Effective upon G&C approval through June 30, 2003.

#3 Authorized to enter into a memorandum of agreement with the Department of Environmental Services, for the purpose of carrying out activities under the provisions of the NH Estuaries Project, in the amount of \$224,998. Effective upon G&C approval to December 31, 2004.

#4 Authorized to enter into a memorandum of agreement with the University of NH, Cooperative Extension Sea Grant Program, Office of sponsored Research, Durham, NH, to revise, print, and distribute its Standard Operating Procedures Volunteer Monitoring Manual, and conduct volunteer training, in the amount of \$5,000 under the provisions of the NH Estuaries Project. Effective upon G&C approval through December 31, 2003.

#5 Authorized to enter into a memorandum of agreement with the University of NH, Technology Transfer Center, Office of sponsored Research, Durham, NH, to provide erosion and stormwater management technical assistance, in the amount of \$6,386 under the provisions of the NH Coastal Program. Effective upon G&C approval through September 30, 2003.

#6 Authorized to enter into a memorandum of agreement with the NH Department of Resources and Economic Development, Division of Parks and Recreation, Concord, NH, to purchase a self-propelled, sand-sifting beach cleaning machine under the provisions of the NH Coastal Program, in the amount of \$60,923. Effective upon G&C approval to December 31, 2003.

#7 Authorized to enter into an agreement with the Rockingham County Conservation District Brentwood, NH, to assist the towns of Hampton, and Hampton Falls, to identify and protect critical watershed resources under the provision of the NH Estuaries Project, in the amount of \$9,867.50. Effective upon G&C approval through March 31, 2004.

#8 Authorized to **retroactively** amend an existing agreement with Rockingham County Conservation District, Brentwood, NH, (previously approved by G&C on 5-9-01, item #11, amended on 5-15-02, item #7), to revise, print, and distribute the Stormwater Management and Erosion and Sedimentation Control Handbook for Urban and Developing Areas in NH, by extending the completion date from December 31, 2002 to June 30, 2003.

#9 Authorized to amend **retroactively** an existing agreement with the City of Laconia, NH, (previously approved by G&C on 9-6-00, item #6, amended on 5-29-02, item #6), under the provisions of the Community Development Block Grant Program for construction of the Lakes Region Family Center by extending the end date from June 30, 2002 to June 30, 2003.

#10 Authorized to amend an existing agreement with the Town of Northwood, NH, (previously approved by G&C on 8-22-01, item #27, amended on 11-13-02, item #7), under the provisions of the Community Development Block Grant Program for replacing and repairing sewer systems in the Glenn Abbey Mobile Home Park, by **retroactively** extending the end date to June 30, 2003

#11 Authorized to **retroactively** amend an existing agreement with the Town of North Hampton, NH, (previously approved by G&C on 9-19-01, item #20), to purchase machinery in order to meet job creation requirements, by extending the completion date from December 31, 2002 to December 31, 2003.

GOVERNORS OFFICE OF ENERGY AND COMMUNITY SERVICES

The Governor and Council acted as follows:

#12 Authorized to accept and expend additional Weatherization Assistance Program funds from the US Department of Energy in the amount of \$207,695.45. Effective upon G&C approval through March 31, 2004.

#13 Authorized to enter into a contract with Rockingham Community Action, Inc., Portsmouth, NH, as a grant recipient under the Weatherization Assistance Program in an amount not to exceed \$161,804. Effective April 1, 2003 to March 31, 2004.

#14 Authorized to enter into a contract with Southwestern Community Services, Inc. of Keene, NH as a grant recipient under the Weatherization Assistance Program in an amount not to exceed \$163,437. Effective April 1, 2003 to March 31, 2004.

#15 Authorized to enter into a contract with Community Action Program Belknap-Merrimack Counties, Inc., of Concord, NH as a grant recipient under the Weatherization Assistance Program in an amount not to exceed \$224,324. Effective April 1, 2003 to March 31, 2004.

#16 Authorized to enter into a contract with Strafford County Community Action Committee, Dover, NH as a grant recipient under the Weatherization Assistance Program in an amount not to exceed \$143,211. Effective April 1, 2003 to March 31, 2004.

#17 Authorized to enter into a contract with Southern NH Services, Manchester, NH as a grant recipient under the Weatherization Assistance Program in an amount not to exceed \$325,972. Effective April 1, 2003 to March 31, 2004.

#18 Authorized to enter into a contract with Tri-County Community Action Programs, Berlin, NH as a grant recipient under the Weatherization Assistance Program in an amount not to exceed \$278,611. Effective April 1, 2003 to March 31, 2004.

#19 Authorized to amend contract with Southwestern Community Services, Inc., Keene, NH, (previously approved by G&C on 9-25-02, item #13), as a grant recipient under the Community Services Block Grant, by increasing the contract from \$349,831 by \$32,877 to an amount not to exceed \$382,708. Effective upon G&C approval.

#20 Authorized to amend contract with Community Action Program Belknap-Merrimack Counties, Concord, NH, (previously approved by G&C on 9-25-02, item #8), as a grant recipient under the Community Services Block Grant, by increasing the contract from \$398,242 by \$75,783 to an amount not to exceed \$474,025. Effective upon G&C approval.

#21 Authorized to amend contract with Southern NH Services, Manchester, NH, (previously approved by G&C on 9-25-02, item #12), as a grant recipient under the Community Services Block Grant, by increasing the contract from \$803,113 by \$63,631 to an amount not to exceed \$866,744. Effective upon G&C approval.

#22 Authorized to amend contract with Rockingham Community Action, Portsmouth, NH, (previously approved by G&C on 9-25-02, item #10), as a grant recipient under the Community Services Block Grant, by increasing the contract from \$445,790 by \$28,954 to an amount not to exceed \$474,744. Effective upon G&C approval.

#23 Authorized to amend contract with Strafford County Community Action Committee, Dover, NH, (previously approved by G&C on 9-25-02, item #9), as a grant recipient under the Community Services Block Grant, by increasing the contract from \$332,829 by \$109,141 to an amount not to exceed \$441,970. Effective upon G&C approval.

#24 Authorized to amend contract with Tri-County Community Action Program, Berlin, NH, (previously approved by G&C on 9-25-02, item #11), as a grant recipient under the Community Services Block Grant, by increasing the contract from \$551,834 by \$35,247 to an amount not to exceed \$587,081. Effective upon G&C approval.

GOVERNORS COMMISSION ON DISABILITY

#25 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding authorized to accept and expend prior year federal funds in the amount of \$20,981.98. Effective upon G&C approval through June 30, 2003. (2)Further Authorized to budget and expend \$31,916.72 carried forward from FY02, as detailed in letter dated March 3, 2003.

ADJUTANT GENERAL

The Governor and Council acted as follows:

#26 Authorized John F Cuddy Concord, NH, to be nominated for promotion to the rank of Lieutenant Colonel, NH Army National Guard.

#27 Authorized Scott J Gardner, Cumberland, ME, be confirmed to the rank of Lieutenant Colonel, NH Air National Guard.

#28 Authorized Leroy B Dunkelberger II, Eliot, Me, be confirmed to the rank of Colonel, NH Air National Guard.

#29 Authorized Bryan E Clements, Concord, NH, be confirmed to the rank of Colonel, NH Army National Guard.

#30 Authorized Kraig E Hankins, Londonderry, NH, be confirmed for appointment to the rank of Lieutenant Colonel, NH Air National Guard.

#31 Authorized to accept and expend funds in the amount of \$127,305 from the federal government (National Guard Bureau), to pay for employee salaries, benefits, audit and post retirement costs. Effective upon G&C approval through June 30, 2003.

#32 Authorized to enter into a contract with N.E. Tree Transplanting of Gilmanton Iron Works, NH to perform Tree Spade Transplanting Services in support of habitat restoration activities at the State Military Reservation, for a maximum price of \$16,000. Effective upon G&C approval through April 31, 2004.

#33 Authorized to transfer funds, from the Emergency Fund, to the State Active Service, , in the amount of \$541.85, for reimbursement of State Active duty cost that was incurred while providing assistance for lost hikers on February 14, 2003.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#34 Authorized Working Capital Warrant in the amount of \$360,000,000, to cover expenditures for the month of April 2003. (2)Further Authorized acceptance of the Working Capital Warrant reporting expenditures of \$243,016,501.69 for the month of February and recommends the balance of \$76,983,498.31 be lapsed.

#35 Authorized Employee Benefit Adjustment Fund and in conformance with the G&C action of January 9, 2003, transfers for the month of December are as detailed in letter dated March 4, 2003.

#36 Authorized lists of agency transfers, for Fiscal Year 2003 during the month of February, as detailed in letter dated March 4, 2003.

#37 Authorized Bureau of Purchase and Property, to enter into statewide agreements with the vendors listed in letter dated March 10, 2003 as well as a grant permission to implement these agreements under an approved process, to provide information technology services. These agreements have a six year term. Effective upon G&C approval and ending June 30, 2005 contingent upon performance reviews to occur every two years.

TREASURY DEPARTMENT

The Governor and Council acted as follows:

#38 Authorized the Comptroller to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of \$39,978.54 to the rightful owners of abandoned or unclaimed funds that have escheated to the general fund.

#39 The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton 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 the State Treasurer to issue revenue anticipation notes up to and including an amount of \$75 million and to determine the most advantageous form of borrowing and to enter into such agreements as may be necessary to affect the borrowing.

DEPARTMENT OF AGRICULTURE MARKETS & FOOD

#40 The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Spaulding authorized to enter into a cooperative agreement with the Agriculture Marketing Service of the US Department of Agriculture to implement the Organic Certification Cost-Share Program in the amount of \$25,000. (2)Further Authorized to accept and expend grant funds in the amount of \$25,000 from the Agriculture Marketing Services of the US States Department of Agriculture in support of the previously noted agreement. Effective upon G&C approval through September 30, 2003.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#41 Authorized to budget and expend carry forward funds, in the amount of \$52,778.94, from a federal ISTE A Grant through the Department of Transportation, (previously approved by G&C on 8-9-00, item #47). Effective upon G&C approval through June 30, 2005.

#42 Authorized Division of Arts to award a Community Arts grant to the Division of Libraries in the amount of \$2,500. (2)Further Authorized to accept and expend a Community Arts grant from the Division of Arts in the amount of \$2,500 for the Summer Reading Experience with the budget as detailed in letter dated February 27, 2003. Effective upon G&C approval.

#43 Authorized to award a Cultural Facility Grant in the amount of \$1,040, to the Children's Museum of Portsmouth, to assist with construction, renovation, and maintenance needs. Effective upon G&C approval.

ATTORNEY GENERAL

The Governor and Council acted as follows:

#44 Authorized to enter into a sub-grant with Voices Against Violence in the amount of \$6,095, for a new crisis shelter fire alarm system. Effective upon G&C approval through June 30, 2003.

#45 Authorized to enter into a **retroactive** sub-grant totaling \$5,604 from the 2002 Byrne Formula Grant Program to support an after school program evaluation. Effective June 1, 2002 to March 31, 2003.

PUBLIC UTILITIES COMMISSION

#46 Authorized to accept an expend US Department of Transportation grant funds in the amount of \$26,783 for the expansion of the DigSafe program in NH. Effective upon G&C approval to December 31, 2003.

BANKING DEPARTMENT

#47 The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized to budget and expend prior year Consumer Credit Administration funds, fees, and fines, in the amount of \$84,125, to provide funding for the cost of the recently completed audit by the Office of the Legislative Budget Assistant.

EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#48 Authorized to enter into an amended **sole source** service agreement with Capital Glass & Mirror Co. Inc., (previously approved by G&C on 4-11-01, item #38), for glass and mirror replacement services at NHES's offices statewide, by increasing the original annual agreement amount of \$10,000 by \$7,500 to the revised annual amount of \$17,500. Effective upon G&C approval through June 30, 2003.

#49 Authorized to enter into an amended **sole source** agreement with Symbiosys Solutions, Inc., (previously approved by G&C on 9-20-00, item #48, amended on 9-19-01m item #F), for web enabled claims application system development increased from the current assigned amount of \$195,000 by \$146,875 to the new agreement total of \$341,875.

#50 Authorized to enter into an agreement with Sally Redpath in the amount of \$5,308, for facilitator training services. Effective upon G&C approval through June 30, 2003.

#51 Authorized to enter into a service agreement with Donald Poirier's Lawn Care & Janitorial, to provide janitorial services for the NHES's Berlin local office, in the amount of \$10,596 annually, for a total of \$31,788 for the three year period effective July 1, 2003 through June 30, 2006.

#52 Authorized to enter into a service agreement with Donald Poirier's Lawn Care & Janitorial, for shrub, flower, tree and lawn care services at NHES's Berlin local office, in the amount of \$2,497.25 annually for an agreement total of \$7,491.75 for the three year period effective April 1, 2003 through March 31, 2006.

#53 Authorized to enter into a service agreement with ABS Cleaning Co. Inc., to provide janitorial services for the NHES Nashua local office, in the amount of \$7,800 annually for an agreement total of \$23,400 for the three year period effective April 1, 2003 through March 31, 2006.

NEW HAMPSHIRE BOARD OF ACCOUNTANCY

#54 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Wheeler authorized to expend \$228,410 collected from the Uniform Certified Public Accountants Examination for direct expenses of the examination. (2)Further Authorized to budget as detailed in letter dated March 3, 2003.

PARI-MUTUEL COMMISSION

#55 The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Griffin authorized to accept and place on file the Annual Report for the Calendar Year ending December 31, 2002.

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#56 Authorized to accept a donation of assorted perennials from the Department of Corrections employee, Cpl. John Foster of Rumney, NH. The approximate value of this donation is \$50.

#57 Authorized to establish one Program Specialist IV position, two Corrections Counselor/Case Manager positions, and one Secretary II position through June 30, 2003, as specified in letter dated February 19, 2003. **Fiscal Committee approved.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#58 Authorized to provide Ms. Laurie Klefos, Director of the Division of Travel and Tourism Development, an annual salary increase from Group GG Step 4 (\$73,389) to Group GG Step 5 (\$77,255). Effective March 8, 2003. **Retroactive.**

#59 Authorized to enter into a **sole source** contract with John E Clark, Webster, NH, to conduct a risk hazard analysis of the Department's Forest Ranger positions, in the amount of \$4,500. Effective upon G&C approval to June 30, 2003. 100% other funds, No general fund.

#60 Authorized Division of Parks and Recreation to reclassify vacant position number 8T028 from Maintenance Mechanic II, Labor Grade 12, to Park Manager II, Labor Grade 12 with a salary range of \$23,420.80-\$31,096 for increased responsibility and management. State Park Fund.

#61 Authorized Division of Parks and Recreation to accept a donation in the amount of \$4,000 from Reach the Beach Relay, to be deposited into the Park Fund that is given as part for involvement in the 2002 edition of the Reach the Beach Relay.

#62 Authorized Division of Economic Development to enter into a grant agreement with the Town of Troy, NH, for expenses to provide for redevelopment planning, strategic planning, and to seek investment in this distressed western community, in the amount of \$25,000. (2)Further Authorized the payment of \$25,000 from this grant upon G&C approval.

#63 Authorized Division of Forests and Lands to accept and expend a donation from the Nation Grid USA Service Company, Inc., Northborough, MA, in the amount of \$5,000. (2)Further Authorized Division of Forest and Lands to accept and expend an insurance loss payment from the Union Mutual Fire Insurance Company of Montpelier, VT, in the amount of \$105,428. (3)Further Authorized funding to be budgeted in Fiscal Year 2003, as detailed in letter dated March 6, 2003.

#64 Authorized to enter into a memorandum of agreement with the Adjutant General's Department, for the purpose of conducting vegetation mapping and floristic inventory of the NH National Guard Training Site in Center Strafford, NH, in the amount of \$4,995. (2)Further Authorized to accept and expend funds received from the Adjutant General's Department in support of the above noted memorandum of agreement in the amount of \$4,995. Effective upon G&C approval through January 31, 2004.

#65 Authorized to accept and allotment of federal funds for the Federal Fiscal year October 1, 2001-September 30, 2004, under the cooperative Forestry Assistance Act of 1978, Volunteer Fire Assistance (Wildfire Personal Safety and Suppression Equipment), in the amount of \$47,635, under the provision that the program will be immediately terminated should the funding cease to exist. (2)Further Authorized to receive and disburse these funds in the 2003 State Fiscal Year as detailed in letter dated March 5, 2003.

#66 Authorized to amend on a **sole source** basis the current contract with Glen Group Marketing and Advertising of North Conway, NH, (previously approved by G&C on 6-21-00, item #69, amended on 7-5-01, item #31), for publication production services for the Division of Travel and Tourism Development, by increasing the funding by \$20,500 for a new total of \$260,400. For a period ending June 30, 2003.

#67 Authorized to amend on a **sole source** basis the current contract with Barradas, Yeaton and Wold, Inc. DBA Rumbletree of Portsmouth, NH, (previously approved by G&C on 7-5-01, item #27A, amended in July 2002), for advertising and promotion services for the Division of Travel and Tourism Development, by increasing the funds by \$101,700 for a new total of \$3,050,214. For the period ending June 30, 2003.

#68 Authorized to accept and place on file the Mining and Reclamation Annual Report as detailed in letter dated February 26, 2003. **Informational Item.**

FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#69 Authorized to accept and expend an additional \$60,000 in federal funds from the National Oceanic and Atmospheric Administration to benefit programs of the Great Bay National Estuarine Research Reserve. Effective upon G&C approval through June 30, 2003.

#70 Authorized to accept and expend an additional \$18,000 in federal funds from the US Fish and Wildlife Service to benefit the Aquatic Resources Education Program from date of G&C approval through June 30, 2003.

#71 Authorized to hold an organized meeting for the purpose of providing training and recognition of volunteer instructors involved with mandated hunter, bowhunter and trapper education programs of the Fish and Game Department. Cost of supplies, awards, postage and printing of invitations will not exceed \$3,000. (2)Further Authorized to enter into a contract with Tsunis Holding Inc. dba Holiday Inn- Concord, NH, for annual recognition dinner for the volunteer hunter education instructors, to be held in Concord, NH, on June 28, 2003, in an amount not to exceed \$3,546.49. Effective upon G&C approval through July 28, 2003.

#72 Authorized to enter into a **sole source** contract with the University of NH, Office of Sponsored Research, to conduct the study titled "Assessment of Land Use Practices on Wetlands Functions and Values: Examination of Wetlands Size and Spatial Distribution", as specified in letter dated March 3, 2003, for a total of \$57,000. Effective upon G&C approval through June 30, 2005.

#73 Authorized to enter into a contract with Antioch University dba Antioch New England Graduate School, Keene, NH, for the content design of children's web-based magazine for the NH Fish and Game website, in the amount of \$12,000.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#74 Authorized Air Resources Division to accept and expend \$189,915 from the US Environmental Protection Agency as under the Federal Clean Air Act, for the purchase of PM 2.5 related equipment, parts and supplies, through September 30, 2003.

#75 Authorized to accept and expend \$14,999 in federal funds from the US Environmental Protection Agency for assistance to community water systems through December 31, 2004. (2)Further Authorized to award a grant to the Nashua Regional Planning Commission, Nashua, NH, to explore regionalization of water systems throughout southern NH, in the amount of \$14,720. Effective upon G&C approval through February 28, 2004.

#76 Authorized to enter into a contract with enfoTech & Consulting Inc. Lawrenceville, NJ, for facilitating the Electronic Storage and Sharing of Laboratory Information Challenge Grant with technical decisions and logistics, in the amount of \$210,000. Effective upon G&C approval through June 30, 2005.

#77 Authorized to enter into a **sole source** agreement with Simplex Grinnell LP, Nashua, NH, for fire alarm system testing and repair, in the amount of \$41,352. Effective July 1, 2003 through December 31, 2006.

#78 Authorized to award Wastewater State Aid Grants in an Aggregate amount of \$214,725 for water pollution control projects upon G&C approval. Detailed in letter dated February 13, 2003.

#79 Authorized to award a Household Hazardous Waste grant to Nashua Regional Planning Commission on behalf of the Nashua Region Solid Waste Management District, for the purpose of conducting a household hazardous waste collection project, for an amount not to exceed \$31,784.70. Effective upon G&C approval through June 30, 2003.

#80 Authorized to award a Household Hazardous Waste grant to City of Dover, NH, for the purpose of conducting a household hazardous waste collection project, for an amount not to exceed \$5,678.60. Effective upon G&C approval through June 30, 2003.

#81 Authorized to award a Household Hazardous Waste grant to City of Concord, NH, for the purpose of conducting a household hazardous waste collection project, for an amount not to exceed \$8,137.40. Effective upon G&C approval through June 30, 2003.

#82 Authorized to award a Household Hazardous Waste grant to Town of Goffstown, NH, for the purpose of conducting a household hazardous waste collection project, for an amount not to exceed \$3,385.80. Effective upon G&C approval through June 30, 2003.

#83 Authorized to amend an existing grant with the Town of Goffstown, NH, (previously approved by G&C on 6-20-01, item #110), for the specified landfill closure project, to increase the eligible amount of the grant from \$140,000 to \$830,000.

#84 Authorized Mr. Bruce Rischman's request to construct an extension to an existing cantilevered dock attached to an existing breakwater in a "dogleg" configuration adjacent to a jug in boathouse on frontage on property located at Clay Point on Lake Winnepesaukee in Alton.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of Finance

#85 Authorized to amend an agreement with the US Department of Health and Human Services, 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.

Office of Information Systems

#86 Authorized to enter into an agreement with Client Network Services, Inc. Rockville, MD, to implement the Vital Records Web Enablement Project, for the design, and development of a Web-enabled vital records system, in the amount of \$1,535,582. Effective upon G&C approval through September 30, 2004.

Office of Community and Public Health

#87 Authorized Public Health Laboratories and the Bureau of Radiological Health to enter into an agreement with B&V Testing, Inc., Waltham, MA, for maintenance, replacement of filters, and certification of bio-safety cabinets and chemical and radioisotope fume hoods located in the Public Health Laboratories and the Bureau of Radiological Health, in an amount not to exceed \$29,277. Effective upon G&C approval through June 30, 2004.

#88 Authorized Bureau of Maternal and Child Health to contract with Crotched Mountain Rehabilitation Center Greenfield, NH, to provide pediatric diagnostic audiology services in the amount of \$20,870. Effective upon G&C approval through June 30, 2003.

#89 Authorized Bureau of Maternal and Child Health to contract with Core Health Services, Exeter, NH, to provide pediatric diagnostic audiology services in the amount of \$15,000. Effective upon G&C approval through June 30, 2003.

#90 Authorized with Councilor Wheeler voting – **no**, to amend an existing **sole source** agreement with the NH Minority Health Coalition, (previously approved by G&C on 6-12-02, item #77), to conduct focus groups to assist in developing a strategic plan for adolescent Health in NH, by increasing the Price Limitation by \$3,102 from \$85,007 to \$88,109. Effective upon G&C approval through June 30, 2003.

#91 Authorized with Councilor Wheeler voting – **no**, to enter into a contract with the Glen Group Inc., North Conway, NH, to plan and implement an immunization marketing campaign, totaling \$512,000. Effective upon G&C approval through June 30, 2005.

#92 Authorized with Councilor Griffin and Councilor Wheeler voting – **no**, Tobacco Prevention and Control Program to amend an existing agreement with Macro International Inc., Philadelphia, PA, (previously approved by G&C on 5-15-02, item #108), to do a no-cost extension to continue to support tobacco surveillance and evaluation efforts by extending their contract from the original date of June 30, 2003 to December 31, 2003. Effective upon G&C approval.

Division of Elderly & Adult Services

#93 **WITHDRAWN** – The Governor withdrew the request to amend an existing agreement with Myers & Stauffer, LLC, Topeka, KS, (previously approved by G&C on 4-3-02, item #73), to design and implement a Minimum Data Set Validation Program, by extending the termination date from March 31, 2003 to December 31, 2003. Effective upon G&C approval.

#94 Authorized to amend an existing agreement with JSI Research & Training Institute, Inc., Concord, NH, (previously approved by G&C on 12-4-02, item #135), to act as the fiscal intermediary for the annual conference on Aging by increasing the amount by \$9,875, from \$4,129.50 to \$14,004.50. Effective upon G&C approval through June 30, 2003.

#95 Authorized to amend an existing **sole source** agreement with Community Services Council of NH, Concord, NH, (previously approved by G&C on 9-4-02, item #108), for the “Health Care Waste, Fraud and Abuse Senior Medicare Patrol Project” by increasing the amount by \$40,000 from \$197,786 to \$237,786. Effective upon G&C approval through June 30, 2003.

#96 Authorized to amend an existing agreement with Life Coping, Inc., Nashua, NH, (previously approved by G&C on 5-15-02, item #130, amended on 12-18-02, item #103), to provide an Alzheimer’s Disease and Related Disorders Support Plan by increasing the amount by \$171,153 from \$159,800 to \$330,953. Effective upon G&C approval through June 30, 2003.

#97 Authorized to amend an existing agreement with Special Transit Service, Inc., Manchester, NH, (previously approved by G&C on 6-20-01, item #191), to provide transportation services, by increasing the contract by \$5,167.76 from \$171,728.64 to \$176,896.40. Effective **retroactive** to July 1, 2002 through June 30, 2003.

#98 Authorized to amend an existing agreement with Tri-Community Action Program, Inc., Berlin, NH, (previously approved by G&C on 6-20-01, item #175, amended on 2-20-02, item #69, amended on 4-3-02, item #66, amended on 12-4-02, Late Item A), to provide transportation services, by increasing the contract by \$10,473.01 from \$1,395,383.65 to \$1,405,856.66. Effective **retroactive** to July 1, 2002 through June 30, 2003.

#99 Authorized to amend an existing agreement with Rockingham Nutrition & Meals on Wheels Program, Inc., Brentwood, NH, (previously approved by G&C on 6-20-01, item #199, amended on 4-3-02, item #68), to provide transportation services, by increasing the contract by \$8,758.92 from \$2,145,230.57 to \$2,153,989.49. Effective **retroactive** to July 1, 2002 through June 30, 2003.

#100 Authorized to amend an existing agreement with Grafton County Senior Citizen Council, Inc., Lebanon, NH, (previously approved by G&C on 6-20-01, item #171, amended on 4-27-02, item #101), to provide transportation services, by increasing the contract by \$13,755.49 from \$1,793,244.39 to \$1,806,999.88. Effective **retroactive** to July 1, 2002 through June 30, 2003.

#101 Authorized to amend an existing agreement with Strafford County Community Action Committee, Inc., Dover, NH, (previously approved by G&C on 6-20-01, item #203, amended on 3-20-02, item #85), to provide transportation services, by increasing the contract by \$6,367.22 from \$134,803.40 to \$141,170.62. Effective **retroactive** to July 1, 2002 through June 30, 2003.

#102 Authorized to amend an existing agreement with Gibson Center for Senior Services, Inc., North Conway, NH, (previously approved by G&C on 6-20-01, item #200, amended on 4-3-02, item #65), to provide transportation services, by increasing the contract by \$5,569.97 from \$508,689.95 to \$514,259.92. Effective **retroactive** to July 1, 2002 through June 30, 2003.

#103 Authorized to amend an existing agreement with Lamprey Health Care, Inc., Newmarket, NH, (previously approved by G&C on 6-20-01, item #190, amended on 3-20-02, item #86), to provide transportation services, by increasing the contract by \$17,467.08 from \$305,488.08 to \$322,955.16. Effective **retroactive** to July 1, 2002 through June 30, 2003.

#104 Authorized to amend an existing agreement with St. Joseph Community Services, Inc., Merrimack, NH, (previously approved by G&C on 6-20-01, item #201, amended on 4-17-02, item #103), to provide transportation services, by increasing the contract by \$4,481.92 from \$2,887,915.74 to \$2,892,397.66. Effective **retroactive** to July 1, 2002 through June 30, 2003.

#105 Authorized to amend an existing agreement with Community Action Program Belknap-Merrimack Counties, Inc., Concord, NH, (previously approved by G&C on 6-20-01, item #170, amended item #69), to provide transportation services, by increasing the contract by \$16,809.55 from \$2,661,651.76 to \$2,678,461.31. Effective **retroactive** to July 1, 2002 through June 30, 2003.

#106 Authorized to amend an existing agreement with Community Alliance of Human Services, Claremont, NH, (previously approved by G&C on 6-20-01, item #192), to provide transportation services, by increasing the contract by \$388.41 from \$38,602.02 to \$38,990.43. Effective **retroactive** to July 1, 2002 through June 30, 2003.

Division of Family Assistance

#107 Authorized to enter into a contract with the University System of NH, Durham, NH, to provide nutrition education programs, in the amount of \$777,753. Effective **retroactive** to October 1, 2002 through September 30, 2003.

Division of Child Support Services

#108 Authorized to enter into a **sole source** agreement with Atlantic Media, Ltd., Portsmouth, NH, for production of an educational video to provide parents with information regarding constructive ways to create a positive climate beneficial to nurturing their children, in the amount of \$3,535. Effective April 24, 2003 through June 13, 2003.

Division for Children, Youth & Families

#109 Authorized with Councilor Griffin and Councilor Wheeler voting – **no**, to pay a membership fee to the Child Welfare League of America, Washington, DC, for an annual membership to participate in the National Data Analysis System, in an amount not to exceed \$20,000.

Division for Children, Youth & Families

#110 **DENIED** – The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton with Councilor Griffin, Councilor Wieczorek, and Councilor Wheeler all voting – **no**, denied the request to enter into an agreement with Scott Noyes, Sole Proprietor, Exeter, VT, for Water Safety and Supervision Training: Preventing Drowning in Child Care in an amount not to exceed \$60,000. Effective upon G&C approval through February 28, 2005.

#111 Authorized to amend and extend an existing agreement with the Southeastern Regional Education Services Center, Inc., Derry, NH, (previously approved by G&C on 5-23-01, item #94), for the statewide child care inclusion program, by increasing the agreement amount by \$350,000 to a new price limitation of \$550,000 and extending the end date to June 30, 2005. Effective upon G&C approval.

Division for Juvenile Justice Services

#112 Authorized to **retroactively** amend an educational tuition agreement with Plymouth State College (previously approved by G&C on 1-15-03, item #147V), by changing the Institution, the course dates, and the amount of the funding as detailed in letter dated February 12, 2003.

#113 Authorized to accept material donations for the period December 1, 2002 through December 31, 2002, as specified in letter dated March 4, 2003. **Fiscal Committee approved.**

#114 Authorized to accept material donations for the period January 1, 2003 through January 31, 2003, as specified in letter dated March 4, 2003. **Fiscal Committee approved.**

#115 Authorized to accept and expend \$1,000 in donations from the local Outreach Committee of the First Congregational Church in Manchester, NH, as specified in letter dated March 4, 2003. **Fiscal Committee approved.**

#116 Authorized to award the town of Hudson, a Juvenile Accountability Incentive Block Grant for funding the Juvenile Offender Locator Team in the amount of \$8,832. Effective upon G&C approval through September 30, 2003.

#117 Authorized to award to the county of Rockingham, a Juvenile Accountability Incentive Block Grant for funding the Juvenile Offender Locator Team in the amount of \$18,270. Effective upon G&C approval through September 30, 2003.

#118 Authorized to award to the town of Derry, a Juvenile Accountability Incentive Block Grant for funding the Juvenile Offender Locator Team in the amount of \$14,724. Effective upon G&C approval through September 30, 2003.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#119 Authorized with Councilor Wheeler voting – **no**, to accept and expend additional grant funds in the total amount of \$36,000 awarded by the University of ME, Troop to Teachers Program to attract retiring services members and other qualified military veterans to enter teaching as a second career. Effective upon G&C approval through June 30, 2003.

#120 Authorized with Councilor Wheeler voting – **no**, to enter into a contract with Louis Lafasciano, sole proprietor, Strafford NH, to provide complaint investigative services, in an amount not to exceed \$7,600. (2)Authorized payment for services rendered and approved in lieu of withholding at least 25% of the total value of the contract. Effective upon G&C approval through June 30, 2003.

#121 Authorized with Councilor Wheeler voting – **no**, to enter into a contract with Mary Ann Barbee, sole proprietor, New London NH, to provide complaint investigative services, in an amount not to exceed \$12,600. (2)Authorized payment for services rendered and approved in lieu of withholding at least 25% of the total value of the contract. Effective upon G&C approval through June 30, 2003.

#122 Authorized with Councilor Wheeler voting – **no**, to enter into a **sole source** contract with Learning Innovations at WestEd, Stoneham, MA, to provide services surrounding the Quality Improvement Linking Together project, in an amount not to exceed \$290,542. Effective upon G&C approval through September 30, 2003. (2)Further Authorized to make payment on 100% of the expenditures listed on the monthly invoices, providing that all is otherwise correct and acceptable, thereby waiving the 25% withholding requirement.

#123 Authorized with Councilor Wheeler voting – **no**, to grant funds to NH Association of Special Education Administrators, Concord, NH, to develop an organizational structure to provide technical assistance, professional development for educators to support children and youth with disabilities, in an amount not to exceed \$177,373. Effective upon G&C approval through December 31, 2003. (2)Further Authorized unencumbered payment of said grant with internal accounting control within the Department of Education.

#124 Authorized Division of Adult Learning and Rehabilitation to enter into a contract with Berle Ross, Sole proprietor, Mason, NH, to develop an assessment tool that will assess the transition needs of deaf and hard of hearing high school students in NH, in an amount not to exceed \$2,550. Effective upon G&C approval through June 30, 2003.

#125 Authorized to amend the grant to the Southeastern Regional Education Service Center, Inc., Bedford, NH, (previously approved by G&C on 11-13-02, item #150), providing technical assistance in supporting positive behavioral strategies for children and youth with disabilities, by \$80,339 to a new total not to exceed \$303,050.12. (2)Further Authorized unencumbered payment of said grant with internal accounting within the Department of Education. Effective upon G&C approval through June 30, 2003.

#126 Authorized to enter into a **sole source** contract with VSA Arts of NH, Concord, NH, to support the North Conway Arts Education Program for children and youth with disabilities, in an amount not to exceed \$55,000. Effective upon G&C approval through June 30, 2003. (2)Further Authorized to exercise a renewal option on this contract for up to two additional fiscal years, pending legislative approval of the next biennium budget.

#127 Authorized with Councilor Wheeler voting – **no**, to amend contract with Southeastern Regional Education Service Center Inc., Bedford, NH, (previously approved by G&C on 8-14-02, item #213), to provide training and assigning of surrogate parents for educationally disabled students, to increase the contract from \$78,634.80 by \$12,474 to a new limit that is not to exceed \$91,108.80. Effective upon G&C approval through June 30, 2003.

#128 Authorized to amend a contract with Kristen Harris, sole proprietor, Portsmouth, NH, (previously approved by G&C on 10-9-02, item #102), to provide complaint investigative services, with an increase amount from \$15,000 to a new limit that is not to exceed \$40,000. (2)Authorized payment for services rendered and approved in lieu of withholding at least 25% of the total value of the contract. Effective upon G&C approval through June 30, 2003.

NH COMMUNITY TECHNICAL COLLEGE SYSTEM

#129 **WITHDRAWN** – The Governor withdrew the request of Berlin and Laconia College to accept and expend an additional \$40,000 in federal funding from the Title IV Financial Aid grants to students program (2) Further Authorized Manchester and Stratham College to accept and expend an additional \$20,000 in federal funding from the Title IV Financial Aid grants to students program. Effective upon G&C approval through June 30, 2003.

POLICE STANDARDS & TRAINING COUNCIL

#130 The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Wheeler authorized to enter into a service agreement with The Taylor Group of Cottonwood, AZ, for the purpose of providing a two day instruction related to “Interpersonal Stalking”, in the amount of \$3,700. Effective upon G&C approval through June 30, 2003.

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#131 Authorized to accept the donation of one male Rottweiler dog from Mr. & Mrs. Jeff Holmes, Hollis, NH, to be used as a working dog with the NH State Police. The dog is valued at \$6,000.

#132 Authorized to accept the donation of one Belgian Malinois dog from Larry Holdsworth, New London, NH, to be used as a working dog with the NH State Police. The dog is valued at \$4,000.

#133 Authorized to reallocate funds within the Streetsweeper grant, as detailed in letter dated February 26, 2003, (previously approved by G&C on 11-13-02, item #190).

#134 Authorized to amend an existing contract with Morris Boudreau, retired Criminalist II, (previously approved by G&C on 5-5-02, item #186), for preparing pre-trial cases and making court appearances to testify, if needed, by increasing it from the current \$10,000 level to \$12,500, an increase of \$2,500.

#135 Authorized Division of Fire Safety and Emergency Management to accept and expend \$435,663 from the Federal Emergency Management Agency, for the purpose of enhancing State and Local All Hazards Planning. Effective upon G&C approval through December 31, 2003.

#136 Authorized to enter into a one and one-half year agreement with the NH Community College, Amherst, NH, to provide classroom space and parking lot space for a Motorcycle Rider Training Program, for \$17,375. Effective April 1, 2003 through October 31, 2004. (2)Further Authorized to adjust between fiscal years through the Budget Office, if needed.

#137 Authorized Division of Fire Safety and Emergency Management to accept and expend \$31,013 from the US Department of Transportation, to be used for hazardous materials planning and training for local communities and first responders. Effective upon G&C approval through September 30, 2003.

#138 Authorized an amendment to an existing janitorial contract with Busy Bee Janitorial Services, Inc., Somersworth, NH, (previously approved by G&C on 8-22-01, item#287), increasing the contract from \$7,776 to \$13,008 for an additional \$5,323. Effective through June 30, 2003.

#139 Authorized to enter into a \$7,500 contract with H&D Truck Service, Inc, Bow, NH, to provide plowing services at the new Troop D barracks, Concord, NH. Effective upon &C approval through June 30, 2003.

#140 Authorized Division of Information Technology to amend contract with Kalkomey Enterprises, Inc., (previously approved by G&C on 3-20-02, item #116), changing the original price from \$200,000 to \$208,748, an increase of \$8,748, and to amend the end date from June 30, 2003 to June 30, 2006.

ELECTRICIAN BOARD

#141 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding authorized to accept and expend an additional \$1,158.81 in examination fees over the amount budgeted for FY'03.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#142 Authorized to accept and place on file the Bureau of Right-of-Way's Contemplated Award List for the period February 12, 2003 through February 26, 2003.

#143 Authorized Bureau of Finance and Contracts to pay Small Claims occasioned by accidents due to the activities of the Department of Transportation submitted for the period of April 2003 to June 2003.

#144 Authorized Bureau of Human Resources to enter into a **sole source** contract with Management Development, Inc., Carmel, IN, for training in fiscal year 2003, for an amount not to exceed \$22,800. (2)Further Authorized to pay the Wayfarer Inn, Bedford, NH, for conference services in fiscal year 2003, in an amount not to exceed \$30,000.

#145 Authorized Bureau of Municipal Highways to enter into agreements with the communities of Epping, Milton and Portsmouth, to provide technical and financial assistance for the reconstruction of four bridges and the layout of the roadway approaches.

#146 Authorized Bureau of Rail and Transit to sell a parcel of land to Melony A Osgood, Wolfeboro, NH, on the state-owned Wolfeboro Railroad corridor in Wolfeboro for \$6,000 plus a one-time administrative fee of \$500, as detailed in letter dated February 14, 2003.

#147 Authorized Bureau of Right-of-Way to sell a 0.23 of an acre parcel of land located on the easterly side of NH Route 11 in the Town of New Durham to Leslie Turner and Nathalie Turner for \$600, as detailed in letter dated February 13, 2003.

#148 Authorized Bureau of Right-of-Way to sell a 0.12 of an acre parcel of land located on the westerly side line of NH Route 11D in the Town of Alton to Steven Murphy for \$4,500, as detailed in letter dated February 13, 2003.

#149 Authorized Bureau of Right-of-Way to sell an 11,000 square foot parcel of land located on the North side of NH Route 111 in the City of Nashua to Clermont Labonte for \$9,000, as detailed in letter dated February 25, 2003.

#150 Authorized Bureau of Highway Design to enter into an agreement with Fay, Spofford & Thorndike, LLC, Bedford, NH and Burlington, MA, for preliminary and final design of I-95 ramp toll plaza expansion in towns of Hampton and North Hampton. Effective upon G&C approval for twelve months, as detailed in letter dated February 12, 2003.

#151 Authorized Bureau of Construction contract with Winterset, Inc., Lydonville, VT, on the basis of a low bid of \$2,858,385.28, for ledge removal beginning on US Route 3 north of the Colebrook Rest Area which consists of cutting back three areas of unstable ledge, stabilizing the Connecticut River bank and rehabilitating the pavement. Effective upon G&C approval through September 30, 2004.

#152 **TABLED** – The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Griffin voted to **Table** the request of the Bureau of Construction contract with Moores Marine Construction Corp, Dover, NH, on the basis of a low bid of \$2,342,130.94, for replacement of the Kingston Road bridge over the Boston and Maine Railroad beginning south of the existing intersection of Kingston Road with Hale Spring Road extending northward to a point in the existing traveled way of Kingston Road north of the intersection with Arbor Lane. Effective upon G&C approval through August 27, 2004.

#153 Authorized Bureau of construction contract with Alvin J Coleman & Son, Inc., Conway, NH, on a low basis of \$3,767,370, for pavement rehabilitation and safety work along NH Route 28 in the Town of Alton beginning at a pavement joint just north of the traffic circle, continuing north approximately four miles to just north of the intersection of Route 28A. Effective upon G&C approval through July 30, 2004.

#154 **TUITION REQUESTS**

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wiczorek with Councilor Wheeler voting – **no on E**, authorized the requests:

- A. COMMUNITY TECHNICAL COLLEGE** – Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$720.00 for the sole purpose of enrolling Kilee Douglass, Human Resource Assistant, in the course entitled “Quantitative and Research Techniques for Leaders”.
- B. EDUCATION** - Request permission to pay the College for Lifelong Learning, Bow, NH, the sum of \$778.00 for the sole purpose of enrolling Lori Kincaid, Program Specialist II, in the course entitled “Principles of Management”.

- C. HEALTH & HUMAN SERVICES, Division of Behavioral Health** - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$615.00 for the sole purpose of enrolling Elva Alvarado, Accounting Technician, in the course entitled "Auditing".
- D. HEALTH & HUMAN SERVICES, Division of Behavioral Health** - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$1,230.00 for the sole purpose of enrolling Rebecca Mair, Program Planner II, in the courses entitled "Problems in Finance" and "Auditing".
- E. HEALTH & HUMAN SERVICES, Division for Children, Youth & Families** - Request permission to pay College for Lifelong Learning, Bow, NH, the sum of \$2,234.00 for the sole purpose of enrolling Mary Calise, Grants Program Coordinator, in the courses entitled "U.S. History: Modern Themes", "Strategic Analysis and Decision Making" and "Living in a Digital Democracy".
- F. PUBLIC UTILITIES COMMISSION** - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$1,080.00 for the sole purpose of enrolling, Karen Moran, PUC Examiner, in the course entitled "Quantitative Techniques".

#155 **TRAVEL REQUESTS**

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

- A. BANKING** - Request permission for (1) employee, Robin Boman, Bank Examiner III, or designee, to travel to Arlington, VA on April 27 – May 9, 2003, to attend the Financial Institution Analysis School. ALSO A CASH ADVANCE OF \$400.00 IS REQUESTED FOR Robin Boman. Total Cost: \$1,090. Source of Funds: 100% Other – Exam/Assessment Funds. No Registration Fee.
- B. BANKING** - Request permission for (1) employee, Lenore Leavitt, Bank Examiner Trainee, or designee, to travel to Arlington, VA on April 27 - May 16, 2003, to attend the Introduction to Examinations. ALSO A CASH ADVANCE OF \$600.00 IS REQUESTED FOR Lenore Leavitt. Total Cost: \$1,350. Source of Funds: 100% Other – Exam/Assessment Funds. No Registration Fee.
- C. EDUCATION** - Request permission for (1) employee, Rosemary Prescott, Program Coordinator, or designee, to travel to Washington DC, on March 29 – April 2, 2003, to attend the Twelfth Annual Program Managers Conference Independent Living Services for Older Individuals Who Are Blind. ALSO A CASH ADVANCE OF \$1,336.44.00 IS REQUESTED FOR Rosemary Prescott. Total Cost: \$1,775.94. Source of Funds: 100% Federal Funds. Registration Fees: \$300.00.

Late Items:

OFFICE OF ENVIRONMENTAL SERVICES

- A. Authorized the Dept. of Environmental Services to accept and expend \$64,715 in federal funds from the US Environmental Protection Agency from the date of Governor and Council approval through June 30, 2003 to provide technical assistance for municipalities seeking water protection
- B. Pursuant to the provisions of RSA 124:15 Authorized the DES to establish one full-time temporary position, Environmentalist III (Geographic Information System (GIS) Planner), from the date of Governor and Council approval through June 30, 2003 to support the development of watershed assessments and protection. This position is 100% federally funded.

DEPARTMENT OF FISH AND GAME

- C. **WITHDRAWN** – The Governor withdrew the request of the NH Fish and Game Dept. to enter into Off Highway Recreational Vehicle Law Enforcement Contracts in the amount \$83,897.52 with the attached list of NH Police Dept. The start date for these contracts is upon approval from the Governor and Executive Council with a completion date of June 30, 2003.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

- D. Authorized the Office of Community and Public Health, Bureau of Maternal and Child Health to amend existing agreement with Ammonoosuc Community Health Services of Littleton for comprehensive family planning and breast and cervical cancer screening services by increasing the Price Limitation by \$40,396. This contract was originally approved on July 5, 2001. and amended on May 29, 2002, this amendment will become effective on the date of Governor and Council approval through June 30, 2003.

DEPARTMENT OF SAFETY

- E. The Dept. of Safety request retroactive approval to enter into a contract with TreMac Development of Keene. This contract is to provide parking lot space for both Motorcycle Training and Commercial Truck Driver Testing. The total of the contract is \$10,800 for the period of January 1, 2003 through December 31, 2004.

Next Governor and Executive Council meeting is scheduled for Wednesday, April 2, 2003 at 10:30 a.m. at the State House in Concord, NH.

The Honorable Board then Adjourned