GOVERNOR AND EXECUTIVE COUNCIL MINUTES
Nashua City Hall, Nashua New Hampshire
February 11, 2004 10:00 a.m.

The Governor and Executive Council convened at 10:00 a.m. with Councilor Burton, Councilor Spaulding, Councilor Wieczorek, and Councilor Wheeler present and Councilor Griffin absent.

The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Wheeler accepted the minutes of January 21, 2004.

The Governor and Executive Council, on motion of Councilor Wheeler, seconded by Councilor Spaulding confirmed the appointment of several persons nominated for Civil Commissions from the January 21, 2004 meeting.

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

RESIGNATIONS

The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Burton accepted the following resignation with regret and thanks.

Dover District Court
Clyde R Coolidge, Rollinsford — Effective: Upon Acceptance

The Governor and Council on motion of Councilor Burton, seconded by Councilor Spaulding accepted the following resignation with regret and appreciation for many years of service.

Health and Human Services
Assistant Commissioner
Kathleen G. Sgambati, Tilton — Effective: February 23, 2004

CONFIRMATIONS

The Governor and Council confirmed the following:

Department of Health and Human Services
Senior Division Director — Effective: February 11, 2004
Mary P. Castelli, Chichester — Term: February 11, 2008
(Filling Vacancy) — Salary: $84,619 JJ 03

Medical Review Subcommittee
Public Member — Effective: February 11, 2004
Richard E. Amidon, Hancock — Term: December 3, 2006
(Reappointment)

Medical Review Subcommittee
Rep. Board of Medicine — Effective: February 11, 2004
Kevin R. Costin, Manchester — Term: December 3, 2004
(Replacing Wassfy M Hanna)

Midwifery Council
Obstetrician — Effective: February 11, 2004
Lisa K. Stolper, Gilsum — Term: September 28, 2007
(Replacing Gerald L. Hamilton)

Mount Washington Commission
Representative of NH Senate — Effective: February 11, 2004
John T. Gallus, Berlin — Term: February 11, 2009
(Filling Vacancy)

Pari-Mutuel Commission
Interest of Thoroughbred and Harness Horse Racing — Effective: February 11, 2004
Michael J. Gatsas, Manchester — Term: January 21, 2007
(Replacing Dearborn Wingate)

Board of Registration of Podiatrists
Public Member — Effective: February 11, 2004
Stephanie Caldon, Tilton — Term: August 4, 2007
(Filling Vacancy)

Respiratory Care Practitioners Governing Board
Carl J. Rod, Lancaster — Effective: February 11, 2004
(Replacing Mark E. Favorite) — Term: March 4, 2007

Department of Safety
Assistant Bureau Chief of the Division of Fire Safety and Emergency Management
Kathryn E. Doutt, Harrisburg, PA — Effective: February 11, 2004
(Filling Vacancy) — Term: serves at pleasure of commissioner
Salary: $66,779 EE 05

The following confirmation received a favorable vote by Councilor Griffin in absentia.

New Hampshire Supreme Court
Justice
Richard Galway, Bedford — Effective: February 11, 2004
(Filling Vacancy) — Term: Upon age limit of 70 yrs
Salary: $124,593

The following were confirmed to the Souhegan River Water Management Planning Area Advisory Committee:

Local River Management Advisory Committee Representatives
Spencer C. Brookes II, Wilton — Effective: February 11, 2004

Diane Fitzpatrick, Milford — Effective: February 11, 2004

Affected Business Water users in the WMPA
Monadnock Mountain Spring Water/Quality Control Manager — Effective: February 11, 2004
F. Vincent Gerbino, Francestown

Amherst Country Club — Effective: February 11, 2004
Wallace Warren, Amherst

Pennichuck Water Works — Effective: February 11, 2004
Stephen J. Densberger, Nashua

Pike Industries, Inc — Effective: February 11, 2004
Larry Major, Wilton

Conservation Commission Member from a Town or City in the WMPA
Milford Conservation Commission/Member — Effective: February 11, 2004
Pierce Rigrod, Milford

Government Official Representatives from a Town of City in the WMPA
Representing Town of Amherst
Gordon Leedy, Amherst — Effective: February 11, 2004

Representing Town of Merrimack
Nelson R. Disco, Merrimack — Effective: February 11, 2004

Representing Town of Milford/Director, Milford Public Works
William F. Ruoff, Milford — Effective: February 11, 2004

Recreational Use Representative from the WMPA
Chairman
George May, New Ipswich — Effective: February 11, 2004

Community Citizen Representative from a Town of City in the WMPA
Former NH House Agriculture and Environment Committee/State Representative
Timothy D. O'Connell, Milford — Effective: February 11, 2004

Representative of Conservation Interests in the WMPA
Nashua Regional Planning Commission/Interim Land Use Program Coordinator
Angela Rapp, Nashua — Effective: February 11, 2004

State Senator in a Town of City in the WMPA
NH State Senate
Andrew R. Peterson, Peterborough — Effective: February 11, 2004

State Representative in a Town or City in the WMPA
NH House of Representatives
Pierre W. Bruno, New Boston — Effective: February 11, 2004

Representative of a Lake Association in the WMPA
Pratt Pond Association/President
Nancy Rose Redling, New Ipswich — Effective: February 11, 2004

Public Water Supplier in the WMPA
Town of Milford Department of Public Works
Thomas Neforas, Milford — Effective: February 11, 2004

Affected Dam Owner in the WMPA
Alden Engineering
Alden T. Greenwood, Greenville — Effective: February 11, 2004

Affected Agricultural Water User in the WMPA
Peter de Bruyn Kops, Amherst — Effective: February 11, 2004

NOMINATIONS

Board of Licensing for Alcohol and Other Drug Abuse Professionals
Rep. Office of Alcohol and Drug Abuse Prevention
Mary Dube, Epsom — Effective: Upon Confirmation
(Reappointment) — Term: January 28, 2007

Athletic Trainers Governing Board
Public Member
Carol Burney, Penacook — Effective: Upon Confirmation
(Reappointment) — Term: February 17, 2007

Connecticut River Valley Resource Commission
Statewide Conservation Organization
Robert W. Christie, Lancaster — Effective: Upon Confirmation
(Reappointment) — Term: January 22, 2007

Department of Environmental Services
Chief Operating Officer
Susan Carlson, Bow — Effective: Upon Confirmation
(New Position) — Term: 4 yrs from confirmation
Salary: $73,389, GG, 04

Board of Hearing Care Providers
Audiologist
James M. O'Day, Somersworth — Effective: Upon Confirmation
(Reappointment) — Term: April 23, 2006

Board of Hearing Care Providers
Public Member
Arthur G. Jillette Jr., Goshen — Effective: Upon Confirmation
(Reappointment) — Term: April 23, 2005

Board of Medicine
Paul J. Scibetta, Thornton — Effective: Upon Confirmation
(Replacing Wassfy M Hanna) — Term: April 12, 2009

Oil Fund Disbursement Board
Petroleum Dealer
Ronald R. Poirier, Manchester — Effective: Upon Confirmation
(Reappointment) — Term: January 1, 2007

Pari-Mutuel Commission
Representing Interests of Greyhound Racing
Warren Leary, Alton — Effective: Upon Confirmation
(Reappointment) — Term: April 9, 2007

Department of Resources and Economic Development
Director of Division of Travel and Tourism Development
Lauri O. Klefos, Concord — Effective: Upon Confirmation
(Reappointment) — Term: March 8, 2008
Salary: $77,255, GG, max

Dept. of Resources and Economic Development Advisory Commission
Commerce
Thomas J. Sedoric, Rye Beach — Effective: Upon Confirmation
(Reappointment) — Term: April 1, 2009

Department of Revenue Administration
Director of Document Processing Division
Donna Ferland, Concord — Effective: Upon Confirmation
Salary: $67,912, FF, 04 — Term: serves at pleasure of commissioner

Department of Safety
Director of Division of State Police
Frederick H. Booth, New Durham — Effective: Upon Confirmation
(Replacing Colonel Gary Sloper) — Term: March 31, 2006
Salary: $89,128, II, 05 max

Department of Transportation
Director of Operations
Lyle W. Knowlton, Northfield — Effective: Upon Confirmation
(Reappointment) — Term: January 7, 2008
Salary: $89,128, II, 05

Department of Transportation
Director of Division of Public Works and Transportation
James F. Marshall, Concord — Effective: Upon Confirmation
(Reappointment) — Term: January 1, 2007
Salary: $84,232, HH, 05

Department of Transportation
Commissioner
Carol Murray, Epsom — Effective: Upon Confirmation
(Reappointment) — Term: December 3, 2007

Advisory Council on Unemployment Compensation
Employers
Gary Levy, Portsmouth — Effective: Upon Confirmation
(Replacing Paul G Needham) — Term: March 26, 2007

Advisory Council on Unemployment Compensation
Labor/Employees
Daniel P. Manning, Manchester — Effective: Upon Confirmation
(Reappointment) — Term: March 26, 2007

Worker's Compensation Appeals Board
Employer/Insurer
Robert E. Hynes, Dover — Effective: Upon Confirmation
(Reappointment) — Term: January 1, 2007

Worker's Compensation Appeals Board
Labor
Albert G. Karam, Manchester — Effective: Upon Confirmation
(Reappointment) — Term: January 1, 2007

Worker's Compensation Appeals Board
Employer/Insurer
Edward J. Walsh, Merrimack — Effective: Upon Confirmation
(Reappointment) — Term: January 1, 2007

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#1 Authorized to **retroactively** amend an existing memorandum of agreement with the University of NH, Cooperative Extension 4-H Youth Development Program, Office of Sponsored Research, Durham, NH, (previously approved by G&C on 12-18-02, item #5), to develop a pilot coastal education curriculum for the 4-H students, by changing the completion date from December 31, 2003 to June 30, 2004.

#2 Authorized to enter into a contract with Southwestern Community Services, Inc., Keene, NH, as a grant recipient under the Head Start Program in an amount not to exceed $35,042. Effective upon G&C approval through June 30, 2004. **General Funds.**

#3 Authorized to enter into a contract with Tri-County Community Action Program, Inc., Berlin, NH, as a grant recipient under the Head Start Program in an amount not to exceed $41,148. Effective upon G&C approval through June 30, 2004. **General Funds.**

#4 Authorized to enter into a contract with Rockingham Community Action, Inc., Portsmouth, NH, as a grant recipient under the Head Start Program in an amount not to exceed $26,185. Effective upon G&C approval through June 30, 2004. **General Funds.**

#5 Authorized to enter into a contract with Community Action Program Belknap-Merrimack Counties, Inc., Concord, NH, as a grant recipient under the Head Start Program in an amount not to exceed $44,792. Effective upon G&C approval through June 30, 2004. **General Funds.**

#6 Authorized to enter into a contract with Southern NH Services, Manchester, NH, as a grant recipient under the Head Start Program in an amount not to exceed $53,673. Effective upon G&C approval through June 30, 2004. **General Funds.**

#7 Authorized to enter into a contract with Strafford County Community Action Committee, Inc., Dover, NH, as a grant recipient under the Head Start Program in an amount not to exceed $40,497. Effective upon G&C approval through June 30, 2004. **General Funds.**

#8 Authorized to enter into a memorandum of agreement with the Department of Environmental Services to carry out activities to implement portions of the NH Estuaries Project Management Plan, in the amount of $108,304. (2)Further Authorized to accept and expend this amount in order to carry out activities described in the agreement. Effective upon G&C approval through December 31, 2005. **Federal Funds.**

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#9 Authorized to enter into an agreement with the City of Laconia, NH, under the Community Development Block Grant Program, for the purpose of creating 18 units of affordable housing, in the amount of $500,000. Effective upon G&C approval until June 30, 2005. **Federal Funds.**

#10 Authorized to enter into an agreement with the Town of Jaffrey, NH, under the Community Development Block Grant Program, to develop mixed commercial and housing space in an historic building, in the amount of $500,000. Effective upon G&C approval until June 30, 2005. **Federal Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#11 Authorized Ralph P Ergas, Manchester, NH, currently a Lieutenant Colonel in the NH Army Nation Guard, be nominated for promotion to the rank of Colonel, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

#12 Authorized Eric L Knight, Derry, NH, be nominated for promotion to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified. This is a position vacancy promotion.

#13 Authorized Georgina K Morgan, Manchester, NH, currently a Captain in the NH Army National Guard, be nominated for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#14 Authorized to appoint Councilor Peter J Spaulding as a designee of the Executive Council to hold a hearing on the attached proposal for the NH Higher Education Loan Corporation – Concord – student loan program.

#15 Authorized to appoint Councilor Peter J Spaulding as a designee of the Executive Council to hold a hearing on the proposal, as detailed in letter dated January 26, 2004, for the Capital Note and Revenue Anticipation Note Program – Statewide project.

#16 Authorized to accept and place on file the Report and Findings of Councilor David K Wheeler with regard to a certain project for the acquisition, construction, renovation, furnishing, the purchase of certain capital expenditures and the refinancing of existing indebtedness in connection with Monadnock Community Hospital, Peterborough, NH.

#17 Authorized to amend a current contract with A&B Vending Company Inc., Wakefield, MA, for vending services at rest areas in Salem and Seabrook, by extending the end date for a period of approximately four months from the date of G&C approval until April 30, 2004.

#17A Authorized to accept and place on file the list of agency transfers for Fiscal Year 2004 during the month of January.

TREASURY DEPARTMENT

#18 The Governor and Council on motion of Councilor Burton, seconded by Councilor Wheeler, authorized the Comptroller to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of $8,759.44 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF REVENUE

#18A The Governor and Council on motion of Councilor Burton, seconded by Councilor Wheeler, authorized to amend the existing contract with Robert Half International Inc., Manchester, NH, (previously approved by G&C on 9-17-03, item #25), for temporary personnel services by increasing the amount from $30,000 by $25,000 for a new total of $55,000 for FY 04. **General Funds.**

LIQUOR COMMISSION

The Governor and Council acted as follows:

#19 Authorized to hire a Consultant through May 31, 2004 as specified in letter dated January 21, 2004. **Fiscal Committee approved.**

#20 Authorized to enter into a three year contract with Hyster New England of North Billerica, MA, for forklift maintenance and services at the Concord Warehouse and various Liquor Store locations throughout the state, with a contract price limitation of $38,291. Effective upon G&C approval through December 31, 2006, and includes an option to renew for an additional period of two years. **100% General Funds.**

#21 Authorized to enter into a contract with Ed's Pallet Repair, Bow, NH, for the sole purpose of providing pallet repair at the Liquor Commission Warehouse, Concord, NH, for a total contract price limitation of $18,750. Effective upon G&C approval through December 30, 2006. **100% General Funds.**

#22 **FAILED –** The Governor and Councilor on motion of Councilor Spaulding, seconded by Councilor Burton, and with Councilor Wieczorek and Councilor Wheeler voting – **no, failed** to accept and expend Enforcing Underage Drinking grant funds totaling $29,644 from the Office of Juvenile Justice and Delinquency Prevention of the US Department of Justice through the NH Department of Justice, for the purchase of approximately 22 false identification scanners. Effective upon G&C approval through May 31, 2004. **100% Federal Funds.**

#23 Authorized to **retroactively** enter into a three year contract with Foxfire Property Management Inc., Concord, NH, for the sole purpose of providing professional janitorial service at the Bureau of Enforcement, Concord, NH, for a total contract price limitation of $23,400. Effective February 1, 2004 through January 31, 2007. **100% General Funds.**

#24 Authorized to enter into an amendment with Capitol Alarm Systems, Inc., Penacook, NH, (previously approved by G&C on 4-28-99, item #53), to provide additional unanticipated security system services at various State Liquor Stores, by increasing the price limitation from $236,277 to $246,277, an increase of $10,000. **100% General Funds.**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#25 Authorized to pay wages and benefits to William Covatis in the amount of $1,857.98 for FY ’02 and FY ’03 out of FY ’04 funds due to a missed increment.

#26 Authorized to pay wages and benefits to Raymond Courchaine in the amount of $621.68 for FY ’03 out of FY ’04 funds due to shift differential not being paid to this employee.

#27 NOT USED

#28 Authorized to accept and expend a grant in the amount of $8,632 from the Belknap County Commissioners to provide funding for materials and equipment for the creation of an outdoor visiting area at the Family Connections Center at the Lakes Region Facility. Effective upon G&C approval through June 30, 2004. **100% Other Funds.**

#29 Authorized to enter into a new five year lease agreement with Oliver Weis, Ossipee, NH, for a Probation/Parole District Office space in Ossipee, NH, as detailed in letter dated January 8, 2004, for a lease total of $90,753.12. Effective February 28, 2004 and expires February 28, 2009. (2)Further Authorized to waive section HE-P 1804.00.05(a) “ventilation” of Public Health’s Administrative Rules, which defines the State of NH “clean air” test, required by RSA 10:B. **100% General Funds.**

#30 Authorized to amend a contract with All Star Self Storage, for rental trucks utilized by the Correctional Industries Relocation Program, by increasing the price limitation from $20,000 to $40,000, an increase of $20,000 and extending the completion date from March 6, 2004 through March 6, 2006. **100% Other Funds.**

#31 NOT USED

#32 Authorized to amend a contract with Joyce Dental Lab Inc. for dental laboratory services at the NH State Prison facilities, by increasing the price limitation from $80,000 to $160,000, an increase of $80,000 and extending the completion date from February 18, 2004 through February 18, 2006. **100% General Funds.**

ATTORNEY GENERAL

The Governor and Council acted as follows:

#33 Authorized to appoint Allison P Vachon as a Criminal Justice Investigator at a salary of $51,347, Step 3 for Group BB. Effective upon G&C approval through May 27, 2006.

#34 Authorized to **retroactively** reappoint Sandra Matheson as Director, Office of Victim/Witness Assistance for a five-year term. Effective June 30, 2003 through June 30, 2008.

#35 Authorized to **retroactively** reappoint M Kristin Spath as an Assistant Attorney General for a five-year term. Effective February 3, 2004 through February 3, 2009.

#36 The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Burton, voted to approved the petition of Theodore Brian Korpi requesting a pardon hearing for the office of Hindering Apprehension.

#37 **DENIED –** The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Burton, voted to **deny** the petition of Edgar A Leclerc requesting a pardon hearing for the offense of Driving After Certification as Habitual Offender. Mr. Leclerc is not eligible for an annulment.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#38 Authorized the report of the following transfer of funds for Cannon Mountain Ski area for the quarter ending December 31, 2003, as detailed in letter dated January 9, 2004.

#39 Authorized Bureau of Ski Operations report regarding season passes issued for Cannon Mountain for the quarter ending December 31, 2003, as detailed in letter dated January 23, 2004.

#40 Authorized Division of Parks and Recreation to accept a donation in the amount of $5,000 from the Reach the Beach Relay, Hopkinton, MA, for involvement in the 2003 edition of the Reach the Beach Relay.

#41 NOT USED

#42 Authorized Division of Parks and Recreation to enter into a memorandum of agreement with the Swift Diamond Riders Snowmobile Club, Intervale, NH, for winter trailside services and their annual Sno-Deo and Radar Run events at Coleman State Park. Effective upon G&C approval through October 1, 2008, with provisions for amendment and a three-year extension.

#43 Authorized Division of Parks and Recreation to enter into a service agreement with Schofield's Septic Tank Services, Inc., Lisbon, NH, for the septic tank pumping and disposal service at various locations throughout Cannon Mountain and Franconia Notch State Park, for a total not to exceed $36,270. Effective upon G&C approval through June 30, 2005.

#44 Authorized Division of Parks and Recreation to surplus, by Quitclaim Deed, a 0.66+ acre of state-owned land containing the Old Allenstown Meeting House and Burgin Cemetery located in Bear Brook State Park to the Town of Allenstown at no cost.

#45 Authorized Division of Parks and Recreation to purchase software, hardware and annual support from Cardinal Tracking Inc., of Flower Mound, TX, for a parking ticket management system for use at the Hampton Meter Patrol at Hampton Beach, for a total of $121,133.50. Effective upon G&C approval to June 30, 2007. **100% Other.**

#46 Authorized to enter into a **sole source** contract with the Institute for Community, Business, and the NH Economy of Concord, NH, to provide services to develop the State of NH Industries of the Future program to reduce energy costs for NH industries, in the amount of $90,000. Effective upon G&C approval to June 30, 2004 with two, one-year options to renew. **100% Transfer.**

#47 Authorized Design, Development, and Maintenance to enter into a contract with D&D Restoration, LLC, Londonderry, NH, for the replacement of the roof at the Hampton Beach State Park Seashell Building, Hampton, NH, on the basis of a low bid of $39,408. Effective upon G&C approval through April 29, 2004. **State Park Capitol Funds.**

#48 Authorized to accept and place on file the Biennial Report for the fiscal years 2002 and 2003. **Informational Item.**

FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#49 **WITHDRAWN –** The agency withdrew the request to accept and place on file the Quarterly Report of Expenditures for the period October 1, 2003 to December 31, 2003, as detailed in letter dated January 16, 2004.

#50 Authorized to accept a $2,000 donation from the Ruffed Grouse Society for the Kearsarge Mountain Habitat Project.

#51 NOT USED

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#52 Authorized to accept and place on file the Annual Report of the Water Council.

#53 Authorized to enter into an agreement with the nine Regional Planning Agencies in NH and the Connecticut River Joint Commissions in order to implement water quality planning and outreach programs, in the amount of $53,497. Effective upon G&C approval through December 31, 2004. (2)Further Authorized to award an advance payment in the amount of $2,000 each, for a total of $20,000 to the RPAs and the Connecticut River Joint Commissions in accordance with the terms of the grant agreements. **100% Federal Funds.**

#54 NOT USED

#55 Authorized to award a Local Source Water Protection grant to LifeWise Community Projects, Inc., Barrington, NH, to complete a project to protect drinking water from contamination, in the amount of $15,000. Effective upon G&C approval through June 30, 2005. **100% Federal Funds.**

#56 Authorized to award a Local Source Water Protection grant to Lochmere Village District, Lochmere, NH, to complete a project to protect drinking water from contamination, in the amount of $15,000. Effective upon G&C approval through December 31, 2004. **100% Federal Funds.**

#57 Authorized to enter into a grant in aid agreement with the Town of Plymouth, NH, for the Closure of the Town of Plymouth's Unlined Municipal Landfill in an amount not to exceed $218,464.05. Effective upon G&C approval. **100% General Funds.**

#58 Authorized the City of Rochester to borrow up to $750,000 from the State Water Pollution Revolving Fund Program for the purpose of design and construction of the Homemakers Sewer Extension Project.

#59 Authorized to amend a loan agreement with Carroll County, Ossipee, NH, for the purpose of completing construction of a new WWTP at the prison, increasing the amount from $1,260,000 to $1,460,000 from the State Water Pollution Control Revolving Fund Program. Effective upon G&C approval. **100% State.**

#60 Authorized a supplemental loan agreement with Jackson Water Precinct to finance water system improvements, in the principal amount of $458,184.04. Effective upon G&C approval.

#61 Authorized to award a Used Oil grant to the Town of Goffstown, NH, for the purpose of improving and operating their Used Oil Collection Center, for $2,200. Effective upon G&C approval through December 3, 2004. **100% Other.**

#62 Authorized to award a Used Oil grant to the Town of Henniker, NH, for the purpose of improving and operating their Used Oil Collection Center, for $257.50. Effective upon G&C approval through February 11, 2005. **100% Other.**

#63 Authorized to amend a memorandum of agreement with the University of NH, Durham, NH, (previously amended and approved by G&C on 6-4-03, item #75), for a Stormwater Treatment Verification Project, by providing $14,118 in additional funding to increase the grant limitation from $93,442 to $107,560. **100% Federal Funds.**

#64 Authorized to enter into a grant agreement with the Town of Hampton, Public Works Department, Hampton, NH, for illicit discharge elimination and storm drainage system mapping, in the amount of $8,700. Effective upon G&C approval through December 31, 2004. **100% Federal Funds.**

#65 Authorized to award a Used Oil grant to the Town of Littleton, NH, for the purpose of improving and operating their Used Oil Collection Center, for $2,500. Effective upon G&C approval through February 11, 2005. **100% Other.**

#66 Authorized to award a Used Oil grant to the Town of Hooksett, NH, for the purpose of improving and operating their Used Oil Collection Center, for $2,500. Effective upon G&C approval through February 11, 2005. **100% Other.**

#67 Authorized Brooks Stevens' request to construct a permanent pier to a ramp to a float, total dock length 150', providing 2 slips, on frontage on property located on the Piscataqua River in New Castle.

#68 Authorized Hugh & Luci Gardner's request to replace an existing float with a float connected to an existing ramp and crib on property located along the Oyster River in Durham.

#69 Authorized William Twombly's request to repair an existing crib supported 3 slip boathouse and associated docks with no change in the northern slip, modify the center slip, modify the southern slip, repair an existing crib supported dock on property located at Squam Lake in Center Harbor.

#70 Authorized Stephen Little's request to construct a piling supported pier with an attached vertical ladder for boat access on frontage on property located along the Piscataqua River Back Channel, on Little Harbor in Portsmouth.

#71 Authorized Timothy & Sheryl J Moore's request to permanently remove two existing seasonal docks, and install four seasonal docks by a walkway in a U-shape on frontage on property located at Dow Island on Lake Winnipesaukee in Moultonborough.

#72 Authorized Bernard Anderson's request to remove an existing piling pier and fill to construct breakwater in a "dogleg" configuration with a gap at the shoreline, and a cantilevered pier accessed by an existing stair and walkway on frontage on Lake Winnipesaukee, Alton.

JOINT BOARD OF LICENSURE AND CERTIFICATION

#73 The Governor and Council on motion of Councilor Burton, seconded by Councilor Wheeler, authorized a **sole source** contract with the National Council of Examiners for Engineering and Surveying, for the preparation and scoring of the national engineering and land surveying examinations, for a contract price limitation of $75,000 for two years. Effective April 1, 2004 through March 31, 2006. **100% General.**

BOARD OF BARBERING, COSMETOLOGY, AND ESTHETICS

#74 The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Wheeler, authorized to budget and expend $20,000 in general funds from examination fees, not otherwise appropriated. Effective upon G&C approval through June 30, 2004.

NEW HAMPSHIRE BOARD OF ACCOUNTANCY

#75 The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Burton, authorized to amend an existing agreement with Jeffrey Graham, CPA, of Graham & Graham, CPA's, Springfield, VT, for the purpose of continuing an investigation of a complaint, by increasing the price limitation by $4,000 from $2,000 to $6,000. Effective upon G&C approval through June 30, 2004.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of Administration

#76 NOT USED

#77 Authorized to enter into a short-term lease agreement with the City of Dover, NH, to provide continued office space for the Department's Juvenile Probation and Parole Officers assigned to the City of Dover and to provide continuity of services to the court and clientele in the Dover area, in the amount of $11,940. Effective **retroactive** to January 1, 2004 and to end six months thereafter. **45% Federal, 55% General.**

#78 Authorized to enter into a lease renewal agreement with Joseph Romano Realty, Inc., Franklin, NH, to provide continued rental of office space for the Department's Division for Juvenile Justice Services assigned to the City of Franklin and to provide continuity of services to the court and clientele in the Franklin area, in the amount of $12,600. Effective **retroactive** to January 1, 2004 and to end thirty-six months thereafter. **45% Federal, 55% General.**

Office of Community & Public Health

#79 Authorized Bureau of Rural Health and Primary Care to enter into a **sole source** agreement with Alice Peck Day Memorial Hospital, Lebanon, NH, for the Small Hospital Improvement Program, a federally funded initiative, totaling $19,258. Effective upon G&C approval through June 30, 2004. **100% Federal.**

#79A Authorized Division of Epidemiology and Vital Statistics, Bureau of Health Statistics and Data Management to enter into a contract with Macro International, Inc., Burlington, VT, for telephone survey services for the Behavioral Risk Factor Surveillance System, in the amount of $387,513.62. Effective **retroactive** to January 1, 2004 through December 31, 2005. **100% Federal.**

Division of Behavioral Health

#80 Authorized Glencliff Home for the Elderly to accept a $100 donation, as specified in letter dated January 15, 2004. **Fiscal Committee approved.**

#81 Authorized Glencliff Home for the Elderly to accept a $200 donation, as specified in letter dated January 15, 2004. **Fiscal Committee approved.**

#82 Authorized to enter into an agreement with Androscoggin Valley Hospital, Berlin, NH, to provide inpatient non-Medicaid funded designated receiving facility services in an amount not to exceed $800,000. Effective **retroactive** to July 1, 2003 through June 30, 2005. **100% General.**

Division of Family Assistance

#83 Authorized to renew agency membership in the American Public Human Services Association, Washington, DC, in the amount of $9,422. Effective **retroactive** to January 1, 2004 through December 31, 2004. **50% Federal, 50% General.**

Division of Elderly & Adult Services

#84 Authorized to amend an existing agreement with Bailit Health Purchasing, LLC, Wellesley, MA, (previously approved by G&C on 12-4-02, item #136), to design and complete an assessment and counseling plan as a component of the community based infrastructure, by extending the termination date from December 31, 2003 to December 31, 2004, effective **retroactive** to January 1, 2004. **No Cost Extension.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#85 Authorized the acceptance of the gift of a check in the amount of $500 from the Andre Louis Julien Estate of Manchester, NH. **100% Other Funds.**

#86 Authorized to hire Consultants through June 30, 2005, as specified in letter dated January 21, 2004. **Fiscal Committee approved. 100% Federal Funds.**

#87 NOT USED

#88 NOTUSED

#89 Authorized to exercise its renewal option and enter into a contract with International Institute of Boston, Inc. dba International Institute of NH, Manchester, NH, (previously approved by G&C on 3-5-03, Late Item # E), to continue a Refugee Education and Assistance Liaison office in the Manchester area for refugee children, for an amount not to exceed $69,000. Effective upon G&C approval through January 31, 2005. (2)Further Authorized to make an advance payment of $15,000 upon approval of the contract. (3)Further Authorized to withhold 5% of the contract total instead of the 25% withholding provision of the contract price in accordance with Administrative Rules 311.07(a)(5). **100% Federal Funds.**

#90 NOT USED

#91 Authorized to amend a contract with Community and School Partners, LLC, Rye, NH, (previously approved by G&C on 4-3-02, amended on 6-25-03), for the purpose of increasing the project scope for Phase II to include requirements for NH Child Left Behind, by increasing the price from $86,000 by $96,960 to $182,960 and extending the ending date from June 30, 2004 to June 30, 2005. **60% Federal, 40% Other Funds.**

NH COMMUNITY TECHNICAL COLLEGE SYSTEM

#92 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton, authorized NHCTC Nashua to accept and expend grant funds from the National Science Foundation, in the amount of $399,000. Effective upon G&C approval through June 30, 2005. **100% Federal Funds.**

POLICE STANDARDS & TRAINING COUNCIL

The Governor and Council acted as follows:

#93 Authorized to accept and expend grant funds from the NH Highway Safety Agency, for a grant entitled Agency Regional Training, in the amount of $2,531.30. Effective upon G&C approval through September 30, 2004. **100% Other Funds.**

#94 Authorized to accept and expend grant funds from the NH Highway Safety Agency, for a grant entitled Computerized Crash Investigation Training, in the amount of $3,203.53. Effective upon G&C approval through June 30, 2004. **100% Other Funds.**

POSTSECONDARY EDUCATION COMMISSION

The Governor and Council acted as follows:

#95 Authorized to accept and expend additional federal grant funds in the amount of $366,433 from the US Department of Education for the purpose of providing grants to college students. Effective upon G&C approval through June 30, 2004. **100% Federal Funds.**

#96 Authorized to award a $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. **100% General Funds.**

#97 Authorized to award a $39,100 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. **100% General Funds.**

#98 Authorized to award a $32,000 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 technical colleges on the basis of financial need or merit. Under the provisions of the grant agreement, the NH Department of Regional Community Technical Colleges 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 above with the budget as detailed in letter dated January 27, 2004. **100% General Funds.**

#99 Authorized to award a $13,800 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. **100% General Funds.**

#100 Authorized to award a $5,800 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. **100% General Funds.**

#101 Authorized to award a $6,500 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. **100% General Funds.**

#102 Authorized to award a $22,800 grant to Plymouth State University 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. **100% General Funds.**

#103 Authorized to award a $68,300 grant to the University of NH 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. **100% General Funds.**

#104 Authorized to award a $14,700 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. **100% General Funds.**

#105 Authorized to award a $18,800 grant to Southern New Hampshire University 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. **100% General Funds.**

#106 Authorized to enter into a **retroactive sole source** agreement with the University System of NH, Lee, NH, to provide analysis of 2003 Senior Survey data and to prepare the statewide report and individual institutional reports for the participating high schools, in an amount not to exceed $12,550. Effective August 15, 2003 through November 30, 2003. **100% Other Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#107 Authorized Division of State Police to accept and expend a $26,825 grant from the Attorney Generals' Office titled "Accreditation of State Police Crime Laboratory". Funding is to be budget as detailed in letter dated January 21, 2004. Effective upon G&C approval through September 30, 2004. **100% Federal.**

#108 Authorized Division of State Police to accept and expend a $52,142.94 grant from the Highway Safety Agency titled "NH State Police Enforcement Patrols". Funding is to be budget as detailed in letter dated January 14, 2004. Effective upon G&C approval through September 15, 2004. **100% Federal.**

#109 Authorized Division of Fire Safety and Emergency Management to accept and expend Disaster Assistance funds in the amount of $4,119,115 from the Federal Emergency Management Agency. Effective upon G&C approval through June 30, 2005. **100% Federal.**

#110 Authorized Division of Motor Vehicles to **retroactively** extend the existing grant titled "Fatal Accident Reporting System", and accept and expend an additional $9,119 of funds as detailed in letter dated January 20, 2004. Effective October 1, 2003 through December 31, 2004. **100% Federal.**

#111 Authorized Division of Motor Vehicles to enter into two-year lease extension with Hilshar Associates, Inc, Ashland, for the Motor Vehicles sub-station at exit 23 Plaza in New Hampton, NH, for a total cost of $19,560. Effective April 1, 2004 through March 31, 2006.

#112 Authorized Division of State Police to enter into a **retroactive** contract with Maillet Construction Company of New Ipswich, NH, for snow plowing in the amount of $6,000. Effective November 1, 2003 through June 30, 2004. **100% Highway.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#113 Authorized to accept and place on file the Bureau of Right of Way's Contemplated Award List for the period December 30, 2003 through January 21, 2004.

#114 Authorized Bureau of Turnpikes to continue its membership with the International Bridge, Tunnel and Turnpike Association, Washington, DC, with membership dues totaling $15,290 for the calendar year 2004. **100% Turnpike Funds.**

#115 Authorized Bureau of Highway Maintenance, Well Section, to amend a contract with Capital Well Company, Inc, Dunbarton, NH, (previously approved by G&C on 11-5-03, item #106), for replacement of water supply on the property of John Anderson, Alstead, NH, by increasing the amount by $1,345. Effective upon G&C approval.

#116 Authorized Construction Bureau to amend a contract with Weaver Bros. Construction Corp, Concord, NH, (previously approved by G&C on 3-5-03, item #92), for reconstruction of US 3 and signalization of the existing Union Road intersection, by increasing the amount by $126,000 from $1,248,513 to $1,374,513.

#117 Authorized Bureau of Highway Design to modify an agreement with McFarland-Johnson, Incorporated of The Concord Center, Concord, NH, & Binghamton, NY, for the preparation of contract plans, specifications and estimates for the construction of highway improvements to segments of NH Route 111, NH Route 28 and a number of local roadways in the Town of Windham and Salem, by increasing the total lump-sum fee by $36,543 from $2,554,698 to $2,591,241.

#118 Authorized Bureau of Construction contract with Continental Paving, Inc., Londonderry, NH, for roadway widening, pavement and bridge rehabilitation improvements along the I-293 corridor in Manchester, beginning west of the South Willow St bridge over I-293 and will continue easterly through the I-293 ramp interchange, on the basis of a low bid of $8,313,779.66. Effective upon G&C approval through September 9, 2005.

#119 Authorized Bureau of Public Works to enter into an agreement with CMK Architects PA, Manchester, NH, for professional services for the design of a new Academic Building, NH Community Technical College, Laconia, NH, for a lump sum price of $449,520. **100% Capital.**

#120 Authorized Bureau of Public Works to amend a contract with JC Cannistraro, Inc., Watertown, MA, (previously approved by G&C on 9-25-02, item #165), for a sprinkler system at Four Hazen Dr and Six Hazen Dr, Health and Human Services Building, Concord, NH, by increasing the amount by $557,000.

#121 Authorized Bureau of Public Works to enter into a contract with Interstate Electrical Services Corporation, Bedford, NH, for generator installation, Howard Recreation Building, State Office Park South, Concord, NH, for a lump sum price of $29,300. **100% Federal.**

#122 **TUITION REQUESTS**

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

A. **ADMINISTRATIVE SERVICES -** Request permission to pay Franklin Pierce College, Concord, NH, the sum of $642.00 for the sole purpose of enrolling Donna Raymond, Administrator III, in the course entitled "General Geology II".

B. **COMMUNITY TECHNICAL COLLEGE -** Request permission to pay Plymouth State University, Plymouth, NH, the sum of $358.00 for the sole purpose of enrolling Maryanne Cantor, Professor, in the course entitled "Strategies for Cross Functional Analysis".

C. **COMMUNITY TECHNICAL COLLEGE -** Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $627.00 for the sole purpose of enrolling Christine Fletcher, Systems Development Specialist, in the course entitled "Introduction to Marketing".

D. **COMMUNITY TECHNICAL COLLEGE -** Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $468.00 for the sole purpose of enrolling Susan Gatton, Administrative Assistant, in the course entitled "Accounting Systems Applications".

E. **EDUCATION -** Request permission to pay Franklin Pierce College, Concord, NH, the sum of $650.00 for the sole purpose of enrolling Scott Vittner, Assistant Vending Stand Coordinator, in the course entitled "Senior Human Services Project".

F. **HEALTH & HUMAN SERVICES, Division for Children, Youth & Families -** Request permission to pay Wheelock College, Boston, MA, the sum of $1,360.00 for the sole purpose of enrolling Dawn Rouse, Program Specialist I, in the course entitled "Fostering Preliteracy Skills".

G. **HEALTH & HUMAN SERVICES, Division for Children, Youth & Families -** Request permission to pay Plymouth State University, Plymouth, NH, the sum of $985.00 for the sole purpose of enrolling Merrill Santy, Child Protective Service Worker II, in the course entitled "Theories of Learning and Cognitive Development".

H. **HEALTH & HUMAN SERVICES, Division for Children, Youth & Families -** Request permission to pay Plymouth State University, Plymouth, NH, the sum of $985.00 for the sole purpose of enrolling Kathleen Smith, Child Protective Service Worker II, in the course entitled "Research Design".

I. **LIQUOR COMMISSION -** Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $699.00 for the sole purpose of enrolling Christina Demers, Statistician I, in the course entitled "Business Ethics".

J. **LIQUOR COMMISSION -** Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $699.00 for the sole purpose of enrolling Margaret LaBrecque, Accountant IV, in the course entitled "Introduction to Systems Analysis and Design".

K. **TRANSPORTATION -** Request permission to pay Plymouth State University, Plymouth, NH, the sum of $1,000.00 for the sole purpose of enrolling Abdullah Bilal, Civil Engineer, in the courses entitled "Managing Organizational Behavior" and "The Legal Environment of Business".

L. **TRANSPORTATION -** Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $558.00 for the sole purpose of enrolling Robin Schofield, Secretary II, in the courses entitled "Strategic Management & Policy" and "Small Business Management".

M. **TRANSPORTATION -** Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $649.50 for the sole purpose of enrolling Diana Smestad, Accountant IV, in the course entitled "Strategic Management".

N. **TRANSPORTATION** - Request permission to pay Franklin Pierce College, Portsmouth, NH, the sum of $693.00 for the sole purpose of enrolling Robert Spinney, Assistant Bridge Construction Supervisor, in the courses entitled "The Twentieth Century", "The American Experience" and "Human Resource Management".

O. **SAFETY** - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $290.00 for the sole purpose of enrolling Matthew Yeaton, Maintenance Mechanic II, in the course entitled "Programmable Logic Controllers".

#123 **TRAVEL REQUESTS**

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

A. **SAFETY** - Request permission for (1) employee, John Begin, HP & E Officer, or designee, to travel to Jacksonville, FL, on February 17 – 20, 2004, to attend the Crash Data Retrieval System Training/Certification. ALSO A CASH ADVANCE OF $350.00 IS REQUESTED FOR John Begin. Total Cost: $1,227.90. Source of Funds: 100% Federal Funds. Registration Fee: $395.00.

LATE ITEMS

DEPARTMENT OF EDUCATION

A. Authorize to enter into retroactive sole source grants with the Institute on Disability, University NH, Office of Sponsored Research, and the Alliance for Community Supports, Manchester, NH, to provide training and services for those who are supporting educationally disabled students who are at risk of school dropout. Effective January 2, 2004 through December 31, 2004. (2)Further authorize unencumbered payment of said grants with internal accounting within the Department of Education. **100% Federal Funds.**

COMMUNITY TECHNICAL COLLEGE SYSTEM

B. Authorize to expend $261,393.72 from the non-lapsing account for the purpose of paying start up costs for providing wide area network services, video conferencing services and access to the Internet to students, faculty and staff, as specified in letter dated December 17, 2003. Fiscal Committee approved. **100% Other Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

C. Authorize Working Capital Warrant in the amount of $520,000,000 to cover expenditures for the month of March 2004. (2)Further authorize Working Capital Warrant reporting expenditures of $300,543,058.65 for the Month of January and recommends the balance of $49,456,941.35 be lapsed.

D. Authorize, pursuant to RSA 94:3, an annual salary step to Joanne Ruel from Group AA, Step 2, ($46,604) to Group AA Step 3, (49,348) effective January 30, 2004.

DEPARTMENT OF TRANSPORTATION

E. Resolved that the Department of Transportation is hereby authorized to enter into an agreement with Jordan & Barker Architects, LLP (Vendor No. 120503) Two Kennedy St., Concord, NH 03301 for the professional services for design and construction documents, on-site observation, and inspection services for various Public Works' Projects as necessary and required by the Department.

ATTORNEY GENERAL

F. Authorized to accept and expend a grant from the Bureau of Justice Assistance in the amount of $1,987,000 to be used to create a statewide distance-learning network in NH. Effective upon G&C approval through August 31, 2004. (2)Further authorize to enter into a **sole source** contract with Primedia Workplace Learning of Carrolton, TX, to be used to create a distance-learning network in NH, in the amount of $1,699,600. Effective upon G&C approval through December 31, 2005. **100% Federal Funds.**

Next Governor and Executive Council meeting is scheduled for Wednesday, March 10, 2004 at 10:00 a.m. at the State House in Concord, NH.

The Honorable Board then Adjourned