

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
White Mountains Attractions Visitors Center, Lincoln, NH
September 22, 2004 10:00 a.m.

The Governor and Executive Council convened at 10:00 a.m. all members present.

The Governor and Executive Council on motion of Councilor Wheeler, seconded by Councilor Wiczorek, accepted the minutes of September 8, 2004.

The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Burton approved the appointment of several persons nominated for Civil Commissions from the September 8, 2004 meeting.

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

RESIGNATIONS

The Governor and Council, with thanks and regret, accepted the following:

Department of Safety

Director of Administration
Timothy H. Mason, Bow

Effective: October 14, 2004

Commission on the Status of Women

Nancy Nadeau, Boscawen

Effective: September 22, 2004

CONFIRMATIONS

The Governor and Council confirmed the following:

Adult Parole Board

Robert F. Hamel, Manchester
Replacing Cecile B Hartigan, Concord

Effective: September 29, 2004
Term: September 29, 2009

Adult Parole Board

Donald W. Laroche, Berlin
Filling Vacancy

Effective: September 22, 2004
Term: September 29, 2006

State Committee on Aging

Cheshire County
Owen R. Houghton, Jaffrey
Replacing Barclay Chase, Keene

Effective: September 22, 2004
Term: June 24, 2007

State Committee on Aging

Strafford County
Joseph Miller, Durham
Reappointment

Effective: September 22, 2004
Term: June 24, 2007

State Committee on Aging

Hillsborough County
Kenneth Brooks, Bedford
Reappointment

Effective: September 22, 2004
Term: June 24, 2007

State Committee on Aging

Strafford County
Shirley Thompson, Durham
Replacing Albert LaBonte

Effective: September 22, 2004
Term: June 24, 2006

Community Development Finance Authority

Labor

Raymond Trueman, Newfields

Reappointment

Effective: September 22, 2004

Term: July 1, 2009

Department of Corrections

Warden of State Prison for Men

Bruce W. Cattell, Berlin

Replacing Jane Coplan, Warren

Effective: September 22, 2004

Term: Serves at pleasure of Commissioner
Group II Step 5, \$89,128Department of Corrections

Warden of Lakes Region Facility

Jane Coplan, Warner

Group HH Step 5, \$84,232

Effective: September 22, 2004

Term: Serves at pleasure of Commissioner

Department of Corrections

Northern New Hampshire Correctional Facility

John L. Sanfilippo, Contoocook

Replacing Bruce Cattell, Berlin

Effective: September 22, 2004

Term: Serves at pleasure of Commissioner
Group HH Step 5, \$84,232Employment Security Appellate Board

Richard N. Danais, Manchester

Replacing Stuart Levenson, New Castle

Effective: September 22, 2004

Term: August 9, 2008

Employment Security Appellate Board

Bernard J. Perry Jr, Manchester

Replacing Richard Bean, Chichester

Effective: September 22, 2004

Term: August 9, 2008

Board of Foresters

Northam Parr, Rumney

Reappointment

Effective: September 22, 2004

Term: August 22, 2009

Department of Labor

Commissioner

George N. Copadis, Manchester

Filling Vacancy

Group II Step 3, \$80,213

Effective: September 22, 2004

Term: August 30, 2007

Mental Health Practice Board

Clinical Mental Health Counselor

Jeanette Goldberg, Manchester

Replacing Judith Coleman, Henniker

Effective: October 31, 2004

Term: October 31, 2007

Public Water Access Advisory Board

Public Member

Thomas Quarles, New Ipswich

Replacing Patricia Goodridge, Atkinson

Effective: October 27, 2004

Term: October 27, 2007

Public Water Access Advisory Board

Fishing

John R. Cowan, Weare

Replacing Robert Laflam, Sanbornton

Effective: October 27, 2004

Term: October 27, 2007

Public Water Access Advisory Board – Councilor Burton voted **no**.

Non-Power Boating

Patricia Goodridge, Atkinson

Replacing Thomas Quarles, New Ipswich

Effective: September 22, 2004

Term: October 27, 2007

Real Estate Appraiser Board

Certified Residential Appraiser

Barry J. Shea, Gilford

Reappointment

Effective: September 22, 2004

Term: August 12, 2007

University System of New Hampshire Board of Trustees

Richard Ashooh, Bedford

Filling Vacancy

Effective: September 22, 2004

Term: June 30, 2007

New Hampshire Veterans' Home Board of Managers

Member of Veterans Service Organization

Richard L. Murphy, Merrimack

Replacing David Roberts, Lebanon

Effective: September 22, 2004

Term: June 10, 2007

NOMINATIONS

The Governor placed into nomination the following:

State Committee on Aging

Margaret McClellan, Berlin

Reappointment

Effective: Upon Confirmation

Term: June 24, 2007

State Committee on Aging

Judith Pilliod, Belmont

Replacing Suzann R. Keller, Merrimack

Effective: Upon Confirmation

Term: June 24, 2006

Agricultural Advisory Board

Advertising

Linda C. Burroughs, North Hampton

Reappointment

Effective: Upon Confirmation

Term: June 19, 2009

State Apprenticeship Council

Labor

John P. Jackson, Dover

Reappointment

Effective: Upon Confirmation

Term: June 25, 2008

Atlantic States Marine Fisheries Commission

G. Ritchie White, Rye

Reappointment

Effective: Upon Confirmation

Term: September 24, 2007

Connecticut River Valley Flood Control Commission

Fred S. Parker, Keene

Reappointment

Effective: Upon Confirmation

Term: May 1, 2006

Connecticut River Valley Flood Control Commission

Gregory S. Cloutier, Jefferson

Reappointment

Effective: Upon Confirmation

Term: May 1, 2005

Connecticut River Valley Flood Control Commission

Robert Kline, Plainfield
Reappointment

Effective: Upon Confirmation
Term: May 1, 2007

Board of Licensure of Interpreters for the Deaf and Hard of Hearing

Consumer of oral interpreting services
Izabella Kantsepelsky, Nashua
Reappointment

Effective: Upon Confirmation
Term: October 10, 2007

Board of Licensure of Interpreters for the Deaf and Hard of Hearing

NH Registry of Interpreters for the Deaf
Jack Hoza, Newburyport, MA
Reappointment

Effective: Upon Confirmation
Term: October 10, 2007

Board of Licensure of Interpreters for the Deaf and Hard of Hearing

NH Registry of Interpreters for the Deaf
Karen Braz, Weare
Reappointment

Effective: Upon Confirmation
Term: October 10, 2007

Equalization Standards Board

NH School Boards Assoc.
Dean Michener, Durham
Replacing Paula Adriance, North Sandwich

Effective: Upon Confirmation
Term: October 10, 2005

Board of Professional Geologists

Timothy Allen, Keene
Reappointment

Effective: Upon Confirmation
Term: October 4, 2009

Juvenile Parole Board

Ernie Towne, Woodsville
Replacing Gail Paine, Intervale

Effective: Upon Confirmation
Term: July 1, 2009

Mental Health Practice Board

Michael R. Mortimer, Manchester
Reappointment

Effective: Upon Confirmation
Term: October 31, 2007

Mental Health Practice Board

Barbara Salvatore, Bedford
Filling Vacancy

Effective: Upon Confirmation
Term: February 17, 2005

New Motor Vehicle Arbitration Board

Knowledgeable in Auto Mechanics
Robert N. Stephen, Franklin
Filling Vacancy

Effective: Upon Confirmation
Term: August 28, 2007

Northeast Interstate Dairy Compact Commission

Deborah A. Erb, Landaff
Reappointment

Effective: Upon Confirmation
Term: June 19, 2007

Board of Registration in Optometry

John F. Minter, Jaffrey
Replacing Douglas Benoit, Concord

Effective: Upon Confirmation
Term: July 1, 2009

Penalty Appeal Board

Attorney

Edward F. Patch, Bow

Reappointment

Effective: Upon Confirmation

Term: December 20, 2007

Pesticides Control Board

Ecologist

Susan Whittemore, Keene

Reappointment

Effective: Upon Confirmation

Term: November 6, 2007

Pesticides Control Board

Public Member

Anne D. Krantz, Amherst

Reappointment

Effective: Upon Confirmation

Term: November 23, 2007

Respiratory Care Practitioners Board

Public Member

Luann Udell, Keene

Filling Vacancy

Effective: Upon Confirmation

Term: March 24, 2007

Board of Physical Therapy

Public Member

Margaret Brand, Hopkinton

Replacing Luann Udell, Keene

Effective: Upon Confirmation

Term: September 16, 2007

Rivers Management Advisory Committee

Business

Allan Palmer, Manchester

Reappointment

Effective: Upon Confirmation

Term: September 28, 2007

Traffic Safety Commission

Robert J. L'Heureux, Merrimack

Replacing Brenda Ferland, Charlestown

Effective: Upon Confirmation

Term: September 16, 2009

Public Utilities Commission

Commissioner

Michael D. Harrington, Strafford

Filling Vacancy

Group JJ Step 2, \$75,215

Effective: Upon Confirmation

Term: July 1, 2005

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#1 Authorized to enter into a **sole source** contract with Lutheran Social Services, Concord, NH, to provide preventive health services to NH refugees, in an amount not to exceed \$30,000. Effective **retroactive** to July 1, 2004 through June 30, 2005. **100% Federal.**

#2 Authorized to enter into a **sole source** contract with the International Institute of Boston, MA, through its subsidiary the International Institute of NH, to provide preventive health service to NH refugees, in an amount not to exceed \$30,000. Effective **retroactive** to July 1, 2004 through June 30, 2005. **100% Federal.**

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#3 Authorized under the Community Development Block Grant program, to enter into an agreement with the City of Somersworth, NH, to purchase and rehabilitate two buildings for mixed-use housing and commercial purposes, in the amount of \$500,000. Effective upon G&C approval through June 30, 2006.

#4 Authorized under the Community Development Block Grant program, to enter into an agreement with the Town of Plymouth, NH, for the purpose of assisting Pemi Bridge House, Inc., in the development of a homeless shelter facility, in the amount of \$350,000. Effective upon G&C approval through June 30, 2006.

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#5 Authorized Glen B Swazey, Albuquerque, NM, be nominated for promotion to the rank of Lieutenant Colonel, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

#6 Authorized Daniel E Hogan II, Kennesaw, GA, be confirmed for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

#7 Authorized Laurie A. McAvoy, Foxboro, MA, be confirmed for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

#8 Authorized Marc S Schwartz, Outremont, Canada, be confirmed for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

#9 Authorized Michael J Pelletier, Goffstown, NH, be confirmed to the rank of Major, NH Army National Guard.

#10 Authorized Donald R Dupuis, Bow, NH, be confirmed to the rank of Colonel, NH Army National Guard.

#11 Authorized that James P Challender, Bow, NH, be confirmed to the rank of Major, NH Army National Guard.

#12 Authorized James W Petrino, Derby, CT, be confirmed to the rank of Major, NH Army National Guard.

#13 Authorized Michael D McGandy, Manchester, NH, be confirmed to rank of Colonel, NH Army National Guard.

#13A Authorized to continue one Environmentalist II position and one Environmental Technician I position through June 30, 2005, as specified in letter dated September 15, 2004. **Fiscal Committee approved.**

#13B Authorized to continue one Electronic Technician II position through June 30, 2005, as specified in letter dated September 15, 2004. **Fiscal Committee approved.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#14 Authorized Division of Personnel to enter into a contract with Michael P Gillis, to provide computer training and consultation to government employees and agencies, for an amount not to exceed \$9,000. Effective upon G&C approval through June 30, 2005.

#14A Authorized a Working Capital Warrant in the amount of \$760,000,000 to cover expenditures for the month of October 2004. (2)Further Authorized a Working Capital Warrant reporting expenditures of \$350,081,140.19 for the month of August and recommends the balance of \$109,918,859.81 be lapsed.

DEPARTMENT OF REVENUE ADMINISTRATION

The Governor and Council acted as follows:

#15 Authorized Val Berghaus, Audit Team Leader, unclassified position #9U341, be placed at the maximum step established for Group EE, \$66,779. Effective upon G&C approval.

#16 Authorized to enter into a Use and Occupancy Agreement with the Secretary of State's Office for office space on Regional Dr, Concord, NH, by which the Secretary of State's Office agrees to pay the Department a sum of \$2,480 monthly for a total sum not to exceed \$37,200. Effective October 1, 2004 or upon G&C approval, whichever is later, through December 31, 2005.

TREASURY DEPARTMENT

#17 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Burton, authorized to issue a warrant from funds not otherwise appropriated and the State's Treasurer to issue checks in the amount of \$18,051.53 to the rightful owners of abandoned or unclaimed funds.

ATTORNEY GENERAL

The Governor and Council acted as follows:

#18 Authorized to reappoint Catherine L Bernhard as an Assistant Attorney General for a term September 30, 2004 through September 30, 2009.

#19 Authorized to reappoint Richard W Head as an Assistant Attorney General for a five year term September 28, 2004 through September 28, 2009. (2)Further Authorized to appoint Richard W Head as a Senior Assistant Attorney General at a salary of \$68,710 effective September 28, 2004.

#20 Authorized to **retroactively** amend G&C item #28, approved August 18, 2004, by increasing the annual salary of Lynmarie Cusack, by \$500, from \$55,000 to \$55,500 effective August 19, 2004.

#21 Authorized to designate Mary E Maloney as an attorney at a salary of \$62,000 effective October 18, 2004.

#22 Authorized to accept and expend a grant in the amount of \$749,451 from the US Department of Justice, Violence Against Women Office to implement the Safe Havens: Supervised Visitation, and Safe Exchange Grant Program. (2)Further Authorized to enter into subgrants, totaling \$726,979, with the agencies as indicated in letter dated September 8, 2004, to enable each agency to provide services and make available safe facilities for visitation and exchange of children in cases of domestic violence, child abuse, sexual assault or stalking. Effective October 1, 2004 through September 30, 2006. **100% Federal Funds.**

#23 Authorized to enter into a sub-grant with the NH Administrative Office of the Courts to be used to assist the Courts with implementing their new Case Management System, in the amount of \$519,320. (2)Further Authorized to enter into a sub-grant with the NH Department of Safety to be used to assist the Department of Safety with contract services to continue the development and implementation of the J-ONE System, in the amount of \$170,258. Effective upon G&C approval through September 30, 2005. **100% Federal Funds.**

#24 NOT USED

#25 NOT USED

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#26 Authorized Division of the Arts, to award an Art Links grant to Advise to the Players, N Sandwich in the amount of \$8,500. **100% Federal Funds.**

#27 Authorized Division of the Arts to award a Traditional Arts Grant in the amount of \$2,486 to Belknap Mill Society, Laconia, NH. **100% Federal Funds.**

#27A Authorized Division of the Arts to award an Arts in Education Partnership Grant in the amount of \$7,000 to the Arts Alliance of Northern NH, Littleton. **100% Federal Funds.**

#28 Authorized to award a Conservation Number Plate Grant in the amount of \$20,000 to the Franklin Opera House Inc., Franklin. **100% Other Funds.**

#29 Authorized Division of the Arts to award an Arts in Education Grant to John Stark High School, Weare, in the amount of \$5,000. **100% General Funds.**

#30 Authorized Division of the Arts to award a Community Arts Project Development grant to the City of Portsmouth, NH, in the amount of \$6,000. **100% General Funds.**

#31 Authorized Division of the Arts to award Operating Grants totaling \$49,300 to the organizations as detailed in letter dated September 7, 2004. **100% General Funds.**

OFFICE OF THE CONSUMER ADVOCATE

#32 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, authorized to a salary increment of \$3,570 to Consumer Advocate F. Anne Ross, effective November 5, 2004.

PUBLIC UTILITIES COMMISSION

#33 NOT USED

EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#34 Authorized to enter into a **retroactive** amended agreement with the Nebraska Workforce Development, Department of Labor, (previously approved by G&C on 2-5-03, item #35, amended on 9-19-03, item #33), for voluntary participation in the Benefits Workgroup Consortium as Authorized and funded by the Employment and Training Administration of the US Department of Labor, by extending the agreement through August 31, 2004.

#35 Authorized to enter into a **retroactive** license agreement with NH Community Action Association in the total estimated amount of \$1,654,890 for co-location services. Effective July 1, 2004 through June 30, 2009.

LIQUOR COMMISSION

#36 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wieczorek, authorized to **retroactively** enter into an agreement with McKenna's Mow'em Lawn Care, Dover, NH, for the sole purpose of exercising an option to extend the existing contract for snow and ice removal services at various Liquor Stores, by increasing the contract price limitation from \$165,950 to \$284,350, an increase of \$118,400 and extending the completion date for two years, or through June 30, 2006. **100% General Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#37 Authorized Division of Parks and Recreation, Cannon Mountain to renew the membership for the 2004-2005 season with the White Mountains Attractions Association in the amount of \$8,500. (2)Further Authorized to participate in a co-op promotional program for an amount not to exceed \$16,000 and brochure distribution not to exceed \$3,600. Total not to exceed \$28,100. **100% Other Funds.**

#38 Authorized Division of Parks and Recreation to renew the membership for the 2004-2005 season with the White Mountains Attractions Association in the amount of \$8,500. (2)Further Authorized to participate in a co-op promotional program for an amount not to exceed \$11,000. Total cost not to exceed \$19,500. **100% Other Funds.**

#39 Authorized Division of Parks and Recreations to enter into an agreement, as detailed in letter dated September 8, 2004, with Longview Inspection, Inc., LaPorte, TX, for the cable and connection hardware inspection on the Cannon Mountain Aerial Tramway in Franconia, NH, in the amount of \$4,517.41. Effective upon G&C approval through November 15, 2004. **100% Other Funds.**

#40 Authorized Division of Parks and Recreation to enter into a five year lease agreement with a five year renewal, with the Hearst-Argyle Properties, Inc., New York, NY, for a television rebroadcast facility on Holden Hill in Coleman State Park, at an annual Fee of \$12,000. Effective October 1, 2004 through September 30, 2009.

#41 Authorized Division of Parks and Recreation to enter into a service agreement with BBI Waste Industries dba Blow Bros. Inc., Old Orchard Beach, ME, for portable toilet rentals throughout the state park system, in the amount of \$12,334. Effective upon G&C approval through June 30, 2005. **100% Other Funds.**

#42 Authorized Design, Development, and Maintenance to enter into a contract with Max Roads, Raymond, NH, for paving the toll booth area at Bear Brook State Park, Allenstown, NH, on the basis of a low bid of \$14,755. Effective upon G&C approval through October 15, 2004. **100% General Funds.**

#43 Authorized Division of Forest and Lands to accept and expend \$40,000 from the USDA Forest Service, under the Cooperative Forestry Assistance Act of 1978, PL 95-313 for administration of the Federal Forest Legacy Program for the protection of forestland that is threatened by conversion to non-forest uses. Effective upon G&C approval through September 30, 2005. **100% Federal Funds.**

#44 Authorized Division of Forests and Lands to enter into a contract with R.D. Edmunds and Sons, Inc., Franklin, NH in the amount of \$38,400 for drainage and grading improvements at Lead Mine Road, Kearsarge State Forest and Kearsarge Wildlife Management Area in Andover, NH. Effective upon G&C approval through October 30, 2004. **10% General, 14% Federal, 76% Other Funds.**

#45 Authorized Bureau of Trails to extend the Recreational Trails Program grant with the Town of Lisbon, NH, from September 30, 2004 to August 31, 2005.

#46 NOT USED

#46A Authorized Division of Economic Development to enter into a **sole source** grant with NH Telecommunications Association of Concord, NH, to provide professional project facilitation, logistics, and management in implementing the state's telecommunication planning and development initiative in the amount of \$20,000 for the period ending June 30, 2005.

NH FISH AND GAME DEPARTMENT

#47 The Governor and Executive Council on motion of Councilor Spaulding, seconded by Councilor Burton, authorized to accept with Thanks, the donation of an 8-acre conservation easement in the Village of Etna, Town of Hanover, NH from John T B. Mudge.

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#48 Authorized to enter into an agreement with the City of Dover, NH, to develop a recreation master plan for a downtown waterfront park, in the amount of \$32,000. Effective upon G&C approval through December 31, 2005. **100% Federal Funds.**

#49 Authorized to enter into an agreement with the Strafford Regional Planning Commission, Dover, NH, to provide planning technical assistance to member coastal communities, in the amount of \$50,000. Effective upon G&C approval through December 31, 2005. **100% Federal Funds.**

#50 Authorized to continue a **sole source** maintenance agreement with Varian, Inc., Walnut Creek, CA, in the amount of \$27,962. Effective upon G&C approval through August 31, 2006. **100% Other.**

#51 Authorized to amend a contract with Woodard & Curran Environmental Services, Inc., Portland, ME, for a no-cost time extension for the continued operation and maintenance of the Keefe Environmental Services Site, from September 30, 2004 to June 30, 2005. **90% Federal, 10% State.**

#52 Authorized Donald Ware's request to impact a total of 2,913 sq. ft. of Bowers Pond and Harris Pond to install 3 submerged aerators; 2 submerged weirs; 3 floating baffles; 105 screw auger curtain anchors in the pond bottom; and 2 shoreline anchors in uplands, for water quality flow-routing management for Pennichuck Water Works public water supply treatment plant upgrade. Work will occur on the Merrimack and the prime wetland side of the ponds in Nashua. This project will provide adequate treatment of drinking water supplies to eleven towns in southern NH.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

#53 Authorized an extension of the current 20% increase in the compensation of the twelve positions that employ professional pharmacists, as detailed in letter dated August 31, 2004. (previously approved by G&C on 8-14-02, item #175). **13% Federal, 87% General Funds.**

Office of Business Operations

#54 Authorized to enter into an agreement with Limerick Steeplejacks, Inc., Limerick, ME, for pressure washing services, in the amount of \$9,000. Effective upon G&C approval through June 30, 2007. **59% General, 41% Federal Funds.**

Office of Finance

#55 Authorized to enter into a **sole source** contract with Southern NH Services, Inc., Manchester, NH, as a grant recipient under the Community Services Block Grant, to provide nutritional services, community based services, and anti-poverty programs to low-income families, in an amount not to exceed \$847,837. Effective October 1, 2004 to September 30, 2005. **100% Federal Funds.**

#56 Authorized to enter into a **sole source** contract with Southwestern Community Services, Inc., Keene, NH, as a grant recipient under the Community Services Block Grant, to provide nutritional services, community based services, and anti-poverty programs to low-income families, in an amount not to exceed \$379,312. Effective October 1, 2004 to September 30, 2005. **100% Federal Funds.**

#57 Authorized to enter into a **sole source** contract with Strafford County Community Action Committee, Inc., Dover, NH, as a grant recipient under the Community Services Block Grant, to provide nutritional services, community based services, and anti-poverty programs to low-income families, in an amount not to exceed \$351,364. Effective October 1, 2004 to September 30, 2005. **100% Federal Funds.**

#58 Authorized to enter into a **sole source** contract with Tri-County Community Action Program Inc., Berlin, NH, as a grant recipient under the Community Services Block Grant, to provide nutritional services, community based services, and anti-poverty programs to low-income families, in an amount not to exceed \$582,565. Effective October 1, 2004 to September 30, 2005. **100% Federal Funds.**

#59 Authorized to enter into a **sole source** contract with Rockingham Community Action Inc., Portsmouth, NH, as a grant recipient under the Community Services Block Grant, to provide nutritional services, community based services, and anti-poverty programs to low-income families, in an amount not to exceed \$470,615. Effective October 1, 2004 to September 30, 2005. **100% Federal Funds.**

#60 Authorized to enter into a **sole source** contract with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, as a grant recipient under the Community Services Block Grant, to provide nutritional services, community based services, and anti-poverty programs to low-income families, in an amount not to exceed \$420,420. Effective October 1, 2004 to September 30, 2005. **100% Federal Funds.**

Division of Public Health Services

#61 Authorized to reclassify vacant position #9T095 from Assistant State Epidemiologist, salary grade 23, to Program Planner III, salary grade 25. **100% Federal Funds.**

#62 Authorized to enter into an agreement with Cathleen Veach, MD, Lancaster, NH, for physician loan repayment for an amount not to exceed \$20,000. Effective upon G&C approval through June 30, 2007. **100% Federal Funds.**

#63 Authorized a **retroactive** Educational Tuition Agreement for Laura R Holmes to attend the Theory and Process of Public Administration – POLT 906 at The University of NH, Manchester, NH, for a cost of \$1,668 from September 8, 2004 through December 15, 2004. **100% Federal.**

#64 NOT USED

#64A Authorized to enter into an agreement with Hampshire Hospitality Holdings, Inc., dba The Inn at Mills Falls, Meredith, NH, for meeting space, food and overnight accommodations to hold an organized two and one-half day work session entitled “Putting the Injury Prevention Plan to Work” on September 28, 29, and 30, 2004, in the amount of \$5,730. (2)Further Authorized to pay the expert moderators, as detailed in letter dated August 30, 2004, honorarium and travel expenses. **100% Federal Funds.**

Bureau of Elderly & Adult Services

#65 Authorized to amend an agreement with Grafton County Senior Citizens Council, Inc., Lebanon, NH, (previously approved by G&C on 6-25-03, item #410), to provide Home Delivered Meals and Transportation services increasing the contract by \$4,337.78 from \$2,425,175.72 to \$2,429,513.50. Effective **retroactive** to July 1, 2004 through June 30, 2005. **41% General, 59% Federal.**

#66 Authorized to amend an agreement with Gibson Center for Senior Services, Inc., North Conway, NH, (previously approved by G&C on 6-25-03, item #389), to provide Home Delivered Meals and Transportation services increasing the contract by \$2,936.30 from \$541,514.38 to \$544,450.68. Effective **retroactive** to July 1, 2004 through June 30, 2005. **41% General, 59% Federal.**

#67 Authorized to amend an agreement with Rockingham Nutrition & Meals on Wheels Program, Inc., Brentwood, NH, (previously approved by G&C on 6-25-03, item #395), to provide Home Delivered Meals and Transportation services increasing the contract by \$2,198.92 from \$2,301,243.58 to \$2,303,442.50. Effective **retroactive** to July 1, 2004 through June 30, 2005. **41% General, 59% Federal.**

#68 Authorized to amend an agreement with St. Joseph Community Services, Inc., Merrimack, NH, (previously approved by G&C on 6-25-03, item #388), to provide Home Delivered Meals and Transportation services increasing the contract by \$2,395.86 from \$2,945,741.04 to \$2,948,136.90. Effective **retroactive** to July 1, 2004 through June 30, 2005. **41% General, 59% Federal.**

#69 Authorized to amend an agreement with Community Action Program Belknap-Merrimack Counties, Inc., Concord, NH, (previously approved by G&C on 6-25-03, item #396), to provide Home Delivered Meals and Transportation services increasing the contract by \$2,157.70 from \$2,746,229.26 to \$2,748,386.96. Effective **retroactive** to July 1, 2004 through June 30, 2005. **41% General, 59% Federal.**

#70 Authorized to amend an agreement with Newport Senior Center, Inc., Newport, NH, (previously approved by G&C on 6-25-03), to provide Home Delivered Meals and Transportation services increasing the contract by \$2,208.48 from \$1,005,832.00 to \$1,008,040.48. Effective **retroactive** to July 1, 2004 through June 30, 2005. **41% General, 59% Federal.**

#71 Authorized to amend an agreement with VNA @ HCS, Inc., Keene, NH, (previously approved by G&C on 6-25-03, item #377, amended on 6-2-04, item #72), to provide Home Delivered Meals services, by increasing the contract by \$2,024.88 from \$3,238,102.16 to \$3,240,127.04. Effective **retroactive** to July 1, 2004 through June 30, 2005. **41% General, 59% Federal.**

#72 Authorized to amend an agreement with Somersworth Housing Authority, Somersworth, NH, (previously approved by G&C on 6-25-03, item #397), to provide Home Delivered Meals services increasing the contract by \$2,024.88 from \$812,502.72 to \$814,527.60. Effective **retroactive** to July 1, 2004 through June 30, 2005. **41% General, 59% Federal.**

#73 Authorized to amend an agreement with Special Transit Service, Inc., Manchester, NH, (previously approved by G&C on 6-25-03, item #387), to provide Transportation services increasing the contract by \$1,167.90 from \$182,064.16 to \$183,232.06. Effective **retroactive** to July 1, 2004 through June 30, 2005. **41% General, 59% Federal.**

#74 Authorized to amend a **sole source** agreement with Community Alliance of Human Services, Claremont, NH, (previously approved by G&C on 6-25-03, item #364), to provide Transportation services increasing the contract by \$4,822.74 from \$39,378.84 to \$44,201.58. Effective **retroactive** to July 1, 2004 through June 30, 2005. **41% General, 59% Federal.**

#75 Authorized to amend a **sole source** agreement with Ossipee Concerned Citizens, Inc., Center Ossipee, NH, (previously approved by G&C on 6-25-03, item #399), to provide Nutrition services increasing the contract by \$62,786.32 from \$448,270.12 to \$511,056.44. Effective **retroactive** to July 1, 2004 through June 30, 2005. **41% General, 59% Federal.**

#75A Authorized to accept and expend \$687,974 in federal funds, as specified in letter dated September 15, 2004. **Fiscal Committee approved.**

#76 Authorized to amend an existing agreement with Tri-County Community Action Program, Inc., Berlin, NH, (previously approved by G&C on 6-25-03, item #373), to provide 429 Home Delivered Meals and to reduce 4,000 Congregate meals and 9,102 Home Delivered Meals that will then be transferred to Ossipee Concerned Citizens, Inc., to continue to meet the nutrition needs of eligible persons in Moultonborough and Sandwich, by decreasing the contract by \$58,736.56 from \$1,390,968.36 to \$1,332,231.80. Effective **retroactive** to July 1, 2004 through June 30, 2005. **41% General, 59% Federal.**

#76A Authorized to amend an existing agreement with Tri-County Community Action Program, Inc., Berlin, NH, (previously approved by G&C on 10-22-03, item #73), to provide Alzheimer's Adult Day Care Services to the North Country Alzheimer's Partnership with the funds from the Administration on Aging Title III-B Supportive Services and Title III-E National Family Caregiver Support Program, by increasing the contract by \$32,000 from \$67,000 to \$99,000. Effective **retroactive** to July 1, 2004 through June 30, 2005. **100% Federal Funds.**

Division of Family Assistance

#76B Authorized to enter into an agreement with Second Start, Concord, NH, to provide job readiness and employment preparation activities under the NH Employment Program, in the amount of \$702,536. Effective October 1, 2004, or upon G&C approval, whichever is later, through June 30, 2005. **74% Federal, 26% General Funds.**

#76C Authorized Division of Family Assistance and the Office of Energy and Planning to enter into a contract with the International Institute of Boston, through its subsidiary the International Institute of NH, Manchester, NH, to provide direct services to refugees in NH, in an amount not to exceed \$200,000. Effective October 1, 2004, of upon G&C approval, whichever is later, through September 30, 2005. **100% Federal Funds.**

#76D Authorized Division of Family Assistance and the Office of Energy and Planning to enter into a contract with Lutheran Social Services of NH, Concord, NH, to provide direct services to refugees in NH, in an amount not to exceed \$249,000. Effective October 1, 2004, of upon G&C approval, whichever is later, through September 30, 2005. **100% Federal Funds.**

#76E Authorized Division of Family Assistance and the Office of Energy and Planning to enter into a contract with Order of Saint Benedict of NH, Inc., dba St. Anselm College, Manchester, NH, to provide English for Speakers of Other Languages to refugees in NH, in an amount not to exceed \$51,000. Effective October 1, 2004, of upon G&C approval, whichever is later, through September 30, 2005. **100% Federal Funds.**

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#77 Authorized to pay the Council of Chief State School Officers, Washington, DC, \$27,472 for FY 2005 dues. **100% General Funds.**

#78 Authorized to enter into a contract with Susan E Auerbach, PH.D., Sole Proprietor, dba Engaging Results, LLC, Concord, NH, to provide coordination of program development and operations for the Enterprise Teacher program in an amount not to exceed \$15,000. Effective upon G&C approval through June 30, 2005. (2)Further Authorized payment for services rendered and approved in lieu of 25% withholding provision of section 311.07(a) (5) of the Code of Administrative Rules. **100% Federal Funds.**

NH COMMUNITY TECHNICAL COLLEGE SYSTEM

#79 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Wieczorek, authorized to NHCTC Manchester/Stratham to accept and expend federal funds from the National Science Foundation, for the "CSEMS (Computer Science, Engineering, and Math Scholarships) Grant", in the amount of \$99,901. Effective upon G&C approval through June 30, 2005. **100% Federal Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#80 Authorized to pay annual membership dues to the multi-state organizations as detailed in letter dated August 31, 2004.

#81 Authorized Division of State Police to enter into a \$12,000 **sole source** agreement with the American Society of Crime Laboratory Directors Laboratory Accreditation Board to provide an annual audit and inspection of the State Police Forensic Laboratory. Effective **retroactive** to May 1, 2004 through June 30, 2004.

#82 Authorized Division of Administration to enter into a \$14,069 contract with Accurate Roofing and Construction of Raymond, NH, to replace the roof at Troop F, Twin Mountain. Effective upon G&C approval through December 30, 2004. **100% Agency Income.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#83 Authorized the Bureau of Right of Way's Contemplated Award List for the period of August 20, 2004 through September 2, 2004.

#84 Authorized to quitclaim whatever interests the State of NH may have in a portion of the former Mountain Valley Boulevard not included in the new layout of the North/South Local Road in the Town of Conway to Mountain Valley Mall Associates where it abuts other land of Mountain Valley Mall.

#85 Authorized Division of Aeronautics to accept Federal Funds in the amount of \$5,121,550 for this AIP-29 project for the reconstruction, lighting, signing and marking of east Taxiway "A" Object Free Area.

#86 Authorized Division of Aeronautics to accept Federal Funds in the amount of \$771,225 for this AIP-57 project for the construction of remote overnight aircraft parking aprons at the Manchester Airport

#87 Authorized Division of Aeronautics to accept Federal Funds in the amount of \$2,500,000 for this AIP-55 project for noise insulation of approximately 25 homes/63 units, Manchester, NH.

#88 Authorized Division of Aeronautics to accept Federal Funds in the amount of \$6,500,000 for this AIP-56 project for Phase IV of the reconstruction and extension of Runway 17-35 at the Manchester Airport.

#89 Authorized the Bureau of Construction contract with Severino Trucking Co., Inc., Candia, NH, for reconstruction and expanding the Hampton Ramp Toll Plaza at NH Route 101 and Interstate 95. A permanent toll lane and toll booth will be added to the south side and two permanent toll lanes and toll booths will be added to the north side for a total of eight toll lanes and toll booths, on the basis of a low bid of \$6,042,696.05. Effective upon G&C approval through September 30, 2005.

#90 Authorized Bureau of Public Works to enter into a contract with Meridian Construction Corporation, Laconia, NH, for a lump sum price of \$67,950 for Re-roofing Thomas Hall, NH Air National Guard, Center Strafford, NH. (2)Further Authorized that the amount of \$2,050 be approved for payment to NH DOT Bureau of Public Works for engineering services provided.

#91 Authorized Bureau of Public Works to enter into a contract with Harvey Construction Corporation of NH, Bedford, NH, for a lump sum fee of \$10,559,000 for Readiness Center Addition/Renovation, SMR, Concord, NH. (2)Further Authorized that the amount of \$155,553.52 be approved for payment to NH DOT Bureau of Public Works for engineering services provided.

#92

TUITION REQUESTS

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

- A. **EDUCATION** - Request permission to pay the University of New Hampshire, Manchester, NH, the sum of \$1,251.00 for the sole purpose of enrolling Anne Prehemo, Disability Examiner, in the course entitled "Public Health Economics".
- B. **EDUCATION** - Request permission to pay the University of New Hampshire, Manchester, NH, the sum of \$1,251.00 for the sole purpose of enrolling Peggy Vieira, Disability Examiner, in the course entitled "Public Health Economics".
- C. **EDUCATION** - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$670.00 for the sole purpose of enrolling Scott Vitner, Assistant Vending Stand Coordinator, in the course entitled "Techniques of Counseling".
- D. **HEALTH & HUMAN SERVICES, Division for Children, Youth & Families** - Request permission to pay Springfield College, Manchester, NH, the sum of \$800.00 for the sole purpose of enrolling Wendy Keith, Child Protective Services Worker, in the course entitled "Staffing and Supervision".
- E. **HEALTH & HUMAN SERVICES, Division for Children, Youth & Families** - Request permission to pay Springfield College, Manchester, NH, the sum of \$800.00 for the sole purpose of enrolling Jade Marston, Child Protective Services Worker, in the course entitled "Economics of Change".
- F. **HEALTH & HUMAN SERVICES, Division of Developmental Services** - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$1,037.85 for the sole purpose of enrolling Karen Kimball, Program Planning and Review Specialist, in the course entitled "Economics for Managers".
- G. **HEALTH & HUMAN SERVICES, Office of Finance** - Request permission to pay Franklin Pierce College, Concord, NH, the sum of \$1,221.00 for the sole purpose of enrolling Kenneth Merrifield, Program Specialist IV, in the course entitled "Human Resource Management".
- H. **HEALTH & HUMAN SERVICES, Division of Public Health Services** - Request permission to pay the University of New Hampshire, Manchester, NH, the sum of \$2,400.00 for the sole purpose of enrolling Margaret Heatley, Administrator, in the courses entitled "Public Health Economics" and "Integrating Seminar".

- I. **NH HOSPITAL** - Request permission to pay New England College, Henniker, NH, the sum of \$624.00 for the sole purpose of enrolling Heather McAllister, Recreational Therapist II, in the course entitled "Thesis or Project".

LATE ITEMS

POLICE STANDARDS AND TRAINING COUNCIL

- A. Authorized the NH Police Standards and Training Council to transfer pursuant RSA 188-F:32-b, unappropriated Penalty Assessment Funds in the Police Training Fund in the amount of \$130,000 to the operating budget of the NH Police Standards and Training Council from the period September 15, 2004 through June 30, 2005 to cover the costs of renovating one of our lecture halls.

HEALTH AND HUMAN SERVICES

- B. **Division of Public Health Services** – Authorized HHS to enter into an agreement totaling \$143,168 with UNH to provide epidemiological support to DPHS, effective the date of Governor and Council approval through June 30, 2006. 100% Federal Funds.

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C. Approved Gale and Norbert Hepfinger's request to permanently remove an existing 4 ft x 36 ft season dock with an existing 5 ft x 8ft floating attachment and 45 cu yd of rock fill, install a 6 ft x 53 ft piling dock, with (3) 3-piling ice clusters and 2 tie off pilings, and repair an existing 40 linear ft stone wall on average of 85 ft of frontage at Meredith Neck on Lake Winnepesaukee in Meredith.

DEPARTMENT OF TRANSPORTATION

- D. Resolved the Department of Transportation is hereby authorized to enter into a contract with Horne Construction Company, Inc. for a lump sum price of \$1,506,400.00 for low bid design/build, liquor store no. 15, Ash Brook Court, Keene, NH.
- E. Pursuant to RSA 237:7 I (K) Authorized DOT to transfer the amount of \$2,100,000 from the Turnpike Retained Earnings Fund to the Toll Collection Equipment Account upon Governor and Council approval. Further Authorize the purchase of approximately 90,000 electronic toll transponders, in an amount not to exceed \$2,100,000.
- F. Authorized DOT to enter into an agreement with ACS State and Local Solutions, Inc. for a total amount not to exceed \$16,600,000 over a period of 3 years as outlined below.

HEALTH AND HUMAN SERVICES

- G. Authorized Bureau of Prevention Services, Nutrition and Health Promotion Section, to enter into an agreement with Starling Consulting Inc., Olympia WA, to provide a full scope pf services, under a firm fixed price, for the implementation and hosting of an integrated management information system for the Special supplemental Nutrition Program for Women, Infants, and Children, totaling \$870,000. Effective September 22, 2004 or upon G&C approval, whichever is later, through June 30, 2007. **100% Federal Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

- H. Authorized DRED to establish the annual salary of Alice L. DeSouza, Director of Travel and Tourism, from Group GG minimum (\$57,946) to Group GG maximum (\$77,255) effective September 10, 2004.

ITEMS REMOVED FROM TABLE

The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Wheeler, voted to remove item #48- which was tabled at the August 18, 2004 Meeting.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

#48 The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Burton, voted to approve the request of the Division of Travel and Tourism to award grants under the out-of-state Joint Promotional Program to the Greater Laconia Weirs Beach Chamber of Commerce for 2004 Tourism Brochure through December 2004 in the amount of \$7,417.38 and for 2005 Tourism Brochure through June 2005 in the amount of \$24,329.66. Effective upon G&C approval.

The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Wheeler, voted to remove item #49- which was tabled at the August 18, 2004 Meeting.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

#49 The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Burton, voted to approve the request of the Division of Travel and Tourism to award grants under the in-state Joint Promotional Program to the New London-Lake Sunapee Region Chamber for a promotional event in the amount of \$1,752.02 through September 2004, Greater Laconia/Weirs Beach Chamber of Commerce for 2004 tourism brochure in the amount of \$3,355.25 through June 2005, Littleton Area Chamber of Commerce for a promotional event in the amount of \$5,000 through April 2005 and Mt. Washington Valley Chamber of Commerce for in-state winter marketing in the amount of \$5,000 through June 30, 2005. Effective upon G&C approval.

The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Wheeler, voted to remove item #50- which was tabled at the August 18, 2004 Meeting.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

#50 The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Burton, voted to approve the request of the Division of Travel and Tourism to award grants under the out-of-state Joint Promotional Program to the Lakes Region Association for National Advertising Campaign, Map and Guide, Media and Web Site, Group Marketing, and Seasonal Event in the amount of \$84,673.93 through June 2005, Lincoln Woodstock Chamber of Commerce for Year-Round Marketing Plan in the amount of \$26,762 through June 2005. Effective upon G&C approval.

The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Wheeler, voted to remove item #51- which was tabled at the August 18, 2004 Meeting.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

#51 The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Burton, voted to approve the request of the Division of Travel and Tourism to award grants under the out-of-state Joint Promotional Program to Ski NH Inc for 2005 International Marketing Program in the amount of \$44,058.88 through April 2005, and for 2004/2005 Advertising and Promotion Program in the amount of \$91,051 through June 2005, White Mountain Attractions Association for 2004 Marketing Program in the amount of \$33,587 through June 2005, Meredith Area Chamber of Commerce for 2005 Marketing Plan in the amount of \$71,806 through June 2005 and Mt Washington Valley Chamber of Commerce for Fulfillment, Lead Generation, Distribution, and Public Relations Marketing Plan in the amount of \$41,338.23, for Winter Marketing in the amount of \$21,826.92 and for Shoulder Season in the amount of \$19,582 all through June 30, 2005.

The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Griffin, voted to remove item #148- which was tabled at the August 18, 2004 Meeting.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

New Hampshire Hospital

#148 **WITHDRAWN** – The agency **withdrew** the request to enter into an agreement with Norris Inc., Portland, ME, to provide fire alarm, nurse call station and security system test and inspection services, in the amount of \$58,000. Effective **retroactive** to July 1, 2004 through June 30, 2006. **96% General, 4% Other Funds.**

Next Governor and Executive Council meeting is scheduled for Wednesday, October 6, 2004 at 10:00 a.m. at The State House, Concord, NH.

The Honorable Board then Adjourned