

GOVERNOR AND EXECUTIVE COUNCIL MINUTES
 State House, Concord, New Hampshire
 April 20, 2005 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 Griffin, seconded by Councilor Spaulding, accepted the minutes of April 6, 2005.

The Governor and Executive Council, on motion of Councilor Spaulding, seconded by Councilor Wieczorek approved the appointment of several persons nominated for Civil Commissions from the April 6, 2005 meeting.

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

RESIGNATIONS

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

Justice: Keene District Court

Richard J. Talbot, Keene

Effective: June 30, 2005

CONFIRMATIONS

The Governor and Council confirmed the following:

State Board of Auctioneers

Richard C. Berman, Nashua

Succeeding: Garth Millett, Contoocook

Effective: April 20, 2005

Term: March 1, 2009

State Board of Registration of Funeral Directors and Embalmers

Robert W. Bennett, Jr., Bow

Reappointment

Effective: April 20, 2005

Term: June 13, 2009

New Hampshire Health and Education Facilities Authority

Major W. Wheelock, Harrisville

Reappointment

Effective: April 20, 2005

Term: June 30, 2009

Lakes Management Advisory Committee

(Member Representing Scientific Community)

James F. Haney, Milton

Reappointment

Effective: April 20, 2005

Term: August 22, 2007

Lakes Management Advisory Committee

Nominated by: Local Government Center

(Member of a Planning Board)

Frederic Murphy, Hillsborough

Vacancy

Effective: April 20, 2005

Term: August 1, 2005

Medical Review Subcommittee

Nominated by: Board of Medicine

Diane L. Arsenault, MD, Campton

Succeeding: Wendy Gair Muello, Lancaster (Reached term limit)

Effective: April 20, 2005

Term: December 3, 2007

Board of Nursing

Harley G. Featherston, Salem
Succeeding: Elizabeth Gabler, Hebron, Resigned

Effective: April 20, 2005
Term: May 10, 2006

Board of Nursing

Robert A. Duhaime, Manchester
Succeeding: Richard Brothers, Campton

Effective: April 20, 2005
Term: May 10, 2006

Penalty Appeal Board

(Management)
Gayle Troy, Dunbarton
Reappointment

Effective: April 20, 2005
Term: April 11, 2008

Volunteer New Hampshire Board of Directors

Donald E. Chesnel, Rochester
Succeeding: Deborah Emery-Gigliotti, Rochester (resigned)

Effective: April 20, 2005
Term: October 10, 2006

Volunteer New Hampshire Board of Directors

James S. Doremus, Henniker
(Community-based organization)

Effective: April 20, 2005
Term: April 20, 2008

Volunteer New Hampshire Board of Directors

(Representative of National Service Program)
Marianne B. Fortescue, Barrington
Reappointment

Effective: April 20, 2005
Term: October 10, 2007

Volunteer New Hampshire Board of Directors

Kathleen M. Moulis, Concord
Reappointment

Effective: April 20, 2005
Term: October 10, 2007

Volunteer New Hampshire Board of Directors

Michael Robbins, Concord

Effective: April 20, 2005
Term: April 20, 2008

NOMINATIONS

The Governor placed into nomination the following:

Assistant Commissioner: Department of Administrative Services

Nominated by the Commissioner of the Department of Administrative Services

Joseph B. Bouchard, Concord

Effective: June 5, 2005

Vacancy

Term: June 5, 2009

Salary: Group II Step 3 (\$80,213)

Director: Division of Plant and Property Management/Department of Administrative Services

Nominated by the Commissioner of the Department of Administrative Services

Michael P. Connor, Pembroke

Effective: Upon Confirmation

Reappointment

Term: May 1, 2009

Salary: Group GG, maximum \$77,255

Education and Training Officer: Division of Personnel: Department of Administrative Services

Nominated by the Director of Personnel

Monika Bissell, Plymouth

Effective: Upon Confirmation

Succeeding: Peter Gamache, Gilmanton

Term: March 22, 2009

Salary: Group DD, Step 4 (\$59,823)

Athletic Trainers Governing Board

Maren C. McElwee, Gilmanton
Reappointment

Effective: Upon Confirmation
Term: January 8, 2008

Aviation Users Advisory Board

(Corporate Aviation)
T. William White, Manchester
Reappointment

Effective: Upon Confirmation
Term: July 25, 2008

Connecticut River Valley Resource Commission

(Public Member)
Nancy J. B. Franklin, Plainfield
Reappointment

Effective: Upon Confirmation
Term: January 22, 2008

Connecticut River Valley Resource Commission

(Commercial Tourism Industry)
Denise Meadows, Keene
Succeeding: Cynthia Reeves, Walpole

Effective: Upon Confirmation
Term: January 22, 2008

Connecticut River Valley Resource Commission

(Forest Products/Timberland Owners)
Henry Swan, Lyme
Reappointment

Effective: Upon Confirmation
Term: February 10, 2008

Health Services Planning and Review Board

(Health Care Insurer)
Beth-Ann Roberts, Londonderry
Reappointment

Effective: Upon Confirmation
Term: April 19, 2008

Health Services Planning and Review Board

Nominated by the NH Health Care Association
(Health Care Provider)
Scott M. Wojtkiewicz, Bedford
Reappointment

Effective: Upon Confirmation
Term: April 19, 2007

Juvenile Justice Advisory Board

(Law Enforcement)
Michael Schwartz, Portsmouth
Succeeding: Janet Champlin, North Hampton

Effective: Upon Confirmation
Term: September 20, 2007

Medical Review Subcommittee

Nominated by the Board of Medicine
(Medical Director)
Robert E. Feder, M.D., Hollis
Reappointment

Effective: Upon Confirmation
Term: December 3, 2006

Board of Medicine

James G. Sise, M.D., Keene
Reappointment

Effective: Upon Confirmation
Term: April 21, 2010

NH Motor Vehicle Industry Board

Robert M. Copeland, Wolfeboro
Reappointment

Effective: Upon Confirmation
Term: January 9, 2009

Occupational Therapy Governing Board

Eileen Bartlett, Epsom

Succeeding: Tom Prince, Auburn (reached term limit)

Effective: Upon Confirmation

Term: January 8, 2008

Physical Therapy Governing Board

Robert P. Brunton, Wolfeboro

Succeeding: Ann Grenier, Hooksett (reached term limit)

Effective: Upon Confirmation

Term: January 8, 2008

Rivers Management Advisory Commission

Nominated by the NH Association of Conservation Commission

Deborah Hinman, Acworth

Reappointment

Effective: Upon Confirmation

Term: October 12, 2007

Volunteer New Hampshire Board of Directors

Robert D. Bussey, Gilmanton

Effective: Upon Confirmation

Term: 3 yrs from confirmation

Volunteer New Hampshire Board of Directors

Deborah Scire, Windham

Effective: Upon Confirmation

Term: 3 yrs from confirmation

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#1 Authorized to accept and expend additional Low Income Home Energy Assistance Program funds for the Fuel Assistance Program from the US Department of Health and Human Services in the amount of \$3,112,717.93. Effective upon G&C approval through September 30, 2005. **100% Federal Funds.**

#2 Authorized to amend the Fuel Assistance Program agreement with Southern NH Services, Inc., Manchester, NH, (previously approved by G&C on 7-14-04, item #11F, amended on 2-9-05, item #1), by increasing the contract from \$4,738,778 by \$1,776,633 to an amount not to exceed \$6,515,411. **100% Federal Funds.**

#3 Authorized to amend the Fuel Assistance Program agreement with Southwestern Community Services, Inc., Keene, NH, (previously approved by G&C on 7-14-04, item #11E, amended on 12-15-04, item #1, amended on 4-6-05, item #9), by increasing the contract from \$2,368,169 by \$117,976 to an amount not to exceed \$2,486,145. **100% Federal Funds.**

#4 Authorized to amend the Fuel Assistance Program agreement with Community Action Program Belknap-Merrimack, Inc., Concord, NH, (previously approved by G&C on 7-14-04, item #D, amended on 12-15-04, item #2, amended on 4-6-05, item #7), by increasing the contract from \$3,208,125 by \$160,668 to an amount not to exceed \$3,368,793. **100% Federal Funds.**

#5 Authorized to amend the Fuel Assistance Program agreement with Tri-County Community Action Program, Inc., Berlin, NH, (previously approved by G&C on 7-14-04, item #11A, amended on 2-9-05, item #1), by increasing the contract from \$3,615,445 by \$1,158,957 to an amount not to exceed \$4,774,402. **100% Federal Funds.**

#6 Authorized to amend the Fuel Assistance Program agreement with Strafford County Community Action Committee, Inc., Dover, NH, (previously approved by G&C on 7-14-04, item #11B, amended on 12-15-04, item #4, amended on 4-6-05, item #8), by increasing the contract from \$1,764,220.60 by \$387,582 to an amount not to exceed \$2,151,802.60. **100% Federal Funds.**

#7 Authorized to amend the Fuel Assistance Program agreement with Rockingham Community Action, Inc., Portsmouth, NH, (previously approved by G&C on 7-14-04, item #11C, amended on 12-15-04, item #3, amended on 4-6-05, item #10), by increasing the contract from \$2,468,606 by \$223,104 to an amount not to exceed \$2,691,710. **100% Federal Funds.**

#8 Authorized to **retroactively** enter a memorandum of agreement with the Department of Environmental Services to provide continued funding of alternative transportation fuel programs, for an amount not to exceed \$179,800. Effective October 1, 2004 through December 31, 2005. (2)Further Authorized to accept and expend \$78,502 from the Office of Energy and Planning to continue to coordinate and manage the alternative transportation fuel programs. **100% Federal Funds.**

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#9 Authorized under the Community Development Block Grant Program to enter into an agreement with the Town of Exeter, NH, for a study of the Exeter Hampton Cooperative water and sewer systems, in the amount of \$12,000. Effective upon G&C approval through June 30, 2006.

#10 Authorized with Councilor Griffin voting **no**, under the Community Development Block Grant program to enter into an agreement with the City of Lebanon, NH, to assist a private business, The Ranch at Etna Road, with start-up costs for a pet boarding and grooming facility, in the amount of \$200,000. Effective upon G&C approval through December 31, 2006.

#11 Authorized under the Community Development Block Grant program, to amend an existing agreement with the Town of Marlborough, NH, (previously approved by G&C on 10-9-02, late item), to assist a private company, Tree-Free Greetings, Inc., by extending the time period to complete the project from June 30, 2005 to June 30, 2006.

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#12 Authorized to reclassify position #19360, Security Officer I, Salary Grade 12 to Supervisor II, Salary Grade 21. **100% Federal Funds.**

#13 Authorized Roger F. Clements, Newington, NH, be nominated for promotion to the rank of Brigadier General, NH Air National Guard. This office meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified. This is a position vacancy promotion.

#14 Authorized John E. Bassett, Saco, ME, be nominated for promotion to the rank of Major, NH Army National Guard. This office meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

#15 Authorized Lawrence A. Rea II, Windham, NH, be nominated for promotion to the rank of Lieutenant Colonel, NH Army National Guard. This office meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

#16 Authorized Luis N. Maldonado, Concord, NH, be nominated for promotion to the rank of Lieutenant Colonel, NH Army National Guard. This office meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

#17 Authorized Shane R. Stewart, Concord, NH, be confirmed to the rank of Major, NH Army National Guard.

#18 Authorized John J. Daniels, Woodbridge, VA, be confirmed to the rank of Colonel, NH Army National Guard.

#19 Authorized Ralph J. Huber, New Market, NH, be confirmed to the rank of Lieutenant Colonel, NH Army National Guard.

#20 Authorized to accept donations of trucking services in the amount of \$3,673 for the NH State Veterans Cemetery to be used for the betterment of the cemetery.

#21 Authorized to accept donations of the History Walkway and the Memorial Brick Walkway in the amount of \$175,511.76 for the NH State Veterans Cemetery to be used for the betterment of the cemetery.

#22 Authorized to accept donations of flag pole parts, storage container, printing services, auger parts, and miscellaneous office supplies in the amount of \$2,046.59 for the NH State Veterans Cemetery to be used for the betterment of the cemetery.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#23 Authorized a Working Capital Warrant in the amount of \$380,000,000 to cover expenditures for the Month of May 2005. (2)Further Authorized a Working Capital Warrant reporting expenditures of \$418,322,918.79 for the Month of March and recommends the balance of \$91,677,081.21 be lapsed.

#24 Authorized to accept and place on file the list of agency transfer for the Fiscal Year 2005 during the month of March.

#25 Authorized Bureau of General Services, to enter into a **retroactive** contract with Bow Plumbing and Heating Corp., Concord, NH, for emergency repairs performed on March 28, 2005 to a broken water main pipe located at 12 Hills Ave, Concord, NH, for a total cost not to exceed \$18,959.84.

#26 Authorized to enter into a contract agreement with Henkels & McCoy, Inc., Blue Bell, PA, to install communications conduit, for a total amount of \$1,155,766.34. Effective upon G&C approval through June 30, 2005.

#26A Authorized to enter into a memorandum of agreement with the City of Concord to conduct a structural assessment of the Storrs Street Parking Garage. The City and the State will share in the cost to complete a structural assessment of the garage with the State's share of the cost not to exceed \$7,500.

TREASURY DEPARTMENT

#27 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of \$22,548.67 to the rightful owners of abandoned or unclaimed funds.

ATTORNEY GENERAL

The Governor and Council acted as follows:

#28 Authorized to amend item #24A that was Authorized and approved by G&C on February 25, 2005 to increase the salary of Assistant Attorney General Katherine Cooper, position #9U223, by \$2,000 from \$57,000 to \$59,000. Effective upon G&C approval.

#29 Authorized to appoint Karen A. Gorham as an Assistant Attorney General, at a salary level of \$63,200 for a five year term effective upon G&C approval through October 14, 2009.

#30 Authorized to designate Edith L. Pacillo as an attorney at a salary of \$56,500 effective upon G&C approval.

#31 Authorized to amend G&C item #32, approved on October 9, 2002, by **retroactively** extending the termination date of the Domestic Violence Enhancement federal grant award from its original end date of December 31, 2004 to a new ending date of September 31, 2005, to allow the NH Coalition Against Domestic and Sexual Violence the necessary time of fully expend the remaining balance of \$86,558.59 in this grant. **100% Federal Funds.**

INSURANCE DEPARTMENT

#32 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Spaulding authorized the request to pay State Assessment dues in an amount of \$8,857 to National Association of Insurance Commissioners. Effective May 1, 2004 through April 30, 2005. **100% Other Funds.**

PARI-MUTUEL COMMISSION

#33 The Governor and Council on motion of Councilor Griffin, seconded by Councilor Burton authorized the request to accept and place on file the annual report for the calendar year ending December 31, 2004.

EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#34 Authorized to enter into an amended service agreement with NH Lock & Safe Co., Inc., (previously approved by G&C on 7-16-03, item #36), for locksmith services at NHES's offices statewide increasing the total agreement by \$1,000 to \$19,000. Effective upon G&C approval through June 30, 2005. **100% Federal Funds.**

#35 Authorized to enter into a memorandum of understanding with the Department of Health & Human Services, Office of Health Planning and Medicaid, to provide wage and unemployment compensation benefit data on Medicaid program enrollees for the purposes of evaluating participants in the Medicaid for Employed Adults with Disabilities program. (2)Further Authorized to accept and expend an estimated \$500 annually for the first year with annual cost adjustments estimated not to exceed \$10% annually for a total cost not to exceed \$2,320.50 from DHHS as reimbursement for costs incurred by NHES in conjunction with this agreement. Effective upon G&C approval through June 30, 2008. **87.91% Federal, 10.92% Transfer, 1.17% Other Funds.**

LIQUOR COMMISSION

#36 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to enter into a contract with Griffin, Bodi & Krause Inc., Manchester, NH, for the sole purpose of providing advertising services for the grant funds received from the NH Department of Justice for the program entitled, "Buyers Beware." **Transfer Funds.**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#37 Authorized to pay \$496,500 in overtime for permanent personnel services out of salaries for vacant positions due to pending recruitment for the period July 1, 2004 through January 6, 2005.

#38 Authorized to enter into a contract with Presidential Pest Control, Berlin, NH, for scheduled and nonscheduled services to control pests with a price limitation of \$10,440. Effective May 1, 2005 through April 30, 2007, and has the option to renew for an additional period of two years with G&C approval. **100% General Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#39 Authorized with Councilor Pignatelli voting **no**, the Division of Parks and Recreation to amend a **sole source** agreement with Homes Lewis, Inc., Concord, NH, for advertising and promotion services, involving broadcast and print media for additional spring and summer promotion of NH State Parks. **100% Park Fund.**

#40 Authorized to amend a **sole source** contract with Elf's Landscaping, Inc., Rochester, NH, for an additional \$2,500 for a new total amount of \$8,730 for further landscape and snow removal services. Effective upon G&C approval through June 30, 2005. **100% General Funds.**

NH FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#41 **TABLED** – The Governor and Council on motion of Councilor Burton, seconded by Councilor Wieczorek and with Councilor Griffin voting **no**, voted to **table** the request to accept a \$7,500 donation from the Meredith Rotary Club.

#42 Authorized to accept a donation of \$3,224.64 from the Great Bay Stewards in support of the Great Bay National Estuarine Research Reserve.

#43 Authorized to enter into a contract with Ayn B. Whytemare, dba Ecological Landscape Gardening Pembroke, NH for the establishment of a native plant nursery in the amount of \$49,690. Effective upon G&C approval through March 31, 2007. **100% Other Funds.**

#44 Authorized to enter into a contract with Jeremy Hiltz Excavating Inc., Ashland, NH, to provide C-Station Discharge Consolidation construction services at NH Fish Hatchery in New Hampton, NH. Effective upon G&C approval through September 15, 2005. **100% F&G Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#45 Authorized to **retroactively** pay 2005 membership dues to the Association of State and Interstate Water Pollution Control Administrators, Washington, DC, in the amount of \$7,676. Effective July 1, 2004 through June 30, 2005.

#46 Authorized to **retroactively** accept and expend \$89,000 in federal funds from the US Fish and Wildlife Service to administer the Clean Vessel Act Program. Effective July 1, 2004 through September 30, 2006.

#47 Authorized a waiver from Administrative rule 308.059(c) **retroactively** for the use of a state vehicle for two employees to travel beyond a 300 mile radius from Concord for the purpose of attending the quarterly Gulf of Maine Council Working Group Meeting in Fredericton, New Brunswick.

#48 Authorized to **retroactively** amend an agreement with The James House Association, Inc., Hampton, NH, (previously approved by G&C on 3-10-04, item #19), to undertake archaeological, preservation and education activities at the James House in Hampton, NH, by extending the completion date to December 31, 2005 from December 31, 2004. **100% Federal Funds.**

#49 Authorized to enter into an agreement with P&H Senesac Inc., Milton, VT, for digester cleaning, and sludge dewatering, in the amount of \$38,870. Effective upon G&C approval through June 10, 2005.

#50 Authorized to enter into a contract with Dufresne-Henry, Inc., Manchester, NH, for professional engineering services associated with wastewater treatment plant improvements to upgrade plant water capabilities at the Franklin Wastewater Treatment Plant in the amount of \$23,738. Effective upon G&C approval through July 31, 2006.

#51 Authorized to enter into a contract with First Student, Inc., Nashua, NH, to provide for the installation and maintenance of pollution control technology on school buses in the Nashua School District, in an amount for pollution control equipment not to exceed \$26,550. (2) Further Authorized to enter into a grant agreement with the Manchester Transit Authority, Manchester, NH, to provide for the installation and maintenance of pollution control technology on school buses in the Manchester School District, in an amount for pollution control equipment not to exceed \$53,100. **100% Federal Funds.**

#52 Authorized to approve a loan agreement with the City of Franklin, to finance the replacement of the Route 3A and Route 11 Sewers in the principal amount of \$493,350 under the provisions of RSA 486:14 and NH Administrative Rules Env-C 500. Effective upon G&C approval.

#53 Authorized to approve a loan agreement with the City of Claremont, to finance a wastewater collection system evaluation report in the amount of \$336,000 under the provisions of RSA 486:14 and NH Administrative Rules Env-C 500. Effective upon G&C approval.

#54 Authorized to approve a supplemental loan agreement with the Town of Durham, to finance a landfill closure which lowers the original loan agreement by \$17,743.81 from \$820,500 to \$802,756.19 under the provisions of RSA 486:14 and NH Administrative Rules Env-C 500. Effective upon G&C approval.

#55 Authorized Port Wedelen Association Inc's request to dredge material washed into the lake in and around a major docking facility within previously dredged area on property located at Lake Winnepesaukee in Wolfeboro.

#56 Authorized Division of Ports & Harbors Pease Development Authority's request to install a perimeter security fence in the TBZ, construct a concrete floating dock with an aluminum gangway attached to the adjacent bulkhead on the east side of the existing barge wharf, construct a boat launch ramp along the western side of the existing barge wharf on property located at Portsmouth Harbor on the Piscataqua River in Portsmouth.

#57 Authorized Edgar Kranzer's request to construct a permanent fixed pier to a seasonal ramp to a seasonal float providing two slips on property located at Great Bay in Greenland.

OFFICE OF LICENSED ALLIED HEALTH PROFESSIONALS

#58 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Spaulding authorized the request to budget and expend \$520 from funds not otherwise appropriated for an adjudicatory proceeding, which resulted in disciplinary action against a Respiratory Care Practitioner licensed by the Board.

POSTSECONDARY EDUCATION COMMISSION

#59 The Governor and Council on motion of Councilor Burton, seconded by Councilor Pignatelli authorized the request to award a \$2,500 grant to Plymouth State University for the purpose of granting scholarships to full-time and part-time students who are NH residents enrolled in approved programs in a workforce shortage area in the State of NH, and who will be selected for scholarships by the college on the basis of financial need. When combined with previous F& 2005 financial aid money, total funds awarded to Plymouth State University exceed \$5,000. **100% General Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Developmental Disabilities Council

#60 Authorized to enter into an agreement with Mentorship, Inc., Concord, NH, to help people with disabilities maintain their personal autonomy and prevent unnecessary guardianships by providing them with advice and support in their decision-making, in the amount of \$20,500. Effective upon G&C approval through December 31, 2005. **100% Federal Funds.**

#61 Authorized to enter into an agreement with the Disabilities Rights Center, Inc., Concord, NH, to continue to provide expertise and support to a coalition of organizations interested in improving special education for all students in NH including providing information to various state and local committees, boards and commissions which are discussing education adequacy and funding as it pertains to students with disabilities and their families, in the amount of \$60,000. Effective upon G&C approval through August 31, 2006. **100% Federal Funds.**

#62 Authorized to enter into an agreement with the Future Planning Networks of NH, Lakeport, NH, to provide expertise and support to people with disabilities and their families in creating and maintaining support networks and in planning for the future, so that their lives are safe and secure when they no longer have their parents to assist them, in the amount of \$25,000. **100% Federal Funds.**

#63 Authorized to enter into an agreement with the Lakes Region Community Services Council, Laconia, NH, to support the agency in establishing a playgroup for parents and their children, age's birth to five, fully integrating children with disabilities, in the amount of \$8,000. Effective upon G&C approval through March 31, 2006. **100% Federal Funds.**

Office of Business Operations

#64 Authorized to amend an agreement between the Secretary of the US Department of Health and Human Services and the State of NH on behalf of the Town of Goffstown, for the purpose of adopting the optional exclusion from Social Security and Medicare coverage for the services performed by election workers for each calendar year in which the remuneration paid for such services is less than \$1,200.

#65 Authorized to enter into a lease renewal agreement with Ashuelot River Realty, Inc., Spofford, NH, in the amount of \$1,502,666.64. Effective May 1, 2005 or upon G&C approval, whichever is later, and to end sixty months thereafter on April 30, 2010. **40% Federal, 60% General Funds.**

Division of Public Health Services

#66 **TABLED** – The Governor and Council on motion of Councilor Pignatelli, seconded by Councilor Wieczorek, voted to **table** the request of the STD/HIV Prevention Section, to amend an agreement with The Feminist Health Center of Portsmouth, Inc., Greenland, NH, (previously approved by G&C on 7-16-03, Late Item F, amended on 6-23-04, item #169), to provide human immunodeficiency virus and sexually transmitted disease counseling, testing, referral, and treatment, by increasing the price limitation by \$58,500 from \$57,956 to \$116,456 and by extending the completion date to June 30, 2007. Effective upon G&C approval or July 1, 2005, whichever is later. **52% Federal, 48% General Funds.**

#67 Authorized Maternal and Child Health Section, Childhood Lead Poisoning Prevention Program to amend an agreement with The Way Home, Inc., Manchester, NH, (previously approved by G&C on 12-17-03, item #82), by extending the completion date **retroactive** to October 1, 2004 through June 30, 2005. **100% Federal Funds.**

#68 Authorized Maternal and Child Health Section, Childhood Lead Poisoning Prevention Program to support the delivery of lead-based paint risk assessments and clearance inspections in 100 dwelling units of a specific at-risk population, for up to a maximum total of \$116,700. Effective upon G&C approval through June 30, 2005. **78% Federal, 22% General Funds.**

#69 NOT USED

Division of Family Assistance

#70 Authorized to amend a **sole source** contract with JP Morgan Electronic Financial Services Inc., (previously approved by G&C on 9-15-97, item #78, amended on 8-23-00, item #102, amended on 9-17-03, item #83), to provide Electronic Benefits Transfer services, by increasing the amount by \$773,076 from \$5,369,709 to \$6,142,785 and by extending the completion date to August 30, 2006. **45% General, 55% Federal Funds.**

Bureau of Behavioral Health

#71 Authorized to enter into an agreement with Naticook Counseling Resources, P.A., Merrimack, NH, to provide disaster behavioral health-related training for professional groups, totaling \$134,999. Effective upon G&C approval through June 30, 2006. **100% Federal Funds.**

New Hampshire Hospital

#72 Authorized to reclassify position #15761 from the level of Word Processor Operator I, salary grade 9, to the level of Institutional Staff Development Coordinator, salary grade 18.

#73 Authorized to classify position #16360 from the level of Chef I, salary grade 11, to the level of Pharmacist, salary grade 25.

#74 Authorized to compensate Timothy Heinz, a Training and Development Therapist in the Patient Care Services area, for time lost while recovering from a work-related injury in accordance with Compensation for State Employees Injured in Line of Duty.

#75 Authorized to compensate Brian Loughlin, a Mental Health Worker in the Patient Care Services area, for time lost while recovering from a work-related injury in accordance with Compensation for State Employees Injured in Line of Duty.

#76 Authorized to compensate Rebecca Beaupre, a Mental Health Worker in the Patient Care Services area, for time lost while recovering from a work-related injury in accordance with Compensation for State Employees Injured in Line of Duty.

Division for Children, Youth & Families

#77 Authorized to award eleven accreditation stipends in the amount of \$1,500 per center based child care program for a total amount not to exceed \$16,500. Effective upon G&C approval through June 30, 2005. **100% Federal Funds.**

#78 Authorized to provide quality child care awards in the amount of \$135,282 to a total of twenty-three accredited child care programs throughout the State of NH who partner with the Department of Health and Human Services to provide child care services. Effective upon G&C approval through June 30, 2005.

Bureau of Elderly & Adult Services

#79 Authorized to amend an agreement with Child and Family Services of NH, Manchester, NH, (previously approved by G&C on 6-25-03, item #385, amended on 6-2-04, item #71, amended on 2-9-05, item #72), to provide Adult In Home Care and Homemaker services, by increasing the contract by \$75,939.75 from \$1,092,871.30 to \$1,168,811.05. Effective upon G&C approval through June 30, 2005. **45% Federal, 55% General Funds.**

#80 Authorized to amend an existing agreement with Ossipee Concerned Citizens, Inc., Center Ossipee, NH, (previously approved by G&C on 6-25-03, item #399, amended on 9-22-04, item #75), to provide Title II-C, Congregate Meals, by increasing the contract by \$13,350 from \$511,056.44 to \$524,406.44. Effective upon G&C approval through June 30, 2005. **61% Federal, 39% General Funds.**

#81 Authorized to amend an existing agreement with Community Action Program Belknap-Merrimack Counties, Inc., Concord, NH, (previously approved by G&C on 6-25-03, item #396, amended on 9-22-04, item #69), to provide Home Delivered and Congregate Meals, by increasing the contract by \$35,284 from \$2,748,386.96 to \$2,783,671.26. Effective upon G&C approval through June 30, 2005. **61% Federal, 39% General Funds.**

#82 Authorized to amend an existing agreement with Gibson Center for Senior Services, Inc., North Conway, NH, (previously approved by G&C on 6-25-03, item #389, amended on 9-22-04, item #66), to Home Delivered Meals, by increasing the contract by \$6,456.96 from \$544,450.68 to \$550,907.64. Effective upon G&C approval through June 30, 2005. **61% Federal, 39% General Funds.**

#83 Authorized to amend an existing agreement with St. Joseph Community Services, Inc., Merrimack, NH, (previously approved by G&C on 6-25-03, item #388, amended on 9-22-04, item #68), to provide Title XX Home Delivered Meals, by increasing the contract by \$33,512 from \$2,948,136.90 to \$2,981,648.90. Effective upon G&C approval through June 30, 2005. **45% Federal, 55% General Funds.**

#84 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, amended on 9-22-04, item #76), to provide Title II-C, Home Delivered and Congregate Meals, by increasing the contract by \$10,120.41 from \$1,332,231.80 to \$1,342,352.21. Effective upon G&C approval through June 30, 2005. **61% Federal, 39% General Funds.**

#85 Authorized to amend an existing agreement with Rockingham Nutrition & Meals on Wheels Program, Inc., Brentwood, NH, (previously approved by G&C on 6-25-03, item #395, amended on 9-22-04, item #67), to provide Title II-C, Home Delivered and Congregate Meals, by increasing the contract by \$43,653.56 from \$2,303,442.50 to \$2,347,096.06. Effective upon G&C approval through June 30, 2005. **61% Federal, 39% General Funds.**

#86 Authorized to amend an existing agreement with Grafton County Senior Citizens Council, Inc., Lebanon, NH, (previously approved by G&C on 6-25-03, item #410, amended on 9-22-04, item #65), to provide Title II-C, Congregate Meals and decrease Title XX Adult In Home Care units, by decreasing the contract by \$22,719.30 from \$2,429,513.50 to \$2,406,794.20. Effective upon G&C approval through June 30, 2005. **61% Federal, 39% General Funds.**

#87 Authorized to amend an existing agreement with Androscoggin Valley Home Care Services, Berlin, NH, (previously approved by G&C on 6-25-03, item #415, amended on 6-2-04, item #74, amended on 2-9-05, item #73), to provide Title XX Adult In Home Care services, by increasing the contract by \$31,475 from \$1,113,467.81 to \$1,144,942.81. Effective upon G&C approval through June 30, 2005. **45% Federal, 55% General Funds.**

#88 Authorized to amend an existing agreement with Somersworth Housing Authority, Somersworth, NH, (previously approved by G&C on 6-25-03, item #397, amended on 9-22-04, item #72), to provide Title XX and Title II-C, Congregate Meals, by increasing the contract by \$19,742.19 from \$814,527.60 to \$834,269.79. Effective upon G&C approval through June 30, 2005. **61% Federal, 39% General Funds.**

#89 Authorized to amend an existing agreement with Newport Senior Center, Inc., Newport, NH, (previously approved by G&C on 6-25-03, item #396, amended on 9-22-04, item #70), to provide Title II-C, Home Delivered Meals, by increasing the contract by \$8,396.88 from \$1,008,040.48 to \$1,016,437.36. Effective upon G&C approval through June 30, 2005. **61% Federal, 39% General Funds.**

NH BOARD OF NURSING

#89A The Governor and Council on motion of Councilor Griffin, seconded by Councilor Spaulding authorized the request to amend an existing agreement with the Courtyard by Marriot, Grappone Conference Center, Concord, NH, (previously approved by G&C on 3-9-05, item #42), to facilitate the Board of Nursing's "Licensed Nursing Assistant Annual Meeting and Conference" on April 20, 2005, to increase the contract amount by \$2,407 from \$11,867 to \$14,274. Effective upon G&C approval through June 30, 2005.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#90 **WITHDRAWN** – The agency withdrew the request to grant Armand Michaud, Vocational Rehabilitation Counselor II, paid educational leave from April 30, 2005 through May 19, 2005.

#91 Authorized to accept and expend additional funds from the US Department of Education in the amount of \$2,057,000 to provide services to students with disabilities during the year ending June 30, 2005. **100% Federal Funds.**

#92 Authorized to accept and expend prior year carry forward funds in the amount of \$103,266 for the State Assessment under the "No Child Left Behind" legislation and budget as detailed in letter dated March 4, 2005. Effective upon G&C approval through June 30, 2005. **100% Federal Funds.**

#93 Authorized to budget and expend prior year unexpended funds in the amount of \$60,109.34 from the US Department of Education to support the Older Blind Independent Living Program. Effective upon G&C approval through June 30, 2005. **100% Federal Funds.**

#94 Authorized to accept the additional FY 2005 task order for the NAEP Assessment under the "No Child Left Behind Legislation" the amount of \$17,798 from the US Department of Education that was originally estimated at a lower amount. Effective upon G&C approval through June 30, 2005. **100% Federal Funds.**

#95 Authorized to accept the additional FY 2005 grant funds for the Advanced Placement Test in the amount of \$3,610 from the US Department of Education that was originally estimated at a lower amount. Effective upon G&C approval through June 30, 2005. **100% Federal Funds.**

#96 Authorized to grant funds to Antioch New England Graduate School, Keene, NH, for the purpose of preparing to implement the new teacher preparation program approval process, in a total amount not to exceed \$2,500. Effective upon G&C approval through June 30, 2006. (2)Further Authorized unencumbered payment of said grant with internal accounting control within the Department of Education. **100% Federal Funds.**

#97 Authorized to amend an existing grant to Second Start, Concord, NH, (previously approved by G&C on 6-23-04, item #307), for GED software for adult education programs across the state, by increasing the grant amount from \$408,737 by \$12,415.65 to an amount not to exceed \$421,152.65 for the period of April 20, 2005 or upon G&C approval, whichever is later, through June 30, 2005. (2)Further Authorized unencumbered payment of said grant with internal accounting control within the Department of Education. **49% Federal, 47% General, 4% Other Funds.**

NH COMMUNITY TECHNICAL COLLEGE SYSTEM

The Governor and Council acted as follows:

#98 Authorized to accept and expend federal funds on behalf of the Workforce Opportunity Council, Inc., in the amount of \$7,666,419. (2)Further Authorized to increase the account as indicated in letter dated April 4, 2005. **100% Federal Funds.**

#99 Authorized with Councilor Griffin voting **no**, to **retroactively** enter into a **sole source** License for Use of Premises with Kimball Jenkins School of Art, Concord, NH, in the amount up to \$108,000 for the purpose of leasing space to offer Fine Arts Courses. Effective January 18, 2005 through January 17, 2008, pending legislature approval of future budgets. **36% General, 64% Other Funds.**

#100 Authorized to enter into a contract with Daniel G Boudette Specialized Turf Services, Pembroke, NH, for the purpose of athletic field maintenance at NHTI, in the amount of \$7,750.10. Effective upon G&C approval through November 15, 2005. **100% Other Funds.**

CHRISTA MCAULIFFE PLANETARIUM

#101 The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Burton authorized the request to accept and expend \$13,569 from the University System of NH for outreach under the National Aviation and Space Administration STEREO Education and Public Outreach initiative through December 15, 2005. **100% Other Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#102 Authorized to grant the Department of Safety \$22,000 of additional funds to cover the FY 2005 shortfall in benefits. (2)Further Authorized to accept and expend \$22,000 of additional funds from the Oil Fund Disbursement Board to cover a benefit shortfall in the Petroleum Audit Section in Road Toll.

#103 Authorized Division of Motor Vehicles to accept and expend a grant from the NH Highway Safety Agency entitled "DMV Commercial Vehicles Enforcement" in the amount of \$22,670.80, to be used to conduct enforcement patrols. Effective upon G&C approval through September 15, 2005.

#104 WITHDRAWN

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#105 Authorized to accept and place on file the Bureau of Right of Ways Contemplated Award List for the period of March 17, 2005 through March 30, 2005.

#106 Authorized Division of Aeronautics to accept and expend \$5,143,554 in Federal Funds for this AIP-59 airport development project effective upon G&C approval. (2)Further Authorized to participate with the City of Manchester, NH, for this AIP-59 airport development project to reconstruct and extend the runway at Manchester Airport, in the amount of \$342,904. State participation in the amount of \$5,486,458 is effective upon G&C approval.

#107 Authorized Bureau of Right of Way to exchange a parcel of State Owned property for land needed for the reconstruction of River Road in the Village of North Conway, Town of Conway.

#108 Authorized Bureau of Right of Way to sell a 0.3 of an acre parcel of State Owned land located in the Town of Campton to Heather Klautt for \$3,000.

#109 Authorized Bureau of Right of Way to quitclaim to abutter at not cost any and all interest the State of NH may have in a portion of NH Route 153 Highway Easement not included in the new layout of the Relocated NH Route 153 as of the date of G&C approval.

#110 Authorized to enter into an agreement with the Rockingham Planning Commission, Exeter, NH, for a fee not to exceed \$25,000 to develop a Regional Planning Commission "Guide for Communities of Transportation Considerations in Land Development". Effective upon G&C approval through December 31, 2005.

#111 Authorized Bureau of Construction to enter into a contract with Weaver Bros. Construction, Co., Inc., Concord, NH, on the basis of a low bid of \$1,598,390.50 for ledge removal along the northbound barrel of I-89 in Sutton. Effective upon G&C approval through September 30, 2005.

#112 Authorized to enter into an agreement with the Southwest Region Planning Commission, Keene, NH, for a fee not to exceed \$8,125, to undertake the Southwest Region Access Management Implementation in various towns. Effective upon G&C approval through December 31, 2005.

#113 Authorized Bureau of Public Works to enter into an agreement with Oak Point Associates, Portsmouth, NH, for 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, for an amount not to exceed \$300,000. Effective upon G&C approval through December 31, 2007.

#114 Authorized Bureau of Construction to enter into a contract with Pike Industries, Inc., Belmont, NH on the basis of a low bid of \$4,044,355.80 for pavement and bridge rehabilitation along NH Route 25. Effective upon G&C approval through September 22, 2006.

#115 **TUITION REQUESTS**

The Governor and Executive Council on motion of Councilor Burton, 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 IV, in the course entitled "Senior Liberal Arts Seminar".
- B. EDUCATION** - Request permission to pay Springfield College Graduate School, Manchester, NH, the sum of \$3,807.00 for the sole purpose of enrolling Jennifer Geaumont, Vocational Rehabilitation Counselor I, in the courses entitled "Economics of Change", Project Phase III", "Human Service Delivery Systems", and "Theories of Counseling and Psychotherapy".
- C. HEALTH & HUMAN SERVICES, Division for Children, Youth & Families** - Request permission to pay Springfield College, Manchester, NH, the sum of \$2,115.00 for the sole purpose of enrolling Robert Boisvert, Assistant Administrator, in the courses entitled "Project Phase III" and "Fiscal Management".
- D. HEALTH & HUMAN SERVICES, Division for Children, Youth & Families** - Request permission to pay Springfield College, Manchester, NH, the sum of \$3,807.00 for the sole purpose of enrolling Jennifer Sharp, Child Protective Services Worker, in the courses entitled "Building Multicultural Organizations and Communities", "Theories of Counseling", "Project II" and "Human Service Delivery Systems".
- E. HEALTH & HUMAN SERVICES, Division of Family Assistance** - Request permission to pay the University of New Hampshire, Durham, NH, the sum of \$880.00 for the sole purpose of enrolling Jennifer Hosue, Program Specialist II, in the course entitled "Online Network Exploration".

- F. INSURANCE** - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$720.00 for the sole purpose of enrolling Mary Verville, Financial Records Auditor, in the distance learning course entitled "Business Communication".
- G. INSURANCE** - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of \$720.00 for the sole purpose of enrolling Christine Weners, Program Assistant, in the distance learning course entitled "Marketing".
- H. NH HOSPITAL** - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of \$474.00 for the sole purpose of enrolling Darlene St. Laurent, Medical Coding Clerk, in the course entitled "Health Care Data Content and Delivery Systems".
- I. NH HOSPITAL** - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of \$474.00 for the sole purpose of enrolling Debra Tucker, Medical Secretary II, in the course entitled "Health Care Data Content and Delivery Systems".
- J. OFFICE OF INFORMATION TECHNOLOGY** - Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of \$518.00 for the sole purpose of enrolling Kraig Greenly, Technical Support Specialist, in the course entitled "Networking Theory II".
- K. TRANSPORTATION** - Request permission to pay Franklin Pierce College, Portsmouth, NH, the sum of \$336.00 for the sole purpose of enrolling Robert Spinney, Bridge Construction Foreman, in the course entitled "College Writing II".

#116

TRAVEL REQUESTS

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

- A. COMMUNITY TECHNICAL COLLEGE, Laconia** - Request permission for (1) employee, Michael Parker, Associate Professor/Automotive Technology, or designee, to travel to Lincroft, NJ, on April 25 – 27, 2005, to attend the GMASEP Regional Conference. Permission is also requested for a waiver to exceed the 300-mile radius by private vehicle. Total Cost: \$621.01. Source of Funds: 39% State and 61% Tuition Funds. Registration Fee: \$180.00.
- B. NH TECHNICAL INSTITUTE** - Request permission for (1) employee, Stephen Ryan, Professor of Mechanical/Electrical Engineering, or designee, to travel to Rochester, NY, on April 21 – 24, 2005, to attend the Project Lead the Way training. Permission is also requested for a waiver to exceed the 300-mile radius by private vehicle. Total Cost: \$205.86. Source of Funds: 36% State and 64% Tuition Funds. No Registration Fees.
- C. SAFETY, Division of State Police** - Request permission for (2) employees, Trooper Edward Cochran, and Trooper James Steinmetz, or designee, to travel to Salamanca, NY, on April 23 – 29, 2005, to attend the National Police Bloodhound Association Seminar. Permission is also requested for a waiver to exceed the 300-mile radius by state vehicle. Total Cost: \$500.00. Source of Funds: 100% Highway Funds. Registration Fee: \$450.00.

LATE ITEMS

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Division for Juvenile Justice Services

- A.** Authorized to conduct an organized meeting/training on April 22, 2005 at an estimated total cost of \$8,150.
100% Federal Funds.

DEPARTMENT OF ENVIRONMENTAL SERVICES

- B.** Authorized West Alton Marina's request to excavate 5606 sq feet, remove 132 linear feet of bulkhead and walkway, and construct 160 linear feet of retaining wall topped by a 2 foot walkway.

Next Governor and Executive Council meeting is scheduled for Wednesday, May 4, 2005 at 10:00 a.m. at The State House, Concord, NH.

The Honorable Board then Adjourned