GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
August 31, 2005 11:00 a.m.

The Governor and Executive Council convened at 11:00 a.m. all members present.

The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Spaulding, accepted the minutes of August 3, 2005.

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Wieczorek approved the appointment of several persons nominated for Civil Commissions from the August 3, 2005 meeting.

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

RESIGNATIONS

The Governor and Council accepted the following with regret:

Board of Accountancy	
Leon Owen, Concord	Effective: July 18, 2005
Air Resources Council	
Muriel Lajoie, Concord	Effective: September 1, 2005
Advisory Panel on Cancer and Chronic Disease	
Susan Kroehl, Manchester	Effective: August 31, 2005
Board of Licensure of Interpreters for the Deaf and Hard of Hearing	
Nancy O. Richter, Portsmouth	Effective: August 31, 2005
Board of Nursing	
(LPN)	
James Nall, Wentworth	Effective: August 31, 2005

CONFIRMATIONS

The Governor and Council confirmed the following:

Air Resources Council	
(Practicing Physician)	
Robert Hickey, M.D., New Castle	Effective: August 31, 2005
Succeeding: Robert McLellan, M.D. Stratham (resigned)	Term: October 24, 2006
Advisory Panel on Cancer and Chronic Disease	
Joanne Fadale Wagner, Concord	Effective: August 31, 2005
Reappointment	Term: March 6, 2008
Advisory Panel on Cancer and Chronic Disease	
(NH Lung Association)	
Diane Smogor, Manchester	Effective: August 31, 2005
Vacancy	Term: December 3, 2005

Compensation Appeals Board
(Attorney)
Pierre O. Caron, Bedford — Effective: August 31, 2005
Succeeding: David J. Rogers, Hooksett (resigned) — Term: September 16, 2008

Board of Engineers
Marc W. Morin, Bow — Effective: August 31, 2005
Reappointment — Term: August 21, 2010

Enhanced 911 Commission
(Public Member)
Richard A. Bernard, Durham — Effective: August 31, 2005
Reappointment — Term: July 22, 2008

State Board of Fire Control
John DeSilva, Bow — Effective: August 31, 2005
Succeeding: Jeffrey Brown, Seabrook (resigned) — Term: September 27, 2009

Board of Registration of Funeral Directors and Embalmers
Cynthia M. Rogers, Bristol — Effective: August 31, 2005
Reappointment — Term: June 13, 2010

NH Health and Education Facilities Authority
Thomas R. Horgan, Amherst — Effective: August 31, 2005
Reappointment — Term: June 30, 2010

NH Health and Education Facilities Authority
Deanna S. Howard, Etna — Effective: August 31, 2005
Reappointment — Term: June 30, 2010

NH Housing Finance Authority
Gregory M. Dickinson, Gilford — Effective: August 31, 2005
Reappointment — Term: July 1, 2010

Lakes Management Advisory Committee
Nominated by the Local Government Center
(Member of Planning Board)
Frederic Murphy, Hillsborough — Effective: August 31, 2005
Reappointment — Term: August 1, 2008

State Library Advisory Council
Frances M. Wiggin (d), Bedford — Effective: August 31, 2005
Reappointment — Term: July 26, 2008

Postsecondary Education Commission
(On recommendation of NH College and University Council)
(Representing Saint Anselm College)
Jonathan DeFelice, Manchester — Effective: August 31, 2005
Reappointment — Term: June 30, 2010

Postsecondary Education Commission
(Representing a college not a member of the NH College and University Council)
Ronald P. Murro, Littleton — Effective: August 31, 2005
Reappointment — Term: June 30, 2010

Postsecondary Education Commission
(On recommendation of NH College and University Council)
(Representing Chester College of New England)
William A. Nevious, Derry — Effective: August 31, 2005
Succeeding: Hannah M. McCarthy, Nashua — Term: June 30, 2007

Regional Community Technical College Board of Trustees
Thomas E. Wilhelmsen, Jr., Hollis — Effective: August 31, 2005
Reappointment — Term: February 17, 2009

State Veterans' Council
John H. Jacobsmeyer, Jr., Northwood — Effective: August 31, 2005
Reappointment — Term: June 30, 2008

Board of Managers of the New Hampshire Veterans' Home
(Disabled American Veterans)
Junious B. Owens, North Hampton — Effective: August 31, 2005
Succeeding: Joseph B. Vitale, Westmoreland — Term: March 1, 2010

NOMINATIONS

The Governor placed into nomination the following:

Board of Accountancy
(Public Member)
Sheila K. Christie, Dover — Effective: Upon Confirmation
Vacancy — Term: 5 yrs from confirmation

State Committee on Aging
(Merrimack County)
Donna D. Woodfin (d), Concord — Effective: Upon Confirmation
Succeeding: Ellen Sheridan (d), Concord (reached term limit) — Term: June 24, 2007

Advisory Panel on Cancer and Chronic Disease
(Cancer Society)
Joanne Gersten, Hooksett — Effective: Upon Confirmation
Succeeding: Susan Kroehl, Manchester (resigned) — Term: December 19, 2009

Board of Chiropractic Examiners
Leo M. Kenney, DC, North Conway — Effective: Upon Confirmation
Reappointment — Term: August 24, 2010

Connecticut Lakes Headwaters Citizens Committee
Paul A. Doscher, Weare — Effective: Upon Confirmation
Vacancy — Term: August 14, 2008

Connecticut Lakes Headwaters Citizens Committee
Beverly Lord, Pittsburg — Effective: Upon Confirmation
Succeeding: Dana Cabana, Laconia — Term: August 14, 2008

County-State Finance Commission
Bruce Clow, Gilford — Effective: Upon Confirmation
Vacancy — Term: 2 yrs from confirmation

Commissioner: Department of Cultural Resources
Van McLeod, Concord — Effective: Upon Confirmation
Reappointment — Term: September 11, 2009
Salary: HH Maximum $85,917

Justice: Rochester District Court
Daniel M. Cappiello, Barrington — Effective: Upon Confirmation
Vacancy — Term: Until 70 yrs of age

Invasive Species Committee
(Livestock Owners and Feed Growers Interests)
Carl J. Majewski, Westmoreland — Effective: Upon Confirmation
Vacancy — Term: 3 yrs from confirmation

Juvenile Parole Board
Frank E. Jones, Bow — Effective: Upon Confirmation
Succeeding: Reginald Ghiden, Concord (resigned) — Term: July 1, 2006

Lakes Management Advisory Committee
(NH Association of Realtors)
Kenneth P. Jordan, Canterbury — Effective: Upon Confirmation
Reappointment — Term: June 27, 2008

Medical Review Subcommittee
Nominated by the NH Board of Medicine
Patricia A. Waldvogel, Loudon — Effective: Upon Confirmation
Vacancy — Term: December 3, 2006

Board of Natural Scientists
(Public Member)
Thomas B. Merritt, Littleton — Effective: Upon Confirmation
Vacancy — Term: November 1, 2009

State Board for the Licensing and Regulation of Plumbers
(Journeyman Plumber)
David M. Rieth, Mont Vernon — Effective: Upon Confirmation
Reappointment — Term: July 1, 2010

Police Commission (Nashua)
William H. Barry III, Nashua — Effective: Upon Confirmation
Succeeding: David Lavoie, Nashua — Term: September 1, 2008

Public Employees Labor Relations Board
(Chair-Public Member)
John Buckley, Dover — Effective: Upon Confirmation
Reappointment — Term: September 12, 2011

Public Employees Labor Relations Board
(Alternate Member of General Public)
Doris M. Desautel, Concord — Effective: Upon Confirmation
Reappointment — Term: September 28, 2011

Railroad Appeals Board
(Alternate Public Member)
John W. Flanders, Kingston — Effective: Upon Confirmation
Reappointment — Term: July 25, 2007

Right to Know Oversight Committee
(Public Member)
Ronald F. Rodgers, Durham — Effective: Upon Confirmation
Vacancy — Term: November 1, 2010

Commission to Study the State Park System
(not-for-profit conservation interests)
Susan Arnold, Strafford — Effective: Upon Confirmation
Vacancy — Term: November 30, 2006

Commission to Study the State Park System
(Municipal)
Posy Bass, Peterborough — Effective: Upon Confirmation
Vacancy — Term: November 30, 2006

Commission to Study the State Park System
(General Public)
Timothy Decker, Manchester — Effective: Upon Confirmation
Vacancy — Term: November 30, 2006

Commission to Study the State Park System
(motorized outdoor recreation)
Gail Hanson, Lochmere — Effective: Upon Confirmation
Vacancy — Term: November 30, 2006

Commission to Study the State Park System
(Tourism)
Nancy Kilbride, Bedford — Effective: Upon Confirmation
Vacancy — Term: November 30, 2006

Commission to Study the State Park System
(Natural Resources)
Richard Ober, Dublin — Effective: Upon Confirmation
Vacancy — Term: November 30, 2006

Commission to Study the State Park System
(General Public)
Richard L. Russman, Kingston — Effective: Upon Confirmation
Vacancy — Term: November 30, 2006

Commission to Study the State Park System
(Cultural Resources)
Jayme H. Simoes, Hillsborough — Effective: Upon Confirmation
Vacancy — Term: November 30, 2006

Traffic Safety Commission
Howard C. Hedegard, Jr., Epsom — Effective: Upon Confirmation
Reappointment — Term: September 16, 2010

Traffic Safety Commission
Mark Hounsell, Conway — Effective: Upon Confirmation
Succeeding: Joel Nelson, Bow — Term: September 16, 2010

Traffic Safety Commission
Aidan Moore, Greenland — Effective: Upon Confirmation
Succeeding: Daniel P. Auger, Farmington — Term: September 16, 2010

Traffic Safety Commission
William C. Simons, Dover — Effective: Upon Confirmation
Reappointment — Term: September 10, 2010

Advisory Council on Unemployment Compensation
(Employer)
Fred B. Kfoury, Jr., Manchester — Effective: Upon Confirmation
Reappointment — Term: March 26, 2008

BUSINESS FINANCE AUTHORITY

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

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD AUGUST 31, 2005 IN THE STATE HOUSE, CONCORD

At 11:25 a.m. the Governor announced that the next matter to be considered would be the financing of an industrial facility project by the Business Finance Authority for Lonza America Inc. in Portsmouth. He said that he and the members of the Council had received documentation and information with respect to the project. The Governor said that the meeting would then hear anyone wishing to speak on the subject. Jack Donovan, Executive Director of the Authority, stated that the Authority had approved the financing and recommended that the Governor and Council make the required findings under RSA 162-I:9 and approve the issuance of the Bonds under Section 147(f) of the Internal Revenue Code. He also briefly explained the project, emphasized that the credit of the State was not involved, and introduced Lesley Wood and Jeffrey Lundin, representing Lonza America Inc. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; Joe Haas questioned the authority of the State to guarantee loans to private businesses, and submitted for the record a copy of a 1937 Judicial Opinion. Councilor Griffin introduced a resolution entitled "A RESOLUTION WITH RESPECT TO THE FINANCING OF AN INDUSTRIAL FACILITY, CONSISTING OF SOLID WASTE COLLECTION, TREATMENT AND DISPOSAL FACILITIES, BY THE BUSINESS FINANCE AUTHORITY FOR LONZA AMERICA INC. IN PORTSMOUTH" and moved its adoption, which was seconded by Councilor Wieczorek. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Burton, Councilor Spaulding, Councilor Griffin, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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A RESOLUTION WITH RESPECT TO THE FINANCING OF AN INDUSTRIAL FACILITY, CONSISTING OF SOLID WASTE COLLECTION, TREATMENT AND DISPOSAL FACILITIES, BY THE BUSINESS FINANCE AUTHORITY FOR LONZA AMERICA INC. IN PORTSMOUTH

WHEREAS, the Governor and Council have received from the Business Finance Authority (the "Authority") its written recommendations that the Governor and Council make certain findings and a determination pursuant to RSA 162-I:9 with respect to the financing of an industrial facility, consisting of solid waste collection, treatment and disposal facilities, for Lonza America Inc. (the "Borrower") in Portsmouth by the Authority's issuance of up to $25,000,000 of Bonds under RSA 162-I (the "Act") and to approve the issuance of the Bonds under Section 147(f) of the Internal Revenue Code;

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

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

IT IS HEREBY RESOLVED THAT:

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

(a) Special findings:

(1) The Project consists of the acquisition, construction and installation of structures, facilities and equipment to be located at the manufacturing complex of Lonza Biologics Inc. (the "Subsidiary"), a wholly-owned subsidiary of the Borrower, at 101 International Drive in the City of Portsmouth which will be used by the Borrower, by and through the Subsidiary, in the collection, treatment and disposal of solid wastes (the "Project"). The Project is within the definition of "industrial facility" in RSA 162-I (the "Act") and may be financed under the Act.

(2) The establishment and operation of the Project will create and preserve employment opportunities within the State of New Hampshire and will help to protect and enhance the physical environment of the State of New Hampshire.

(b) General findings:

(1) The Project and the proposed financing of the Project are feasible;

(2) The Borrower and the Subsidiary have the skills and financial resources necessary to operate the Project successfully;

(3) The Loan Agreement dated as of September 1, 2005 (the "Agreement") between the Authority and the Borrower and the Indenture of Trust dated as of September 1, 2005 (the "Indenture") between the Authority and Regions Bank, as trustee (the "Trustee") contain provisions so that under no circumstances will the Authority be obligated directly or indirectly to pay project costs, debt service or expenses of operation, maintenance and upkeep of the Project except from Bond proceeds or from funds received under the Agreement, exclusive of funds received thereunder by the Authority for its own use;

(4) Neither the Agreement nor the Indenture purport to create any debt of the State with respect to the Project, other than a special obligation of the Authority acting on behalf of the State under the Act; and

(5) The proposed financing of the Project by the Authority and the proposed operation and use of the Project will serve one or more needs and implement one or more purposes set forth in RSA 162-I:1, will preserve or increase the social or economic prosperity of the State and one or more of its political subdivision, and will promote the general welfare of the State's citizens.

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

Section 3. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the transaction as may be required and approve the issue of the Bonds under Section 147(f) of the Internal Revenue Code.

Section 4. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to August 31, 2005.

#2 The Governor and Executive Council on motion of Councilor Griffin, seconded by Councilor Wieczorek and further on a roll call vote as follows: Councilor Burton – yes, Councilor Spaulding – yes, Councilor Griffin – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, Authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13-a with respect to a loan from Centrix Bank & Trust and Foedus Group, LLC in Portsmouth, New Hampshire. Action will Authorized a Resolution under RSA 162-I:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD ON AUGUST 1, 2005 COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE

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At approximately 11:50 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Working Capital Line of Credit Guarantee Program of the Business Finance Authority in connection with a loan to be made by Centrix Bank & Trust to Foedus Group, LLC and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Michael Donahue, Senior Credit Officer of the Authority who briefly explained the project. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Griffin introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM CENTRIX BANK & TRUST TO FOEDUS GROUP, LLC." and moved its adoption, which was seconded by Councilor Wieczorek. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Burton, Councilor Spaulding, Councilor Griffin, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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A RESOLUTION UNDER RSA 162-A:18 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13-a WITH RESPECT TO A LOAN FROM CENTRIX BANK & TRUST TO FOEDUS GROUP, LLC.

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to fifty-two and a half percent (52.5%) of the principal amount of a loan up to $500,000 from Centrix Bank & Trust to Foedus Group, LLC pursuant to RSA 162-A:13-a (the Working Capital Loan Guarantee Program or the "WAG Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed seventy-five percent (75%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is Authorized to approve the recommendation of the Authority and to award the recommended guarantee upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

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

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

(i) The award of the guarantee as proposed will contribute significantly to the success of the financing.

(ii) Reasonable and appropriate measures have been taken to minimize the risk of loss to the Authority and to ensure that any private benefit from the award of the guarantee will be only incidental to the public purpose served thereby.

(b) General Findings.

(i) The award of the guarantee as proposed will serve a public use and provide a public benefit.

(ii) The award of the guarantee as proposed is within the policy of, and the authority conferred by RSA Chapter 162-A.

(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(iv) The award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and Authorized the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

3. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to August 31, 2005.

#3 The Governor and Executive Council on motion of Councilor Pignatelli, seconded by Councilor Burton and further on a roll call vote as follows: Councilor Burton – yes, Councilor Spaulding – yes, Councilor Griffin – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, Authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13 with respect to a loan from Ocean National Bank and E.F. Lane Hotel, LLC in Keene, New Hampshire. Action will Authorized a Resolution under RSA 162-I:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD ON AUGUST 31, 2005 COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE

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At approximately 11:50 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Guaranteed Asset Program of the Business Finance Authority in connection with a loan to be made by Ocean National Bank to E.F. Lane Hotel, L.L.C.and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Michael B. Donahue, Senior Credit Officer of the Authority who briefly explained the project. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Pignatelli introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM OCEAN NATIONAL BANK TO E.F. LANE HOTEL, L.L.C." and moved its adoption, which was seconded by Councilor Burton. After discussion of the resolution, the Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Burton, Councilor Spaulding, Councilor Griffin, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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A RESOLUTION UNDER RSA 162-A:18
AWARDING A STATE GUARANTEE UNDER RSA 162-A:13
WITH RESPECT TO A LOAN FROM
OCEAN NATIONAL BANK TO E.F. LANE HOTEL, L.L.C.

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to seventy-five percent (75%) of the principal amount of a loan up to $1,669,925 from Ocean National Bank to E.F. Lane Hotel, L.L.C. pursuant to RSA 162-A:13 (the Guaranteed Asset Program or the "GAP Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed seventy-five percent (75%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is Authorized to approve the recommendation of the Authority and to award the recommended guarantee upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

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

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

(i) The award of the guarantee as proposed will contribute significantly to the success of the financing.

(ii) Reasonable and appropriate measures have been taken to minimize the risk of loss to the Authority and insure that any private benefit from the award of the guarantee will be only incidental to the public purpose served thereby.

(b) General Findings.

(i) The award of the guarantee as proposed will serve a public use and provide a public benefit.

(ii) The award of the guarantee as proposed is within the policy of, and the authority conferred by RSA Chapter 162-A.

(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(iv) The award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and Authorized the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

3. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to August 31, 2005.

#4 The Governor and Executive Council on motion of Councilor Burton, seconded by Councilor Wieczorek and further on a roll call vote as follows: Councilor Burton – yes, Councilor Spaulding – yes, Councilor Griffin – yes, Councilor Wieczorek – yes, and Councilor Pignatelli – yes, Authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13-a with respect to a loan from Passumpsic Savings Bank and Steel Elements, Inc. in Gorham, New Hampshire. Action will Authorized a Resolution under RSA 162-I:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.

EXTRACT FROM THE MINUTES OF THE MEETING OF THE GOVERNOR AND COUNCIL HELD ON AUGUST 31, 2005 COUNCIL CHAMBER, CONCORD, NEW HAMPSHIRE

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At approximately 11:55 a.m., the Governor announced that the next matter to be considered would be the award of a State guarantee under the Guaranteed Asset Program of the Business Finance Authority in connection with a loan to be made by Passumpsic Savings Bank to Steel Elements, Inc., and declared that the public hearing on the subject had commenced. He said that he and the members of the Council had received written material from the Authority with respect to the proposed loans and State guarantee. The Governor then said that the meeting would hear anyone wishing to speak on the subject and introduced Michael B. Donahue, Senior Credit Officer of the Authority who briefly explained the project. The Governor then repeated that the proceedings were a public hearing and asked whether any other person wished to speak; there being none, Councilor Burton introduced a resolution entitled "A RESOLUTION UNDER RSA 162-A:18 AWARDING A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A LOAN FROM PASSUMPSIC SAVINGS BANK TO STEEL ELEMENTS, INC." and moved its adoption, which was seconded by Councilor Wieczorek. After discussion of the resolution, the

Governor called for a vote on the motion. Those voting in favor were: the Governor and Councilor Burton, Councilor Spaulding, Councilor Griffin, Councilor Wieczorek, and Councilor Pignatelli; those abstaining were Councilor(s): None; and those voting against were Councilor(s): None. The Governor declared that the resolution was passed.

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A RESOLUTION UNDER RSA 162-A:18
AWARDING A STATE GUARANTEE UNDER RSA 162-A:13-a
WITH RESPECT TO A LOAN FROM
PASSUMPSIC SAVINGS BANK TO STEEL ELEMENTS, INC.

WHEREAS, the Governor and Council (the "Governor and Council") of the State of New Hampshire (the "State") have received from the Business Finance Authority of the State of New Hampshire (the "Authority") its written recommendation that the Governor and Council make certain findings and determinations pursuant to RSA 162-A:18 with respect to the award of a guarantee of the Authority in an amount equal to seventy-five percent (75%) of the principal amount of a loan up to $150,000 from Passumpsic Savings Bank to Steel Elements, Inc. (“the Borrower”), pursuant to RSA 162-A:13-a (the Working Capital Loan Guarantee Program or the "WAG Program");

WHEREAS, the proposed guarantee would require the pledge of the full faith and credit of the Authority in an amount not to exceed seventy-five percent (75%) of the proposed financing;

WHEREAS, pursuant to the provisions of RSA Chapter 162-A, the Governor and Council is Authorized to approve the recommendation of the Authority and to award the recommended guarantee upon the making of specific findings after public hearing;

WHEREAS, the Governor and Council have received all the documentation and information with respect to the proposed award of the Authority's guarantee which they have requested; and

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

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. Findings and Determinations. On the basis of the documentation and information received by the Governor and Council, and after a public hearing, the Governor and Council find:

(a) Special Findings.

(i) The award of the guarantee as proposed will contribute significantly to the success of the financing.

(ii) Reasonable and appropriate measures have been taken to minimize the risk of loss to the Authority and insure that any private benefit from the award of the guarantee will be only incidental to the public purpose served thereby.

(b) General Findings.

(i) The award of the guarantee as proposed will serve a public use and provide a public benefit.

(ii) The award of the guarantee as proposed is within the policy of, and the authority conferred by RSA Chapter 162-A.

(iii) The award of the guarantee as proposed will preserve or increase the social welfare or economic prosperity of the state and one or more of its political subdivisions, and will promote the general welfare of the state's citizens.

(iv) The award of the guarantee as proposed will promote the orderly development of business activities, create or preserve employment opportunities, or protect the physical environment.

2. Approval. The Governor and Council approve the Authority's taking such further action under the Act with respect to the award of the guarantee as may be required and Authorized the Authority to take such further action with respect to such proposed execution as is necessary and appropriate to carry out the proposed transaction.

3. Effective Date. This resolution shall take effect upon its passage.

Passed and Agreed to August 31, 2005.

OFFICE OF INFORMATION TECHNOLOGY

The Governor and Council acted as follows:

#5 Authorized to reclassify position #10262, Systems Development Specialist IV, labor grade 26 (salary $40,170) to an Information Technology Manager II, labor grade 30 (salary $47,911.50).

#6 Authorized to reclassify position #42514, Systems Development Specialist IV, labor grade 26 (salary $40,170) to an IT Manager II, labor grade 30 (salary $47,911.50).

#7 Authorized to reclassify position #15638, Computer Operator II, labor grade 13 (salary $23,263.50) to an Accountant II, labor grade 18 (salary $28,567.50).

#8 Authorized with Councilor Pignatelli voting **no,** a **sole source** contract with Software House International, Paxton, MA, for software and peripheral services and maintenance, to sustain day to day operational needs of agencies within the State of NH, in the amount of $24,100. Effective upon G&C approval through June 30, 2010. **100% Other Funds.**

#8A Authorized with Councilor Pignatelli voting **no,** to amend a **sole source** contract with New Horizons Software Inc., Lowell, MA, (previously approved by G&C on 2-9-05, item #71), to provide information technology staff for an IT project at the Department of Health and Human Services, by increasing the amount by $416,000 from $366,000 to an amount not to exceed $782,000, and by assigning the contract to OIT from DHHS, and by extending the end date from August 31, 2005 to June 30, 2006. Effective September 1, 2005. **100% Other Funds.**

GOVERNOR'S COMMISSION ON DISABILITY

#9 Authorized to budget and expend $24,460.75 in Fiscal Year 2005 federal carry forward funds. Effective upon G&C approval through June 30, 2006.

OFFICE OF ENERGY AND PLANNING

The Governor and Council acted as follows:

#10 Authorized to enter into a contract with Lutheran Community Services of NH, Inc., Concord, NH, to provide preventive health services to NH refugees, in an amount not to exceed $29,962. Effective **retroactively** from July 1, 2005 through June 30, 2006. **100% Federal Funds.**

#11 Authorized to enter into a **retroactive** contract with the International Institute of Boston, Boston, MA, through its subsidiary the International Institute of NH, to provide preventive health service to NH refugees, in an amount not to exceed $29,962. Effective July 1, 2005 through June 30, 2006. **100% Federal Funds.**

#12 Authorized to enter into a **retroactive** contract with the City of Manchester, Health Department, Manchester, NH, to provide preventive health services to NH refugees in an amount not to exceed $15,001. Effective July 1, 2005 through June 30, 2006. **100% Federal Funds.**

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

The Governor and Council acted as follows:

#13 Authorized under the Community Development Block Grant program to enter into an agreement with Grafton County, Haverhill, NH, for the purpose of assisting Affordable Housing, Education And Development Inc., to provide grants and loans to low and moderate income households, in the amount of $144,499. Effective upon G&C approval through June 30, 2007.

#14 Authorized under the Community Development Block Grant program to enter into an agreement with the Town of Northumberland, Groveton, NH, for the purpose of conducting an engineering study to evaluate the condition of the existing park infrastructure in the Dean Brook Cooperative Mobile Home Park in the amount of $12,000. Effective upon G&C approval through June 30, 2006.

#15 Authorized under the Community Development Block Grant program to enter into an agreement with Merrimack County, Concord, NH, for the purpose of assisting in the expansion of a private company in the amount of $220,000. Effective upon G&C approval through June 30, 2007.

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#16 Authorized Diane L. Smith, Springvale, ME, be confirmed for appointment to the rank of Major, NH Air National Guard.

#17 Authorized Justin T. Chumak, Concord, NH, be confirmed to the rank of Major, NH Army National Guard.

#18 Authorized Kristin J. Skinner, Concord, NH, be confirmed to the rank of Major, NH Army National Guard.

#19 Authorized Andrew C. Anderson, Nottingham, NH, be confirmed to the rank of Major, NH Army National Guard.

#20 Authorized Charles A. Hackett, Portsmouth, NH, be confirmed to the rank of Major, NH Army National Guard.

#21 Authorized Douglas J. Fortier, Farmington, NH, be nominated for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

#22 Authorized William P. Lemaire, Rochester, NH, be nominated for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

#23 Authorized Craig E. Bennett, Naperville, IL, be nominated for appointment to the rank of Lieutenant Colonel, NH Army National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, and professionally qualified.

#24 Authorized to reclassify position #10066, Business Administrator III, salary grade 27 to an Administrator III, salary grade 31.

#25 Authorized to accept and expend Federal Funds in the amount of $5,000 from the National Guard Bureau for the purpose of Integrated Training Area Management. Effective upon G&C approval through September 30, 2005. **100% Federal Funds.**

#26 Authorized with Councilor Griffin voting **no,** to enter into a contract with The Louis Berger Group, Inc., East Orange, NJ, to perform Historic Building Evaluations 2005 and 2006 of 21 NH Army National Guard facilities built primarily during 1955 and 1957 or earlier to determine eligibility for listing on the National Register of historic places, for a maximum price of $28,500. Effective upon G&C approval through September 30, 2006. **100% Federal Funds.**

#27 Authorized to amend a contract with Waste Management Systems Inc., Rochester, NH, (previously approved by G&C on 10-6-04, item #6), for rubbish removal and disposal at various statewide locations, by exercising the option to extend the contract period for an additional year from October 1, 2005 through September 30, 2006. **70% Federal, 30% General.**

#28 Authorized to enter into a contract with Tri-State Environmental of Franklin, NH, for the purpose of asbestos abatement and decontamination at the Franklin Armory, Franklin, NH, in the amount of $6,856. Effective upon G&C approval through October 31, 2005. **100% General Funds.**

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#29 Authorized a Working Capital Warrant in the amount of $380,000,000 to cover expenditures for the month of September 2005. (2)Further Authorized a Working Capital Warrant reporting expenditures of $301,875,697.17 for the month of July and recommends the balance of $28,124,302.83 be lapsed.

#30 Authorized to accept and place on file a list of agency transfers for Fiscal Year 2006 during the month of July.

#31 Authorized for Salary Adjustment Fund and Employee Benefit Adjustment Fund and in conformance with the Governor and Council action of January 6, 2005, the agency transfers for the month of July.

#32 Authorized to accept and place on file the quarterly allotments for the period through June 30, 2005.

#33 Authorized to enter into a contract with Class Act Cleaning Service, LLC, Berlin, CT., for janitorial services, for an amount not to exceed $139,663.06. Effective upon G&C approval through June 30, 2008.

#34 Authorized Bureau of Court Facilities to **retroactively** amend an agreement with City of Berlin, Berlin, NH, (previously approved by G&C on 5-19-04, item #14), for office and courtroom space, by extending the current expiration date of June 30, 2005 to December 31, 2005, in the amount of $15,648.78 for the six month term.

#35 Authorized Bureau of Court Facilities to enter into a **retroactive** lease agreement with the Town of Colebrook, covering office and courtroom space in Colebrook, NH, in the amount of $9,500.04. Effective July 1, 2005 through June 30, 2006. (2)Further Authorized to waive compliance with RSA 10:B. The non-budgeted financial burden imposed on the State to test and comply with RSA 10:B in obtaining a clean air certificate is beyond the resources of this agency. **11% General, 86% Transfer, 3% Other Funds.**

#36 Authorized Bureau of Court Facilities to enter into a **retroactive** lease agreement with the Town of Merrimack, covering office and courtroom space in the Town Hall in Merrimack, NH, for the amount of $63,360.48. Effective June 30, 2005 through July 1, 2007. (2)Further Authorized to waive compliance with RSA 10:B. The non-budgeted financial burden imposed on the State to test and comply with RSA 10:B in obtaining a clean air certificate is beyond the resources of this agency. **11% General, 86% Transfer, 3% Other Funds.**

#37 NOT USED

#38 Authorized Bureau of Court Facilities to enter into a lease agreement with 7 Liberty Hill LLC, Manchester, NH, providing a new 2,000 sq. ft. location for the "Henniker District Court", for a total lease amount of $159,274.20. Effective September 1, 2005 through August 31, 2010. (2)Further Authorized to waive compliance with RSA 10:B. The non-budgeted financial burden imposed on the State to test and comply with RSA 10:B in obtaining a clean air certificate is beyond the resources of this agency.

#39 Authorized Bureau of Public Works Design and Construction to enter into a low bid contract with TMC Services, Inc., Bellingham, MA, for Underground Tank Removals, Repairs, and Installations at 27 sites, statewide, for the lump sum price of $542,500. (2)Further Authorized payment to the NH Department of Administrative Services, Bureau of Public Works Design and Construction for engineering services provided for the project in the amount not to exceed $13,100.

#40 Authorized Bureau of Public Works Design and Construction to amend a contract with Aaron Environmental LLC, Plantsville, CT, (previously approved by G&C on 9-8-04, item #172), for removal and repair, underground storage tanks, statewide, by increasing the amount to a total of $109,353.51.

#41 Authorized Bureau of Public Works Design and Construction to enter into a low bid contract with Horne Construction Company, Inc., Rochester, NH, for low-bid design/build highway maintenance facility, Dover, NH, for the lump sum price of $714,400. (2)Further Authorized payment to the NH Department of Administrative Services, Bureau of Public Works Design and Construction for engineering services provided for the project in the amount not to exceed $25,000.

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#42 Authorized Division of Arts to renew a membership with the National Assembly of State Arts Agencies, Washington, DC, in the amount of $7,245. Effective October 1, 2005 through September 30, 2006. **100% Federal Funds.**

#43 Authorized Division of Historical Resources to **retroactively** accept a donation valued at $720 from the National Park Service for travel cost associated with the Federal Tax Incentives Workshop for State Reviewers.

#44 Authorized Division of Arts to award a Community Arts grant to the Division of Libraries in the amount of $2,200. (2)Further Authorized Division of Libraries to accept and expend a Community Arts grant from the Division of Arts in the amount of $2,200 for the Summer Reading Experience. Effective upon G&C approval. **100% Federal Funds.**

#44A Authorized to enter into a **retroactive sole source** contract with Richard K Moberg, dba RKM Consulting Manchester, for the creation of an archaeological electronic database in the amount of $9,000. Effective July 1, 2004 through June 30, 2005. **100% Federal Funds.**

DEPARTMENT OF REVENUE ADMINISTRATION

The Governor and Council acted as follows:

#45 Authorized to reclassify position #41270, Tax Auditor III, labor grade 21, step one, ($32,370) to Supervisor IV, labor grade 25, step one ($38,434.50).

#46 Authorized a salary increment of $4,295 to Audit Division Director John Mintken. Effective September 8, 2005.

#47 Authorized Director of the Collections Division, Pierre Boisvert, be placed at step four for Group DD ($61,024). Effective September 3, 2005.

#48 Authorized Multi State Tax Auditor, Robert Boley, be placed a the maximum step for Group CC ($60,957). Effective upon G&C approval.

#49 Authorized Michael Williams be hired as Field Team Leader, and be placed at step one for group DD ($51,391). Effective upon G&C approval.

TREASURY DEPARTMENT

The Governor and Council acted as follows:

#50 Authorized to accept and expend $8,000 in Fiscal Year 2006 additional program revenues. Effective upon G&C approval through June 30, 2006.

#51 Authorized the Comptroller to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of $32,318.04 to the rightful owners of abandoned or unclaimed funds.

NH DEPARTMENT OF AGRICULTURE, MARKETS & FOOD

The Governor and Council acted as follows:

#52 Authorized Division of Pesticide Control to budget and expend prior year unexpended revenues from the US Environmental Protection Agency to be utilized for the Certification, Groundwater Management, Worker Protection and Enforcement Program in the amount of $17,730. Effective upon G&C approval through September 30, 2005. **100% Federal Funds.**

#52A Authorized to accept and expend $3,677.53 grant funds with the University of NH Cooperative Extension, Durham, NH, to assist the department with planning and conducting risk management education training programs for NH farmers. Effective upon G&C approval through December 30, 2005. **100% Federal Funds.**

#52B Authorized to accept and expend $3,201.81 grant fund with the US Department of Agriculture, Natural Resources Conservation Service of the (USDA NRCS), to assist the department with conducting easement monitoring on farmland easements acquired under the Federal Farm and Ranch Land Protection Program. Effective upon G&C approval through June 30, 2006. **100% Federal Funds.**

STATE CONSERVATION COMMITTEE

The Governor and Council acted as follows:

#53 Authorized to enter into a grant with the Remick County Doctor Museum and Farm, for the Museum Interpretative Trails project in the amount of $22,202. Effective upon G&C approval through June 30, 2007. **100% Other Funds.**

#54 Authorized to enter into a grant with The Nature Conservancy for the Ashuelot River Continuity Assessment, in the amount of $13,079. Effective upon G&C approval through June 30, 2007. **100% Other Funds.**

ATTORNEY GENERAL

The Governor and Council acted as follows:

#55 Authorized to appoint Lynmarie C. Cusack as an Assistant Attorney General at a salary level of $60,300. Ms. Cusack will be occupying a position with a five year term that expires September 4, 2008.

#56 Authorized to reappoint Maureen D. Smith as an Assistant Attorney General for a term effective August 31, 2005 through August 31, 2010.

#57 Authorized to pay Fiscal Year 2006 dues to the National Association of Attorneys General in the amount of $23,044. Effective **retroactive** to July 1, 2005 through June 30, 2006. **84% General, 12% Transfer, 4% Other Funds.**

#58 Authorized to override Administrative Rule 308.03(4) and provide authority to the Attorney General for those Criminal Bureau employees requiring overnight accommodations when criminal cases require multiple days of trial.

#59 Authorized an exemption to NH Purchasing Rules Manual, ADM 607.03(c) to enable to increase the Department's fleet by six vehicles.

#60 Authorized to conduct a daylong pre-conference Child Advocacy Center Summit for the county multidisciplinary child abuse investigative teams scheduled for October 19, 2005 and a two-day advanced conference scheduled for October 20-21, 2005, entitled the Thirteenth Annual Conference on Child Abuse and Neglect, both to be held at the Sheraton Nashua Hotel, Nashua, NH, at a cost not to exceed $74,640. (2)Further Authorized to accept and expend registration fees for the two-day advanced conference in the amount of $120 from each of an estimated 250 participants, for a total amount not to exceed $30,000 to help defray the cost of this conference and facility expenses for the period of G&C approval through May 31, 2006. (3)Further Authorized to enter into an agreement with the Sheraton Nashua Hotel in an amount not to exceed $58,590 for the necessary conference facilities and food services for the day long pre-conference summit and two-day advanced training conference for the period of G&C approval through May 31, 2006. (4)Further Authorized to enter into a contract with Kenneth Lanning, Fredericksburg, VA, for workshop preparation, presentations, and travel expenses for the Thirteenth Annual Conference on Child Abuse and Neglect, at a cost not to exceed $4,750 for the period of G&C approval through February 28, 2006. (5)Further Authorized that State Employees, Sandra Matheson, Danielle O'Gorman, and Sheila Moody, or their designees, stay overnight at the Nashua Sheraton, Nashua, NH, for two nights October 19-20, 2005 for the purpose of working and attending the Thirteenth Annual Conference on Child Abuse and Neglect. **59.9% Federal, 40.1% Other Funds.**

#61 Authorized to conduct a five-day skill-building course entitled "The Childhood Trust Forensic Interviewer Training" for professionals involved in the county multidisciplinary Child Advocacy Center investigation teams scheduled for September 19-23, 2005 to be held at Wayfarer Conference Center in Bedford, NH, at a cost not to exceed $22,891.50. (2)Further Authorized to enter into an agreement with the Wayfarer Inn and Conference Center, for necessary conference facilities, food services and audiovisual equipment for the five-day skill building course in an amount not to exceed $16,691.50 as part of the cost above. (3)Further Authorized to expend funds in support of the conference totaling $200 for supplies needed. (4)Further Authorized to enter into a contract with Julie Kenniston of Mason, OH, for course preparation and presentation and travel expenses for the five day course, in an amount not to exceed $6,000. **100% Federal Funds.**

#62 Authorized to conduct a two-day conference on stalking for advocates Academy scheduled for November 9-10, to be held at The Holiday Inn in Concord, NH, at a cost not to exceed $13,156.40. (2)Further Authorized to enter into an agreement with the Holiday Inn, for necessary conference facilities and food services for the two-day conference in an amount not to exceed $13,156.40. **100% Federal Funds.**

#63 Authorized to establish one full time temporary unclassified Attorney position for the provision of legal advice and representation to the NH Insurance Commissioner in support of the liquidation of The Home Insurance Company and USI Reinsurance Company. (2)Further Authorized a memorandum of understanding with the Insurance which sets forth the terms and conditions whereby the Home Insurance Company in Liquidation and USI Insurance Company in Liquidation will fund a temporary full time attorney position in the amount of $186,480. (3)Further Authorized to accept and expend $186,480 from the Liquidation Administrative Expense Fund administered by Insurance to support a temporary full time Attorney position. Effective upon G&C approval through June 30, 2007. **100% Other Funds. Fiscal Committee approved.**

#64 Authorized to accept and expend a supplemental grant in the amount of $353,691 from the Federal Bureau of Justice Statistics, to be utilized to improve law enforcement criminal justice information systems in the State. (2)Further Authorized to amend a federal grant received form the Federal Bureau of Justice Statistics, (previously approved by G&C on 11-10-04, item #33), for the Federal Fiscal Year 2004 National Criminal History Improvement program, by extending the termination date from September 30, 2005 to September 30, 2006. (3)Further Authorized to amend a sub-grant issued to the Administrative Office of the Courts, (previously approved by G&C on 11-10-04, item #33), to support the entry of Protective Orders, by extending the termination date from September 30, 2005. (4)Further Authorized to amend a sub-grant issued to the Department of Safety, (previously approved by G&C on 3-9-05, item #20), to support SPOTS training, by extending the termination date from September 30, 2005 to September 30, 2006. Effective upon G&C approval through September 30, 2006. **100% Federal Funds. Fiscal Committee approved.**

#65 Authorized to enter into a sub-grant in the amount of $30,000 from the FY 2003 Byrne Formula Grant Program, which provides funding for programs to improve the functioning of the criminal justice system. Effective August 31, 2005 through June 30, 2006. **100% Federal Funds.**

#66 Authorized to enter into a sub-grant with the NH Coalition Against Domestic and Sexual Violence for $20,000, targeted at deterring crimes involving violence against women and aiding the victims of those crimes. Effective upon G&C approval through March 31, 2006. **100% Federal Funds.**

#67 Authorized to enter into a contract with Attorney Marh Anne Mueller, Londonderry, NH, to provide legal services necessary to implement the Help America Vote Act, in the amount of $33,880. Effective September 2, 2005 or upon G&C approval, whichever is later, through June 30, 2006. **100% Other Funds.**

#68 Authorized to enter into a contract with the Office of the Sherriff, Merrimack County, High Sheriff, Chester L. Jordan, to provide a Deputy Sheriff to serve as a part-time investigator for the purpose of investigating allegations of voting fraud and other violations of state or federal law relating to federal elections. Effective upon G&C approval through June 30, 2007. **100% Other Funds.**

#69 Authorized to amend a contract with Elyse S. Alkalay, (previously approved by G&C on 8-18-04, amended on 6-22-05), increasing the contractor's weekly work hours, by increasing the price limitation by $6,354 from $88,741 to $95,095. Effective September 2, 2005 or upon G&C approval, whichever is later.

#70 Authorized to amend a federal grant received from the Bureau of Justice Assistance (previously approved by G&C on 6-26-02, item #60), to support law enforcement and justice efforts in NH, by extending the end date from September 30, 2005 to September 30, 2006. (2)Further Authorized to amend a sub-grant to the NH Department of Corrections, (previously approved by G&C on 3-9-05, item #21), to assist the Department of Corrections with acquiring a new Corrections Information System, by extending the end date from September 30, 2005 to September 30, 2006. **100% Federal Funds.**

#71 Authorized to amend a federal grant received from the Federal Bureau of Justice Statistics, (previously approved by G&C on 8-18-04, item #33), by extending the termination date from September 30, 2005 to September 30, 2006. (2)Further Authorized to amend a sub-grant with the NH Department of Corrections (previously approved by G&C on 8-18-04, item #33), to assist the Department of Corrections in interfacing their computer system with other NH Justice Computer Systems, by extending the termination date from September 30, 2005 to September 30, 2006. (3)Further Authorized to amend two sub-grants issued to the Administrative Office of the Courts, (previously approved by G&C on 8-18-04, item #33), to assist the Administrative Office of the Courts with the entry of Protective orders and with programming contract expenses for their computer system to help it interface with J-ONE, by extending the termination date from September 30, 2005 to September 30, 2006. **100% Federal Funds.**

OFFICE OF THE CONSUMER ADVOCATE

#72 The Governor and Council on motion of Councilor Burton, seconded by Councilor Spaulding authorized the request to enter into a contract with Synapse Energy Economics, Inc., to monitor and act as a surrogate in the activities of the New England Power Pool and ISO New England, in the amount not to exceed $44,000. Effective upon G&C approval through September 15, 2006. **100% Other Funds.**

EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#73 Authorized to enter into a service agreement with Hansen Fox Co., Inc., for plumbing repair services at NHES's offices statewide, in the amount of $50,000. Effective upon G&C approval through June 30, 2008. **100% Federal Funds.**

#74 Authorized with Councilor Wieczorek abstaining**,** to enter into an agreement with Door Control, Inc., for automatic pedestrian door maintenance and repair services at NHES's offices statewide, for a total amount not to exceed $21,000. Effective upon G&C approval through June 30, 2008. **100% Federal Funds.**

#75 Authorized to enter into a service agreement with Nudd & Davis Electrical Contractors, for electrical services at NHES's offices statewide, for a total limitation of $100,000. Effective September 1, 2005 or upon G&C approval, whichever is later, through June 30, 2008. **100% Federal Funds.**

#76 Authorized to enter into a service agreement with H&C Commercial Cleaning for janitorial services at the NHES Salem Local office, in the amount not to exceed $17,510 is for the period from September 1, 2005 or upon G&C approval, whichever is later through June 30, 2008. **100% Federal Funds.**

#77 Authorized to enter into a services agreement with H&C Commercial Cleaning for janitorial services at the NHES Nashua Local Office, for a total limitation of $21,250 for the period from September 1, 2005 or upon G&C approval, whichever is later through June 30, 2008. **100% Federal Funds.**

BANKING DEPARTMENT

#78 The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Burton authorized the request to continue its membership and participation in the Conference of State Bank Supervisors, for an amount of $8,584.70. Effective upon G&C approval June 30, 2006. **100% Other Funds.**

LIQUOR COMMISSION

The Governor and Council acted as follows:

#79 Authorized to accept and expend Sweepstakes Incentive Award Funds from the Tri-State Lottery Commission, West Des Moines, IA, in the amount of $1,200.61. Effective upon G&C approval through June 30, 2006. **100% Other Funds.**

#80 Authorized to accept and expend Sweepstakes Incentive Award Funds from the Multi-State Lottery Association, West Des Moines, IA, in the amount of $5,000. Effective upon G&C approval through June 30, 2006. **100% Other Funds.**

#81 Authorized to enter into a contract with Emergency Power Industries Inc., Weare, NH, for providing maintenance and service of the Uninterrupted Power Supply, at the Liquor Commission Administrative Office Building and at Liquor Store #76, I-95, Hampton, for a total price limitation of $38,094. Effective September 1, 2005 through August 31, 2008. **100% General Funds.**

#82 Authorized to **retroactively** amend a contract with Carriage Care Inc., Dover, NH, to provide professional shopping cart repair/replacement services and maintenance at various liquor locations of the Commission, by increasing the price from $53,300 to $92,550, an increase of $39,250, and by extending the termination date through June 30, 2007. **100% General Funds.**

#83 Authorized to **retroactively** amend a contract with A&W Cleaning Services Inc., Claremont, NH, to provide professional floor cleaning services at various liquor store locations of the Commission, by increasing the price from $97,350 to $157,590, and increase of $60,240 and extending the termination date through June 30, 2007. **100% General Funds.**

#84 Authorized with Councilor Wieczorek voting **no,** to amend a contract with Northeast Door Corporation, Concord, NH, to provide ongoing professional door repair/replacement services and maintenance for various liquor store locations of the Commission, by increasing the price from $255,227.50 to $425,462.50, an increase of $170,185, and extending the termination date through August 31, 2007. **100% General Funds.**

#85 Authorized to amend a contract with Waste Management of NH, Rochester, NH, to provide rubbish removal services at various liquor Stores, by increasing the contract price from $204,992.77 to $217,017.35, an increase of $12,024.58. **100% General Funds.**

PUBLIC UTILITIES COMMISSION

#86 The Governor and Council on motion of Councilor Burton, seconded by Councilor Spaulding authorized the request to enter into a contract with Steven E. Patnaude, CSR, Concord, NH, to provide court reporting services, in an amount not to exceed $5,000. Effective upon G&C approval through June 30, 2006. **100% Other Funds.**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#87 Authorized **retroactive** payment of supplemental military pay to Corrections Officer Randal Carver in the amount of $8,390, NH State Prison for Men. Effective January 23, 2004 to March 7, 2005. **100% General Funds.**

#88 Authorized **retroactive** payment of supplemental military pay to Corrections Officer Jacob Poole in the amount of $4,870.08, NH State Prison for Men. Effective January 5, 2004 to March 17, 2005. **100% General Funds.**

#89 Authorized to accept and expend federal grant funds in the amount of $241,040.42 from the US Department of Justice, for the establishment of a Community Based Sex Offender Management program. Effective **retroactive** to July 1, 2005 through September 30, 2006. (2)Further Authorized to establish one part-time temporary Program Assistant position, labor grade 12, for administrative support for the Community-Based Sex Offender Management initiative and contracting of certified polygraphists to provide polygraph testing services. Effective upon G&C approval through September 30, 2006. **100% Federal Funds. Fiscal Committee approved.**

#90 Authorized to **retroactively** amend an expenditure from the US Department of Justice (previously approved by G&C on 5-18-05, item #23), for the care and custody of criminal aliens in the NH Corrections system under the State Criminal Alien Assistance Program, to be used in addressing shortfalls in utility expenses incurred by the Department of Corrections, by extending the end date from June 30, 2005 to June 30, 2006. **100% Federal Funds.**

FISH AND GAME DEPARTMENT

The Governor and Council acted as follows:

#91 Authorized with Councilor Griffin voting **no,** to reimburse Susan Rugg, Temp, Part-time Off Highway Recreational Vehicle Regional Coordinator, for travel expenses incurred in Fiscal Year 2005 by using Fiscal Year 2006 appropriation in the amount of $520.01 upon G&C approval.

#92 Authorized with Councilor Griffin voting **no,** to enter into a Cooperative Service Agreement with the US Department of Agriculture Animal and Plant Health Inspection Service, Wildlife Services, at no cost to the NHFGD, reflecting shared desire to work cooperatively to support and supplement our respective wildlife damage control efforts. Effective upon G&C approval through September 30, 2006.

#93 Authorized with Councilor Griffin voting **no,** to enter into a **sole source** contract with St. James & Company Advertising & Marketing LLC, Warner, NH, to provide writing, hosting and narration services for a statewide radio program and other voiceover services, not to exceed $9,880. Effective upon G&C approval through June 30, 2007. **100% Fish and Game Funds.**

#94 Authorized with Councilor Griffin voting **no,** to enter into a **retroactive** Off Highway Recreational Vehicle contract with the Berlin Police Department in the amount of $4,200 for aiding the department in funding for OHRV enforcement from January 26, 2005 through June 30, 2005. **100% Other Funds.**

#95 Authorized with Councilor Griffin voting **no,** to enter into a **sole source** contract with Comcast Spotlight, Inc., Hartford, CT, to provide advertising on the Comcast cable television network in areas of NH, in the amount of $18,500. Effective upon G&C approval through June 30, 2006. **100% Fish and Game Funds.**

#96 Authorized with Councilor Griffin voting **no,** to establish 5 part-time/seasonal laborer positions (LG 5 – Hourly Rate $8390) to provide for seasonal monitoring of fishways on the Connecticut River. (2)Further Authorized to accept and expend $8,880 for anadromous fish restoration work in the Connecticut River watershed. Effective upon G&C approval through June 30, 2006. **100% Federal Funds. Fiscal Committee approved.**

#97 **WITHDRAWN –** The agency withdrew the request to amend an agreement with the University of NH, (previously approved by G&C on 7-28-04, item #49), to develop a conservation plan to guide the long-term conservation of selected habitats and wildlife species, by extending the term from September 30, 2005 to January 31, 2006, and the Campus Project Director to Dianne Hall, Grant and Contract Administrator.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#98 Authorized to accept and place on file the Bureau of Ski Operations report regarding season passes issued for Cannon Mountain for the quarter ending June 30, 2005.

#99 Authorized to accept and place on file the report for transfer of funds for Cannon Mountain Ski area for the quarter ending June 30, 2005.

#100 Authorized Bureau of Trails to enter into a Grant-in-Aid Trail Maintenance Contract with the Sullivan County ATV Club, in the amount of $4,000. Effective upon G&C approval through January 1, 2006. **100% Other Funds.**

#101 Authorized Division of Forests and Lands to reclassify vacant position #11466 from Senior Accounting Technician, salary grade 14 to the level of Grants and Contracts Technician, salary grade 15.

#102 Authorized Design, Development, and Maintenance to contract with Jaime Construction, Lee, NH, on the basis of a low bid of $23,797 for the masonry restoration of the stairs at Fort Constitution, Portsmouth, NH. Effective upon G&C approval through October 28, 2005. **100% Other Funds.**

#103 Authorized Design, Development, and Maintenance to contract with New England Builders and Contractors Inc., Methuen, MA, for repair and replacement of the guardrail and handrails at Hampton Beach State Park Seashell Building, on the basis of a low bid of $94,600. Effective upon G&C approval through September 12, 2005. **100% Other Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#104 Authorized to budget and expend prior year carry forward funds in the amount of $29,000,000 for the issuance of low interest loans. Effective upon G&C approval through June 30, 2006. **100% Other Funds.**

#105 Authorized to budget and expend $150,000 in prior year carry forward funds from TransCanada, Inc., Concord, NH, for implementation of mercury reduction initiatives. Effective upon G&C approval. **100% Other Funds.**

#106 Authorized to enter into a **sole source** agreement with Spectro Analytical Instruments Inc., Marlborough, MA, for laboratory equipment maintenance and repairs in the amount of $18,400. Effective upon G&C approval through August 31, 2007. (2)Further Authorized to provide a $18,400 payment upon G&C approval. **100% Other Funds.**

#107 Authorized to enter into agreements with the Regional Planning Agencies as detailed in letter dated August 31, 2005, to support the RPA's work providing technical assistance to municipalities on environmental issues of common concern, for a total amount of $439,992. Effective upon G&C approval through June 30, 2007. (2)Further Authorized to award an advance payment in the amount of $5,000 to each of the nine RPA's in accordance with the terms of the grant agreements, for a total of $45,000 in advance payments. **100% General Funds.**

#108 Authorized to enter into an agreement with Southern NH Planning Commission, Manchester, NH, to conduct natural resource mapping, in the amount of $1,500. Effective upon G&C approval through December 30, 2005. **100% Federal Funds.**

#109 Authorized to enter into an agreement with Stuart Farm LLC Stratham, NH, for the Stuart Farm LLC Best Management Practice Installation – for the reduction and treatment of agricultural runoff project, in the amount of $13,168. Effective upon G&C approval through December 31, 2007. **100% Federal Funds.**

#110 Authorized to enter into an agreement with the Association of US Delegates to the Gulf of Maine Council on the Marine Environment, South Portland, ME, to translate marine scientific research into understandable terminology, in the amount of $20,000. Effective upon G&C approval through December 31, 2005. **100% Federal Funds.**

#111 Authorized to administer Federal Wildlife Habitat Incentives Program (WHIP) funds for restoration of eelgrass and native vegetation in Great Bay and New Castle. (2)Further Authorized a memorandum of understanding with the University of NH, Durham, NH, to implement the WHIP agreement to restore shellfish and eelgrass habitat in Great Bay. Effective upon G&C approval through June 20, 2008.

#112 Authorized to enter into a grant agreement with Pennichuck Water Works Inc., NH, to fund watershed restoration plan activities in the Pennichuck Watershed, in the amount of $72,840. Effective upon G&C approval through December 31, 2007. **100% Federal Funds.**

#113 Authorized to enter into a grant agreement with the Suncook Lake Association, Barnstead, NH, for the purpose of improving the design of a signaling SCUBA tow for use in exotic species handpulling activities for $13,000. Effective upon G&C approval through December 31, 2006. **100% Fee Funds.**

#114 Authorized to award Household Hazardous Waste grants to the City of Manchester, for the purpose of conducting household hazardous waste collection projects, totaling $11,400. Effective upon G&C approval through December 31, 2005. **100% Other Funds.**

#115 Authorized to enter into a contract with Compass Systems & Programming Inc., for the development and deployment of computer software for the Petroleum and Hazardous Underground Storage Facility compliance inspection program, in the amount of $123,500. Effective upon G&C approval through March 15, 2006 with the option to renew upon G&C approval through June 30, 2009. **100% Other Funds.**

#116 Authorized to amend a loan agreement with the City of Claremont, to finance the upgrade of the existing water treatment facility, by increasing the amount by $1,500,000 from $1,750,000 to $3,250,000. Effective upon G&C approval. **83% Federal, 17% General Funds.**

#117 Authorized an Original Loan Agreement with the Sunapee Hills Association to finance the development of an additional ground water supply subject to conditions as outlined in letter dated August 5, 2005, in the amount of $310,000. **100% Other Funds.**

#118 Authorized an Original Loan Agreement with the Town of Troy, NH, to finance water system improvements, in the amount of $1,350,000. Effective upon G&C approval.

#119 Authorized a Supplemental Loan Agreement with Carroll County to finance wastewater improvements, by decreasing the amount by $63,471.32 from $1,460,000 to $1,396,528.68. Effective upon G&C approval.

#120 Authorized a Supplemental Loan Agreement with the Town of Hampton, to finance additions and improvements to the municipal wastewater treatment facility in the amount of $4,750,000. Effective upon G&C approval. **100% Other Funds.**

#121 Authorized a Supplemental Loan Agreement with the Town of Stark, to finance the closure of the Percy Landfill, by increasing the amount by $193.45 from $242,000 to $242,193.45. Effective upon G&C approval. **100% Other Funds.**

#122 Authorized to amend an agreement with the University of NH – Jackson Estuarine Laboratory, Durham, NH, (previously approved by G&C on 7-16-03, item #13), for monitoring and scientific research on salt marsh restoration projects, by extending the completion date to March 31, 2006 from September 30, 2005. **100% Federal Funds.**

#123 Authorized to amend an agreement with Strafford Regional Planning , Dover, NH, (previously approved by G&C on 9-22-04, item #49), for technical planning assistance to member coastal communities, by increasing the amount by $30,000 to $80,000, and by extending the completion date to June 30, 2006 from December 31, 2005. **100% Federal Funds.**

#124 Authorized Water Division to make **retroactive** unencumbered payment of invoices as detailed in letter dated July 6, 2005, in the amount of $6,202.38 for repair work on June 9+20, 2005 which were elements of the emergency repair of a leak on a 24-inch force main in Gilford. **100% Other Funds.**

#125 Authorized to enter into a **sole source** contract with Alternative Vehicle Service Group Limited Partnership dba in NH as AVSG Limited Partnership, Boston, MA, for an equipment upgrade and three year service agreement at the compressed natural gas refueling facility located in Concord, NH, in an amount not to exceed $23,500. Effective upon G&C approval through December 31, 2005. **100% Other Funds.**

#126 Authorized to enter into a **sole source** contract with the University of Illinois in Champaign, IL, to provide coordination and management services for mercury analysis, in the amount of $11,957. Effective upon G&C approval through December 31, 2005. **100% Federal Funds.**

#127 Authorized to amend an existing landfill closure grant with the Town of Tuftonboro, NH, by increasing the eligible amount of the grant from $125,074.83 to $141,549.36. **100% General Funds.**

#128 Authorized to **retroactively** amend an agreement with Strafford Regional Planning Commission, Dover, NH, (previously approved by G&C on 12-17-03, item #9, amended on 6-23-04, item #5), so that the Isinglass River Local Advisory Committee may conduct education, outreach and watershed planning, by extending the completion date from June 30, 2005 to December 30, 2005.

#129 Authorized Stephen Morse's request to change the name and amend the permit to fill and construct breakwater in a "dogleg" configuration with a gap at the shoreline; install a cantilevered pier with 2 tie-off pilings on frontage on property located at Lake Winnipesaukee in Alton. (Previously approved by G&C on 4-2-03).

#130 The Governor and Council on motion of Councilor Burton, seconded by Councilor Wieczorek and with Councilor Spaulding and Councilor Pignatelli voting **no,** authorized Blaislake LLC's request to fill and construct breakwater in an "L" configuration, with a gap at the shoreline; excavate shoreline to construct a dug in boathouse and dredge to provide access to the boathouse on frontage on property located at Lake Winnipesaukee in Alton.

#131 The Governor and Council on motion of Councilor Burton, seconded by Councilor Wieczorek authorized Carol & Richard Decola's request to amend a permit to increase the size of the boathouse on property located at Governor's Island in Gilford. (Previously approved by G&C on 6-23-04).

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#132 Authorized Division of Adult Learning and Rehabilitation to **retroactively** establish one Program Specialist IV, LG 25, from July 1, 2005 through June 30, 2007. (2)Further Authorized Division of Adult Learning and Rehabilitation to accept and expend agreement funds in the amount of $234,634 from the Workforce Opportunity Council, Inc. Effective July 1, 2005 through June 30, 2007. **100% Other Funds. Fiscal Committee approved.**

#133 Authorized to accept and expend additional revenue in the amount of $250,000 in Apprenticeship Training. Effective upon G&C approval through June 30, 2006. **100% Other Funds. Fiscal Committee approved.**

#134 Authorized to amend a contract with Dr. Nancy Cook-Smith, sole proprietor, Triere Research, Manchester, NH, (previously approved by G&C on 4-6-05, item #70), by extending the termination date from June 30, 2005 to December 30, 2005.

#135 Authorized Division of Developmental Services to exercise a renewal option and enter into a **retroactive** contract with the Early Education and Intervention Network of NH, Concord, NH (previously approved by G&C on 9-4-02, item #145, amended on 6-25-03, item #443, amended on 6-23-04, item #290), to provide professional development to those who specialize in early childhood activities in the amount of $33,000. Effective July 1, 2005 through June 30, 2006 pending legislative approval of the next biennium budget. **100% Federal Funds.**

#136 Authorized to exercise a renewal option and contract with Measured Progress, Inc., Dover, NH, (previously approved by G&C on 5-19-04, item #66), to administer the Tri-State New England Common Assessment Program in an amount not to exceed $2,795,598. Effective **retroactively** from July 1, 2005 until June 30, 2006. (2)Further Authorized to waive Administrative Rule, Section 311.07 (a) (5). The parties to these agreement agree to a liquidated damage provision in the event that delivery of late or inaccurate test materials or reports, caused by the negligence of Measured Progress, materially compromise the administration or validity and reliability of the tests or reports. For the purpose of liquidated damages, test materials are the test and answer booklets, and the reports as detailed in letter dated July 20, 2005. (3)Further Authorized to exercise a renewal option for up to five additional fiscal years, subject to the contractor's acceptable performance of the terms therein and pending legislative approval for the next 2 biennium budgets. **100% Federal Funds.**

#137 Authorized to exercise a renewal option and enter into a contract with Measured Progress Inc., Dover, NH, (previously approved by G&C on 12-1-04, item #78), to administer the NHEIAP Alternative Assessment and the NHEIAP High School Assessment in an amount not to exceed $1,604,604. Effective upon G&C approval through December 31, 2006. (2)Further Authorized to reduce from 25% to 7.5% the percentage of the total contract price to be withheld until the satisfactory completion of all services, including acceptance of all reports and the receipt of the detailed listing of expenses incurred for the contract period. (3)Further Authorized to exercise a renewal option for up to five additional fiscal years, subject to the contractor's acceptable performance of the terms therein and pending legislative approval for the next 2 biennium budgets. **12% Federal, 88% General Funds.**

#138 Authorized to **retroactively** contract with Parent Information Center, Concord, NH, to build capacity of local programs to ensure smooth and effective transitions for toddlers and preschool children with disabilities and their families, for an amount not to exceed $150,000. Effective July 1, 2005 to June 30, 2007 pending legislative approval of the next biennium budget. (2)Further Authorized payment for services rendered and approved in lieu of withholding at least 25% of the total value of the contract. (3)Further Authorized to exercise a renewal option for up to three additional fiscal years, subject to the contractor's acceptable performance of the terms therein and pending legislative approval for the next 2 biennium budgets. **100% Federal Funds.**

#139 Authorized to enter into a contract with The NH Partners in Education, Manchester, NH, to lead and develop school volunteer programs throughout the State of NH, in an amount not to exceed $161,500. Effective upon G&C approval through June 30, 207. (2)Further Authorized advance payment for services based on a budget listing estimated expenditures for the period requested in lieu of withholding at least 25% of the total value of the contract. **100% General Funds.**

#140 Authorized to grant funds to the Southeastern Regional Education Service Center, Inc., Bedford, NH, to provide technical assistance in supporting positive behavioral strategies for children and youth with disabilities, for an amount not to exceed $1,259,928. (2)Further Authorized unencumbered payment of said grant with internal accounting control. (3)Further Authorized to exercise a renewal option for up to two additional fiscal years, subject to the contractor's acceptable performance of the terms therein and pending legislative approval for the next biennium budget. **100% Federal Funds.**

#141 Authorized to make a grant to University of Massachusetts-Boston to help fund the Regional Program to Prepare Teachers of the Visually Impaired in the amount of $30,000. Effective upon G&C approval through June 30, 2006 pending legislative approval of the next biennium budget. **100% Federal Funds.**

NH COMMUNITY TECHNICAL COLLEGE SYSTEM

The Governor and Council acted as follows:

#142 Authorized NHCTC Nashua to enter into a contract with Schiavi Leasing Corporation, Oxford, ME, for the purpose of leasing a modular building containing two classrooms for a lease period of 48 months, in the amount of #74,016. Effective upon G&C approval through August 31, 2009. **44% General, 56% Other Funds.**

#143 Authorized NHCTC Laconia to enter into a contract with L&S Concrete Cutting Services, Barnstead, NH, for the purpose of cutting an existing wall around a stairwell to lower elevation in the amount of $3,120. Effective upon G&C approval through September 2, 2005. **44% General, 56% Other Funds.**

#144 Authorized NHCTC Laconia to enter into a contract with the Town of Belmont for the purpose of leasing facility space for the Restaurant Management and Lodging and Conference Management programs, in the amount of $97,406.16. Effective upon G&C approval through August 31, 2008. **44% General, 56% Other Funds.**

#145 Authorized NHCTC Laconia to enter into a contract with Interstate Electrical Services, North Billerica, MA, for the purpose of providing electrical repairs when needed in the amount of $6,000. Effective upon G&C approval through June 30, 2007. **44% General, 56% Other Funds.**

CHRISTA MCAULIFFE PLANETARIUM

The Governor and Council acted as follows:

#146 Authorized to enter into a contract with SkySkan, Inc., Nashua, NH, to provide and install a full-dome theater projection system and peripherals in the Planetarium, and to service said equipment and software and train Planetarium staff in its use, in an amount not to exceed $529,475. Effective upon G&C approval through December 31, 2006. **100% Capital Funds.**

#147 Authorized to amend a contract with H.B. Stubbs Inc., Warren, MI, (previously approved by G&C on 5-4-05, item #116), to extend the deadline for the completion of services to December 31, 2005 from August 31, 2005.

POLICE STANDARDS & TRAINING COUNCIL

The Governor and Council acted as follows:

#148 Authorized permanent assignment of the NH Police Standards and Training Council vehicle to the Director of the Council.

#149 Authorized to accept and expend grant funds from the NH Highway Safety Agency, for a grant entitled PS&TC SkidCar Instructor Training, in the amount of $8,334. (2)Further Authorized to enter into a service agreement with SkidCar Systems Inc., Las Vagas, NV, to provide instruction in a session of SkidCar Instructor Certification at the NH Police Standards and Training Council Facility, at a cost of $7,604. Effective upon G&C approval and before September 15, 2005. **100% Other Funds.**

#150 Authorized to enter into a service agreement with Crawford Polygraph Services of Center Harbor, NH, to provide instruction in a three-week session of Detective Training, and two, five-day sessions of Interview and Interrogation to be held at the NH Police Standards and Training Facility in Concord at a cost of $17,500. Effective upon G &C approval and before the end of the fiscal year, June 30, 2006. **100% Other Funds.**

#151 Authorized with Councilor Griffin voting **no,** to enter into a cooperative project agreement with Granite State College and the University System of NH to undertake a project of mutual interest entitled PSTC Distance Training and Technology Collaboration at a cost of $116,815.47. Effective upon G&C approval and before June 30, 2006. **100% Other Funds.**

#152 Authorized to amend a memorandum of agreement with the NH Community Technical College and the Bureau of Emergency management (previously approved by G&C on 5-19-04, item #85), to continue the operation of the videoconference sites located in Keene and at Pease Tradeport, at a cost of $130,553.53. Effective upon G&C approval through June 30, 2006. **100% Other Funds.**

NH LOTTERY COMMISSION

The Governor and Council acted as follows:

#153 Authorized to purchase instant gaming tickets for distribution from September 1, 2005 through June 30, 2006 in an amount not to exceed $2,300,000. (2)Further Authorized to transfer $2,300,000 from the Lottery Special Revenue Account for the purchase of instant tickets and related services. **100% Other Funds. Fiscal Committee approved.**

#154 Authorized to exercise the first of two one year contract options with Johnson & Hill Staffing Services Inc., Springfield, MA, (previously approved by G&C on 8-18-04, item $169), for personnel to staff the Lottery booth at the Eastern States Exposition from September 16, 2005 through October 2, 2005, for an estimated cost of $7,938. **100% Sweepstakes Funds.**

BOARD OF VETERINARY MEDICINE

#155 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Pignatelli authorized the request to accept and place on file the Annual Report.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Developmental Disabilities Council

#156 Authorized to accept and expend Federal Fiscal Year 2005 grant award in the amount of $272,810.38. Effective upon G&C approval through June 30, 2006. **Fiscal Committee approved.**

Office of Operations Support and Program Integrity

#157 Authorized Advisory Board of Massage Therapists to provide travel reimbursement to Christine Kiely in the amount of $381.30. Effective **retroactive** to May 10, 2005 to May 12, 2005.

Division of Family Assistance

#158 Authorized to enter into a renewal agreement with Familystrength, Concord, NH, to provide in-home family intervention services in the amount of $467,229. Effective September 1, 2005 or upon G&C approval, whichever is later through June 30, 2006. **65% Federal, 35% General Funds.**

Bureau of Behavioral Health

#159 Authorized Division of Community Based Care Services to pay the National Association of State Mental Health Program Directors annual membership dues for the period July 1, 2005 through June 30, 2006 in the amount of $8,551. **100% General Funds.**

New Hampshire Hospital

#160 Authorized to reclassify position #15947 from a Social Worker III, salary grade 19 to a Psychiatric Social Worker, salary grade 21.

#161 Authorized to compensate Teresa Demers, a Mental Health Worker in the Patient Care Services area, for time lost while recovering from a work-related injury.

Bureau of Developmental Services

#162 Authorized to enter into an agreement with the Brain Injury Association of NH, Concord, NH, to support initiatives which increase the capacity to serve persons with brain injuries in the community, in an amount not to exceed $385,612. Effective upon G&C approval through June 30, 2006. (2)Further Authorized advance payment up to a maximum of one-twelfth of the contract price limitation. **21% Federal, 79% General Funds.**

Division for Children, Youth & Families

#163 Authorized to award nine grants totaling $234,037 for the provision of Title I programs as detailed in letter dated August 10, 2005. Effective September 1, 2005 through August 31, 2006. **100% Federal Funds.**

#164 Authorized to amend a **sole source** agreement with Lakes Region Community Services Council, Laconia, NH, (previously approved by G&C on 6-22-05, Late Item #E), for the provision of Comprehensive Family Support Services in the Laconia district office catchment area, by increasing the price by $128,759 to $328,637, and including provision of these same services to the Conway district office catchment area. Effective September 1, 2005. **100% Federal Funds.**

Office of Homeless, Housing and Transportation Services

#165 Authorized to enter into an agreement with The Mental Health Center of Greater Manchester, Manchester, NH to provide services to homeless individuals in an amount not to exceed $212,587. Effective **retroactive** to January 1, 2005 through December 31, 2007. **100% Federal Funds.**

#166 Authorized to enter into an agreement with Harbor Homes, Inc., Nashua, NH to provide services to homeless individuals in an amount not to exceed $190,635. Effective **retroactive** to July 1, 2005 through June 30, 2006. **100% Federal Funds.**

#167 Authorized to enter into an agreement with Harbor Homes Inc., Nashua, NH to provide services to homeless individuals in an amount not to exceed $20,000. Effective **retroactive** to January 1, 2005 through December 31, 2005. **100% Federal Funds.**

#168 Authorized to enter into an agreement with Rockingham Community Action, Portsmouth, NH to provide services to homeless individuals in an amount not to exceed $37,593.60. Effective **retroactive** to July 1, 2005 through June 30, 2006. **100% Federal Funds.**

#169 Authorized to enter into an agreement with Strafford County Community Action Committee, Inc., Dover, NH to provide services to homeless individuals in an amount not to exceed $37,796.60. Effective **retroactive** to July 1, 2005 through June 30, 2006. **100% Federal Funds.**

#170 Authorized to enter into an agreement with Tri-County Community Action Program Inc., Berlin, NH to provide services to homeless individuals in an amount not to exceed $129,707.60. Effective **retroactive** to July 1, 2005 through June 30, 2006. **100% Federal Funds.**

#170A Authorized to enter into an agreement with Center for Life Management, Salem, NH, to provides services to homeless individuals in an amount not to exceed $241,391. Effective **retroactive** to July 1, 2005 through June 30, 2006. **100% Federal Funds.**

#170B Authorized to enter into an agreement with Harbor Homes Inc., Nashua, NH, to provide services to homeless individuals in an amount not to exceed $120,000. Effective upon G&C approval through June 30, 2007. **100% General Funds.**

#171 Authorized to enter into an agreement with Southwestern Community Services Inc., Keene, NH to provide services to homeless individuals in an amount not to exceed $85,206.60. Effective **retroactive** to July 1, 2005 through June 30, 2006. **100% Federal Funds.**

Division of Public Health Services

#171A Authorized to reimburse Bureau Chief Joan Ascheim, Fairlee, VT, from current year funds for out-of-state travel expenses incurred while in the performance of official state business during the last state fiscal year.

#172 Authorized Public Health Laboratories to enter into a **sole source** agreement with Varian Inc., Walnut Creek, CA, to provide repair and maintenance services for a Varian Gass Chromatograph and Mass Spectrometer, totaling $14,147. Effective upon G&C approval through twenty-four months. **100% Federal Funds.**

#173 Authorized Alcohol and Other Drug Treatment Section to enter into an agreement with Alan West, New London, NH, to provide alcohol and other drug treatment outcomes monitoring, totaling $50,000. Effective upon G&C approval through June 30, 2007. **100% Federal Funds.**

#174 Authorized Bureau of Prevention Services, Radiological Health Section, to enter into an agreement with Mario Iannaccone, Derry, NH, to provide assistance in conducting inspections of radioactive material licensees, totaling $10,000. Effective upon G&C approval through June 30, 2006. **100% Other Funds.**

#175 Authorized Bureau of Prevention Services, Alcohol, Tobacco, and Other Drug Prevention Section to enter into an agreement with Seacoast Mental Health, Portsmouth, NH, to provide substance abuse prevention services, totaling $107,998. Effective upon upon G&C approval through June 30, 2006. **60% Federal, 40% General Funds.**

#176 Authorized Community Public Health Development Section to enter into an agreement with JSI Research and Training Institute, Inc., dba Community Health Institute, Bow, NH, to provide training and technical assistance for regional public health development initiatives, totaling $435,242. Effective upon G&C approval through August 30, 2007. **100% Federal Funds.**

#177 Authorized Maternal and Child Health Section to amend an agreement with Maureen McCanty, M.D., Concord, NH, (previously approved by G&C on 12-17-03, item #81), to serve as Obstetrics/Gynecology Medical Advisor for the Maternal and Child Health Section, by increasing the price by $4,000 from $4,000 to $8,000, and extending the completion date to June 30, 2007. Effective **retroactive** to July 1, 2005. **63% Federal, 37% General Funds.**

#178 Authorized Bureau of Community Health Services, Rural Health and Primary Care Section, Oral Health Program to amend an agreement with Manchester Health Department, Manchester, NH, (previously approved by G&C on 9-17-03, item #91), to provide access to preventive and restorative dental treatment for students participating in the school-based dental program, by increasing the price by $40,000 from $24,000 to $64,000, and by extending the completion date to June 30, 2007. Effective **retroactive** to July 1, 2005. **81% Federal, 19% General Funds.**

#179 Authorized Bureau of Community Health Services, STD/HIV Prevention Section to amend an agreement with Dartmouth-Hitchcock Clinic, Lebanon, NH, (previously approved by G&C on 10-8-03, item #83), to provide Human Immunodeficiency Virus counseling, testing, and referral services, by increasing the price by $6,000 from $28,780 to $34,780, and by extending the completion date to June 30, 2007. Effective **retroactive** to July 1, 2005. **100% Federal Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#180 Authorized to accept and expend a grant known as the 2005 Buffer Zone Protection Program from the Department of Homeland Security, Office of State and Local Government Coordination and Preparedness to be used for protecting critical infrastructure, in the amount of $500,000. Effective upon G&C approval through March 31, 2006. **Fiscal Committee approved.**

#181 Authorized to grant a utility easement to NH Gas, Keene, NH, on a portion of a parcel of state-owned property located at Meadow Road and Route 9 (known as Troop C) in Keene. Effective upon G&C approval.

#182 Authorized to renew a **sole source** contract with the Trustees of Dartmouth College, Hanover, NH, for expert medical disaster management planning services in the amount of $228,186. Effective upon G&C approval through August 30, 2006. **100% Other Funds.**

#183 Authorized Division of Motor Vehicles to transfer from the Highway Surplus account to the Division of Motor Vehicles Driver Licensing in the amount of $203,768.40. (2)Further Authorized Division of Motor Vehicles to establish three full-time temporary Cash Terminal Operators, labor grade 13, 40:00 hour week. Effective upon G&C approval through June 30, 2007. **Fiscal Committee approved.**

#184 Authorized Division of Motor Vehicles to reallocate grant funds carried forward from FY 2005 from the NH Highway Safety Agency for the Fatal Accident Reporting System. (Previously approved by G&C on 11-10-04, item #131). Effective through September 2005.

#185 Authorized Division of Motor Vehicles to amend the lease with One Dow Court Inc., Manchester, NH, to house the Manchester Motor Vehicle sub-station, for a total of $22,785, by extending the expiration date from October 30, 2005 to April 30, 2006.

#186 Authorized to enter into a **sole source** two year contract with Thermo Electron North America, LLC of Madison WI, for a service agreement on the FTIR and Raman Spectrometer in the State Police Forensic Laboratory, for $31,540. Effective upon G&C approval through June 29, 2007. **82% General, 18% Other Funds.**

#187 Authorized Division of State Police to enter into a **sole source** contract with Printrak International, A Motorola Company, Inc., Anaheim, CA, for the system upgrades to the Automated Fingerprint Identification System in the amount of $185,634. Effective upon G&C approval through March 1, 2006. **100% Other Funds.**

#188 Authorized Division of State Police to enter into a **retroactive sole source** contract with Printrak International, A Motorola Company, Inc., Anaheim, CA, to provide maintenance and support for the Automated Fingerprint Identification System in the amount of $171,536. Effective August 15, 2002 through August 14, 2005. **100% Other Funds.**

#189 Authorized Division of State Police to enter into a **retroactive sole source** contract with Printrak International, A Motorola Company, Inc., Anaheim, CA, for the maintenance and support of the Automated Fingerprint Identification System in the amount of $207,663. Effective August 15, 2005 through August 14, 2006. **100% Other Funds.**

#190 Authorized Division of Emergency Services, Bureau of Emergency Management to pay 2006 membership dues to the National Emergency Management Association. Effective July 1, 2005 through June 30, 2006.

#191 Authorized Division of Fire Standards & Training and Emergency Medical Services to enter into an agreement with Simplex Grinnell, Nashua, NH, for the maintenance of equipment at the Fire Academy, for $69,824.31. Effective upon G&C approval through June 30, 2008. **100% Other Funds.**

#192 Authorized Division of Fire Standards & Training and Emergency Medical Services to enter into an agreement with New England Health Solutions, Hampton, NH, to coordinate various training for staff, for $8,300. Effective upon G&C approval through June 30, 2006. **100% Federal Funds.**

#193 Authorized Division of Fire Standards & Training and Emergency Medical Services to accept and expend $48,933 from the US Department of Transportation, National Highway Traffic Safety Administration for the Crash Outcome Data Evaluation System. Effective upon G&C approval through September 30, 2005.

#194 Authorized Division of Fire Standards & Training and Emergency Medical Services to enter into a **sole source** agreement with Kidde Fire Trainers Inc., Montvale, NJ, to provide annual maintenance for the A-2000 Live Fire Training Systems at the Fire Academy. Effective upon G&C approval through June 30, 2006. **100% Other Funds.**

#194A Authorized to change the compensation of the State Fire Marshal J. William Degnan, Amherst, from grade GG maximum ($77,255) to HH maximum ($85,917) effective immediately.

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#195 Authorized Bureau of Finance and Contracts to pay small claims for the period of July, 2005 to September, 2005.

#196 Authorized to accept and place on file the Bureau of Right of Way's Contemplate Award List for the period of July 16, 2005 through August 15, 2005.

#197 Authorized to accept and place on file the Bureau of Mechanical Services Acquisition Plan Monthly Status Report.

#198 Authorized Bureau of Turnpikes to transfer the amount of $3,000,000 from the Turnpike Retained Earnings Fund to the Toll Collection Equipment Account upon G&C approval. (2)Further Authorized to purchase approximately 118,000 electronic toll collection transponders in an amount not to exceed $3,000,000. Effective upon G&C approval through June 30, 2006, or until the transponders are sole, whichever is later.

#199 Authorized with Councilor Pignatelli abstaining, and Councilor Spaulding voting **no,** Bureau of Rail & Transit to enter into a lease agreement with 18 Mile Point Drive Realty Trust for a parcel of land to include a private pedestrian crossing on the State-owned Concord to Lincoln railroad Line in Meredith for $33,825 per year, with a one-time administrative fee of $350 for a period of five years and negotiable for an additional five year period. Effective upon G&C approval.

#200 Authorized Bureau of Rail and Transit to expend an amount not to exceed $200,000 from the Special Railroad Fund for engineering, culvert installation and slope reconstruction due to spring washouts at three locations on the State owned Concord to Lincoln Railroad. Effective upon G&C approval through September 30, 2006. **Fiscal Committee approved.**

#201 Authorized Bureau of Right of Way to quitclaim whatever interest the State of NH may have in a portion of the old NH Route 16 beyond the new layout of NH Route 16 (Conway Bypass) in the Town of Madison to the Margaret Louise Marshall Revocable Trust where it abuts other land of said trust.

#202 Authorized Bureau of Right of Way to quitclaim whatever interest the state of NH may have in a parcel of land located westerly of the railroad corridor in the Town of Plymouth to 135 Main Street, LLC.

#203 Authorized Bureau of Materials & Research to execute a Interstate Agreement – Operational Responsibilities with the Vermont Agency of Transportation in an amount not to exceed $100,000 to perform a joint research project, Evaluation of an Automatic Bridge Anti-icing System. Effective upon G&C approval through August 31, 2007.

#204 Authorized Bureau of Materials & Research to enter into two contracts with the companies for the contract amounts as detailed in letter dated August 12, 2005, for the application of experimental pavement surface treatments. Effective upon G&C approval through October 2005.

#205 Authorized Bureau of Traffic to enter into an agreement with Atlantic Waste Systems North, a division of Casella Waste Systems, Inc., Salem, NH, to provide rubbish removal services on site at the Bureau of Traffic, Concord, NH. Effective upon G&C approval through June 30, 2007. **100% Highway Funds.**

#206 Authorized Bureau of Bridge Maintenance to enter into a contract with Yates Electric, Inc., Durham, NH, for electrical inspection and maintenance work on various bridges for an amount not to exceed $200,000. Effective upon G&C approval through June 30, 2007 with the option to renew for an additional two year period. **100% Highway Funds.**

#207 Authorized Bureau of Finance & Contracts to **retroactively** amend a service agreement with Robert S. Patten dba NH Deposition Services, Concord, NH, (previously approved by G&C on 9-4-02, item #157), for transcription service, by increasing the amount by $6,500 from $19,500 to $26,000. Effective upon G&C approval through June 30, 2006.

#208 Authorized to modify a contract with the Town of Plymouth, (previously approved by G&C on 1-26-05, item #69), for renovations to the second floor of the former B&M Railroad Station in Plymouth, by substituting the Grafton County Senior Citizens Council Inc., dba Plymouth Regional Senior Center in place of the Town of Plymouth.

#209 Authorized to modify a contract with the Town of Hopkinton, (previously approved by G&C on 6-21-00, item #282), for rehabilitation of the Contoocook Covered Railroad bridge in Hopkinton, by substituting the NH Division of Historical Resources in place of the Town of Hopkinton.

#210 Authorized Bureau of Construction to enter into a low bid contract with The Middlesex Corporation, Littleton, MA on the basis of a low bid of $28,687,750 for road and bridge improvements at the Exit 5 interchange along the I-293 and Granite Street corridors. Effective upon G&C approval through May 30, 2008.

#211 Authorized Division of Aeronautics to disburse the sum of $1,660,318.25 to the Town of Whitefield NH, to reconstruct, mark, light, and extend Runway 10-28 at the Mount Washington Regional Airport. Effective upon G&C approval.

#212 Authorized Division of Aeronautics to disburse the sum of $1,462,500 to the City of Lebanon, NH, to reconstruct, mark, and light Taxiway "A" at the Lebanon Airport. Effective upon G&C approval.

#213 Authorized Division of Aeronautics to disburse the sum of $63,375 to the Town of Whitefield, NH, to acquire easements in the approach to Runway 10 at the Mount Washington Regional Airport. Effective upon G&C approval.

#214 Authorized Division of Aeronautics to disburse the sum of $303,615 to the City of Concord, NH, to acquire land in the Runway Protection Zone to Runway 17 at the Concord Airport. Effective upon G&C approval.

#215 Authorized Bureau of Highway Design to enter into an agreement with the City of Nashua, delineating duties and responsibilities of both parties for designing and making improvements to NH 101A from the Avenue Intersection to the Somerset Plaza Entrance in Nashua, NH.

#216 Authorized Bureau of Construction to enter into a contract with B.I.I. Fence & Guardrail Inc., Belmont, NH, on the basis of a low bid of $156,969.80 for attaching snow and protective screening to 26 bridges along I-93 between New Hampton and Lincoln. Effective upon G&C approval through May 24, 2006.

#217 Authorized Division of Aeronautics to enter into a contract and disburse the sum of $252,967.50 to BII Fence & Guardrail, Inc., for the installation of approximately 5,300 lf of fencing at the Skyhaven Airport, Rochester, NH. (2)Further Authorized to amend a contract and disburse the sum of $10,000 to Moulison North Corporation, for the installation of obstruction lights at the Skyhaven Airport, Rochester, NH. Effective upon G&C approval. **90% Federal, 10% State Funds.**

#218 Authorized Bureau of Construction to amend a contract with Weaver Bros. Construction Co., Concord, NH, (previously approved by G&C on 10-20-04, item #120), for pavement rehabilitation and safety related work along 2.4 miles of Route 11 in the Town of Andover and the City of Franklin, by increasing the price by $240,000 from $3,024,870.75 to $3,264,870.75.

#219 Authorized Bureau of Construction to amend a contract with Continental Paving Inc., Londonderry, NH, (previously approved by G&C on 5-18-05, item #91), for roadway resurfacing of 77.47 miles in Districts IV and V, by increasing the price by $70,000 from $2,952,100 to $3,022,100.

#220 Authorized Bureau of Construction to amend a contract with Scotts Construction Inc., dba SCI Group, Newport, VT, (previously approved by G&C on 9-8-04, item #159), for roadway reconstruction and widening, sidewalk construction, curbing and drainage on NH Route 4A in Lebanon, by increasing the price by $13,500 from $2,246,016.50 to $2,259,516.50.

#221 Authorized Bureau of Construction to amend a contract with Winterset, Inc., Lyndonville, VT, (previously approved by G&C on 9-8-04, item #158), for pavement rehabilitation, drainage improvements, and safety work along US Route 2 in Lancaster, by increasing the price by $250,000 from $2,411,796.65 to $2,661,796.65.

#222 Authorized Bureau of Construction to amend a contract with N. Pandelena Construction Co., Hampstead, NH, (previously approved by G&C on 4-21-04, item #79), for roadway reconstruction of the NH Route 111A intersection with Langdon Road in Windham, by increasing the price by $57,300 from $373,153 to $430,453.

#223 Authorized Bureau of Highway Maintenance to enter into a contract with L.G. Cushing & Sons, Inc., Walpole, NH, for construction of a drilled well and pump on the property of Donald Mitchell, New London, on the basis of a low bid of $18,760. Effective upon G&C approval through September 30, 2005. **100% Highway Funds.**

#224 **WITHDRAWN –** The agency withdrew the request Bureau of Highway Maintenance to enter into a contract with Kriester Artesian Well Company of Henniker, NH, for construction of a drilled well and pump on the property of Vanessa Hippler, Weare, on the basis of a low bid of $14,375. Effective upon G&C approval through September 30, 2005. **100% Highway Funds.**

#225 Authorized Bureau of Highway Maintenance to enter into a contract L.G. Cushing & Sons, Inc., Walpole, NH,, for construction of a drilled well and pump on the property of Heidi Rivard, Londonderry, on the basis of a low bid of $16,560. Effective upon G&C approval through October 31, 2005.

#226 Authorized Bureau of Highway Maintenance to enter into a contract L.G. Cushing & Sons, Inc., Walpole, NH,, for construction of a drilled well and pump on the property of Robert Farquhar, Canterbury, on the basis of a low bid of $16,925. Effective upon G&C approval through October 31, 2005.

#227 Authorized Bureau of Construction to enter into a contract with A.J. Cameron Sod Farms, Inc., Farmington, NH, for landscaping of the Pequawket Pond Wetland Mitigation site in the Town of Conway, on the basis of a low bid of $175,600. Effective upon G&C approval through October 31, 2006.

#228 **TUITION REQUESTS**

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

A. **ADMINISTRATIVE SERVICES -** Request permission to pay New England College, Henniker, NH, the sum of $400.00 for the sole purpose of enrolling Kelly Brown, Agency Records Auditor, in the course entitled "Marketing Management".

B. **ADMINISTRATIVE SERVICES -** Request permission to pay New Hampshire Technical Institute, Manchester, NH, the additional amended sum of $68.00 for the sole purpose of enrolling Ellen Charron, Accountant I, in the course entitled "Intermediate Algebra" (Item 172A, 08/03/05 G&C).

C. **ADMINISTRATIVE SERVICES -** Request permission to pay New Hampshire Technical Institute, Manchester, NH, the sum of $720.00 for the sole purpose of enrolling Michael Dupont, Building Maintenance Supervisor, in the courses entitled "Fundamentals of Refrigeration I TH" and "Fundamentals of Refrigeration I Lab".

D. **COMMUNITY TECHNICAL COLLEGE -** Request permission to pay the University of Massachusetts, Lowell, MA, the sum of $1,387.80 for the sole purpose of enrolling Helen Burke, Professor, in the course entitled "Dissertation Research".

E. **COMMUNITY TECHNICAL COLLEGE -** Request permission to pay Widener University, Chester, PA, the sum of $1,500.00 for the sole purpose of enrolling Mary Churchman, Professor, in the on-line course entitled "Dissertation Advisement".

F. **COMMUNITY TECHNICAL COLLEGE -** Request permission to pay Granite State College, Concord, NH, the sum of $1,625.00 for the sole purpose of enrolling Gary Courtney, Associate Professor, in the on-line courses entitled "Principles of Instructional Design and Educational Technology" and "Psychology of Adulthood".

G. **COMMUNITY TECHNICAL COLLEGE -** Request permission to pay Lesley University, Cambridge, MA, the sum of $1,410.00 for the sole purpose of enrolling Christopher Crowley, Technical Support Specialist, in the on-line course entitled "Video as an Educational Technology".

H. **COMMUNITY TECHNICAL COLLEGE -** Request permission to pay Nova Southeastern University, Springfield, MA, the sum of $1,616.00 for the sole purpose of enrolling Froann McLaughlin, Assistant Professor, in the course entitled "Applied Dissertation Services".

I. **COMMUNITY TECHNICAL COLLEGE -** Request permission to pay Daniel Webster College, Nashua, NH, the sum of $699.00 for the sole purpose of enrolling Terrance Simkin, Professor, in the course entitled "Applied 3-D Game Design".

J. **EDUCATION -** Request permission to pay Plymouth State University, Plymouth, NH, the sum of $1,077.00 for the sole purpose of enrolling Bruce Chipman, Vocational Rehabilitation Counselor I, in the course entitled "Foundations of Counseling Profession".

K. **EDUCATION -** Request permission to pay New England College, Henniker, NH, the sum of $1,460.00 for the sole purpose of enrolling Rosanne Curry, Internal Auditor III, in the courses entitled "Marketing Management" and "Thesis Project".

L. **EDUCATION -** Request permission to pay Center for Graduate & Professional Studies, UNH, Manchester, NH, the sum of $1,335.00 for the sole purpose of enrolling Laura Jackson Gaudette, Program Specialist II, in the course entitled "Management Accounting".

M. **EDUCATION -** Request permission to pay Center for Graduate & Professional Studies, UNH, Manchester, NH, the sum of $1,335.00 for the sole purpose of enrolling Laura Jackson Gaudette, Program Specialist II, in the course entitled "Public Health Economics".

N. **EDUCATION -** Request permission to pay Springfield College Graduate School, Manchester, NH, the sum of $2,115.00 for the sole purpose of enrolling Jennifer Geaumont, Vocational Rehabilitation Counselor I, in the courses entitled "Human Nature, Development and Assessment" and "Project Phase IV".

O. **EDUCATION -** Request permission to pay Granite State College, Manchester, NH, the sum of $845.00 for the sole purpose of enrolling Lillian Lee, Program Planner I, in the course entitled "The Writing Process".

P. **EDUCATION -** Request permission to pay Springfield College Graduate School, Manchester, NH and St. Johnsbury, VT, the sum of $2,961.00 for the sole purpose of enrolling Karen Martin-Brown, Vocational Rehabilitation Counselor I, in the courses entitled "Human Nature, Development and Assessment", "Project Phase IV" and "Theories of Counseling and Psychotherapy".

Q. **EDUCATION -** Request permission to pay Antioch University, Yellow Springs, OH, the sum of $4,575.00 for the sole purpose of enrolling Susan McKevitt, Education Consultant III, in the courses entitled "Proseminar 1 Phase 2", "Reflective Leadership Essay Phase 2" and "Case Study Analysis Phase 2".

R. **EDUCATION -** Request permission to pay the University of New Hampshire, Manchester, NH, the sum of $3,942.00 for the sole purpose of enrolling Anne Prehemo, Medical Relations Officer, in the courses entitled "Public Health Law", "Field Study" and "Integrating Seminar".

S. **EDUCATION -** Request permission to pay Plymouth State University, Plymouth, NH, the sum of $1,137.00 for the sole purpose of enrolling Kimberly Runion, Education Consultant, in the course entitled "Legal Issues in Policy Making".

T. **EDUCATION -** Request permission to pay the University of New Hampshire, Manchester, NH, the sum of $3,942.00 for the sole purpose of enrolling Peggy Vieira, Disability Examiner, in the courses entitled "Public Health Law", "Field Study" and "Integrating Seminar".

U. **ENVIRONMENTAL SERVICES -** Request permission to pay Hesser College, Manchester, NH, the sum of $699.00 for the sole purpose of enrolling Almorinda Azeredo, Administrative Supervisor, in the course entitled "English Composition II".

V. **ENVIRONMENTAL SERVICES -** Request permission to pay Hesser College, Manchester, NH, the sum of $699.00 for the sole purpose of enrolling Almorinda Azeredo, Administrative Supervisor, in the course entitled "Introduction to Paralegal Studies".

W. **ENVIRONMENTAL SERVICES -** Request permission to pay the University of New Hampshire, Durham, NH, the sum of $768.00 for the sole purpose of enrolling Jennifer Drociak, Restoration Specialist, in the course entitled "Statistical Methods for Researchers".

X. **ENVIRONMENTAL SERVICES -** Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $525.00 for the sole purpose of enrolling Jessica Sheldon, State Implementation Plan Modeler, in the course entitled "Physics II: Light, Sound, Electricity".

Y. **ENVIRONMENTAL SERVICES -** Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $875.00 for the sole purpose of enrolling Craig Thoroughgood, Air Pollution Technician I, in the course entitled "Introduction to Technical Mathematics I".

Z. **ENVIRONMENTAL SERVICES -** Request permission to pay the University of Massachusetts, Lowell, MA, the sum of $1,430.97 for the sole purpose of enrolling Ellis Wongsearaya, Toxicologist III, in the course entitled "Exposure Assessment".

AA. **ENVIRONMENTAL SERVICES -** Request permission to pay the University of New Hampshire, Manchester, NH, the sum of $1,400.00 for the sole purpose of enrolling Marjorie Yin, Industrial Hygiene Engineer I, in the course entitled "Public Health Administration".

BB. **HEALTH & HUMAN SERVICES, Bureau of Behavioral Health -** Request permission to pay Franklin Pierce College, Concord, NH, the sum of $1,221.00 for the sole purpose of enrolling Charlene Noyes, Accountant I, in the course entitled "Seminar in Leadership".

CC. **HEALTH & HUMAN SERVICES, Office of Business Operations -** Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $525.00 for the sole purpose of enrolling Cheryl Connor, Program Specialist I, in the course entitled "Introduction to Business".

DD. **HEALTH & HUMAN SERVICES, Office of Business Operations -** Request permission to pay Franklin Pierce College, Concord, NH, the sum of $1,286.00 for the sole purpose of enrolling Kenneth Merrifield, Program Specialist IV, in the course entitled "Operations Management".

EE. **HEALTH & HUMAN SERVICES, Office of Business Operations -** Request permission to pay New England College, Manchester, NH, the sum of $1,145.00 for the sole purpose of enrolling Shanthi Venkatesan, Administrator III, in the course entitled "Organizational Management and Leadership".

FF. **HEALTH & HUMAN SERVICES, Division for Children, Youth & Families -** Request permission to pay Rivier College, Nashua, NH, the sum of $1,263.00 for the sole purpose of enrolling Melissa Brien, Child Protective Service Worker Coordinator, in the course entitled "Perspectives of Cultural Diversity I".

GG. **HEALTH & HUMAN SERVICES, Division of Community Based Services -** Request permission to pay Pennsylvania State University, University Park, PA, the sum of $1,993.00 for the sole purpose of enrolling Michelle Oakes, Executive Secretary, in the Internet courses entitled "Values and Ethics in Health and Human Development Professions" and " Effective Speech".

HH. **HEALTH & HUMAN SERVICES, Employee Assistance Program -** Request permission to pay the University of New Hampshire, Durham, NH, the sum of $2,000.00 for the sole purpose of enrolling Linda Brewer, Employee Assistance Program Specialist, in the courses entitled "Social Work Practice I" and "Field Internship I".

II. **HEALTH & HUMAN SERVICES, Employee Assistance Program -** Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $675.00 for the sole purpose of enrolling Patricia Thompson, Administrative Assistant, in the course entitled "Colonial Literature".

JJ. **HEALTH & HUMAN SERVICES, Division of Family Assistance -** Request permission to pay Granite State College, Bow, NH, the additional amended sum of $52.00 for the sole purpose of enrolling Patricia Thibeault, Technical Support Specialist I, in the course entitled "Systems Analysis and Design" (Item 172U, 08/03/05 G&C).

KK. **HEALTH & HUMAN SERVICES, Office of Operations Support -** Request permission to pay the University of New Hampshire, Manchester, NH, the sum of $1,735.00 for the sole purpose of enrolling Debora Wyman, RN, Medical Services Consultant I, in the course entitled "Seminar of Professional Nursing".

LL. **HEALTH & HUMAN SERVICES, Division of Public Health Services -** Request permission to pay Granite State College, Concord, NH, the sum of $975.00 for the sole purpose of enrolling Jennifer Ritchings, Program Assistant III, in the courses entitled "Continuous Quality Improvement in Healthcare" and "Grantwriting".

MM. **JOINT BOARD -** Request permission to pay New Hampshire Technical Institute, Concord, NH, the additional amended sum of $51.00 for the sole purpose of enrolling Julie Levesque, Senior Accounting Technician, in the course entitled "Cost Accounting" (Item 172N, 08/03/05 G&C).

NN. **LIQUOR -** Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $750.00 for the sole purpose of enrolling Christina Demers, Statistician I, in the course entitled "Discrete Mathematics".

OO. **LIQUOR -** Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $525.00 for the sole purpose of enrolling Cherie Sirrianna, Account Clerk II, in the course entitled "Spreadsheets-Accounting Basic".

PP. **LOTTERY -** Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $525.00 for the sole purpose of enrolling Margaret Anderson, Accounting Technician, in the course entitled "PC Applications".

QQ. **NH HOSPITAL -** Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $525.00 for the sole purpose of enrolling Briana Miller, Mental Health Worker III, in the course entitled "Human Growth and Development".

RR. **NH HOSPITAL -** Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $1,313.00 for the sole purpose of enrolling Lynda Ricker, Mental Health Worker III, in the courses entitled "Mental Health Practicum I" and "Social and Professional Issues in Today's Society".

SS. **NH HOSPITAL -** Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $1,050.00 for the sole purpose of enrolling Darlene St. Laurent, Medical Coding Clerk, in the courses entitled "Basic ICD" and "Intermediate ICD".

TT. **NH HOSPITAL -** Request permission to pay New Hampshire Technical Institute, Concord, NH, the sum of $1,050.00 for the sole purpose of enrolling Debra Tucker, Medical Secretary II, in the courses entitled "Basic ICD" and "Intermediate ICD".

UU. **OFFICE OF INFORMATION TECHNOLOGY -** Request permission to pay Franklin Pierce College, Concord, NH, the sum of $599.25 for the sole purpose of enrolling Julie Seiger, Systems Development Specialist IV, in the course entitled "Systems Analysis and Design".

VV. **TRANSPORTATION -** Request permission to pay Franklin Pierce College, Concord, NH, the sum of $672.00 for the sole purpose of enrolling William Dusavitch, Right-of-Way Agent, in the courses entitled "Electronic Spreadsheets" and "Statistics".

WW. TRANSPORTATION - Request permission to pay Granite State College, Bow, NH, the sum of $780.00 for the sole purpose of enrolling Ellen Harrington, Program Assistant I, in the courses entitled "Introduction to Statistics" and "Introduction to Psychology".

XX. TRANSPORTATION - Request permission to pay the University of Massachusetts, Lowell, MA, the sum of $647.25 for the sole purpose of enrolling Ashok Kakadia, Civil Engineer II, in the course entitled "Behavior of Concrete Structures".

YY. TRANSPORTATION - Request permission to pay Keene State College, Keene, NH, the sum of $611.00 for the sole purpose of enrolling Ryan Lavoie, Safety and Environmental Coordinator, in the courses entitled "Chemistry I" and "General Chemistry Lab".

ZZ. TRANSPORTATION - Request permission to pay Southern New Hampshire University, Manchester, NH, the sum of $714.00 for the sole purpose of enrolling William Oldenburg, Chief of Preliminary Design, in the course entitled "Marketing Strategies".

AAA. 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 "Integrated Science I".

#229 **TRAVEL REQUESTS**

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

A. CULTURAL RESOURCES, Division of Historical Resources - Request permission for (2) employees, Edna Feighner, Historian, and Deborah Gagne, Program Assistant, or designee, to travel to Portland, OR on September 25 – 29, 2005, to attend the Section 106 Essentials Course. ALSO A CASH ADVANCE OF $200.00 IS REQUESTED FOR Edna Feighner. Total Cost: $2,122.60. Source of Funds: 60% Federal Funds and 40% General Funds. Registration Fee: $900.00.

B. NH LOTTERY - Request permission for (2) employees, Helen Flanagan, Lottery Representative II, and Lisa Nadeau, Lottery Representative II, or designee, to travel to Springfield, MA on September 15 – October 3, 2005, to supervise the sales of Instant, Powerball, Pick 3/Pick 4, Tri-State Megabucks, Hot Lotto and Tri-State Triple Play tickets at the Eastern States Exposition. ALSO A CASH ADVANCE OF $2,400.00 IS REQUESTED FOR Helen Flanagan and ALSO A CASH ADVANCE OF $2,400.00 IS REQUESTED FOR Lisa Nadeau. Total Cost: $4,800.00. Source of Funds: 100% Sweepstakes Funds. No Registration Fees.

LATE ITEMS

DEPARTMENT OF ENVIRONMENTAL SERVICES

A. Authorized the Department to make retroactive, unencumbered payments of invoices in the amount of $47,456.50 for emergency work undertaken on July 22 and 23, 2005 in repairing a leak on a 24-inch force main in Gilford on Route 11B, and in the cleanup work and pavement repair resulting from the leak. **100% other funds**

DEPARTMENT OF ENVIRONMENTAL SERVICES

B. Authorized a Supplemental Loan Agreement between the Department and the Tilton Northfield Water District, in the amount of $1,047,011.17 to finance water system improvements under the provisions of RSA 486:14 and NH Admin. Rules Env-C 500 effective upon Governor and Council approval.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

C. Authorized Division of Travel and Tourism Development to cover hotel expenses at the 2005 Eastern States Exposition in West Springfield, MA. Request is to cover the hotel expenses payable to Best Western Sovereign Hotel in the amount of $1,754.22. **100% General Funds**

ITEMS REMOVED FROM TABLE

The Governor and Council on motion of Councilor Griffin, seconded by Councilor Burton, voted to remove item #141- which was tabled at the August 3, 2005 Meeting.

NH COMMUNITY TECHNICAL COLLEGE SYSTEM

#141 The Governor and Council on motion of Councilor Burton, seconded by Councilor Wieczorek, authorized the request of NHCTC-Berlin to enter into a contract with Gerry Pons, Whitefield, NH, for the purpose of developing a strategic plan for the Berlin Campus in the amount of $18,501. Effective upon G&C approval through December 15, 2005. **41% General, 59% Other Funds.**

Next Governor and Executive Council meeting is scheduled for Wednesday, September 21, 2005 at 10:00 a.m. at the Seacoast Science Center at Odiorne State Park, Rye, NH.

The Honorable Board then Adjourned