GOVERNOR AND EXECUTIVE COUNCIL MINUTES
State House, Concord, New Hampshire
November 16, 2005, 10:00 a.m.

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

The Governor and Executive Council on motion of Councilor Wieczorek, seconded by Councilor Burton, accepted the minutes of November 2, 2005.

The Governor and Executive Council, on motion of Councilor Burton, seconded by Councilor Spaulding approved the appointment of several persons nominated for Civil Commissions from the November 2, 2005 meeting.

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

The following state representative-elect was sworn into office by the Governor and Executive Council:
Hillsborough County District 10 (Manchester Ward 3)
Jean L Jeudy, d, Manchester (134 Calef Rd) 03103.

RESIGNATIONS

The Governor and Council accepted the following with regret:

Community Development Finance Authority
Donald R. Jutton, Sr., Moultonborough — Effective: Upon acceptance

CONFIRMATIONS

The Governor and Council confirmed the following:

Board of Accountancy
Deborah B. Butler, Concord — Effective: December 2, 2005
Reappointment — Term: December 2, 2010

Air Resources Council
(Steam Power Generating Industry)
John MacDonald, Amherst — Effective: November 16, 2005
Reappointment — Term: October 24, 2009

Athletic Trainers Governing Board
(Public Member)
Donald Manning, Manchester — Effective: November 16, 2005
Succeeding: Carol Burney, Penacook (resigned) — Term: February 17, 2007

Business Finance Authority
(Elected or Appointed Official)
Steve Griffin, Berlin — Effective: November 16, 2005
Reappointment — Term: November 3, 2008

Current Use Advisory Board
(Forest Landowner)
David Tellman, Whitefield — Effective: November 16, 2005
Reappointment — Term: September 9, 2007

Division of Children, Youth and Families Advisory Board
(Rockingham County)
R. Bruce Boley, Portsmouth — Effective: November 16, 2005
Reappointment — Term: July 1, 2007

Division of Children, Youth and Families Advisory Board
(Belknap County)
Sandra T. McGonagle, Gilford — Effective: November 16, 2005
Reappointment — Term: July 1, 2008

Division of Children, Youth and Families Advisory Board
(Rockingham County)
Kathleen M. Olson, Windham — Effective: November 16, 2005
Succeeding: Sharon Dalton, Windham — Term: July 1, 2008

Enhanced 911 Commission
(Verizon)
Jill Healey Wurm, Londonderry — Effective: November 16, 2005
Reappointment — Term: July 8, 2008

Enhanced 911 Commission
(Firefighter)
Brett Scholbe, Auburn — Effective: November 16, 2005
Succeeding: David Lang, Hampton — Term: September 16, 2008

Enhanced 911 Commission
(Police Officer)
George F. Valliere, Gorham — Effective: November 16, 2005
Reappointment — Term: July 22, 2007

Municipal Bond Bank
(Designee of NH Municipal Association)
Kevin A. Clougherty, Manchester — Effective: November 16, 2005
Reappointment — Term: October 9, 2010

Pesticides Control Board
(NH Plant Growers Association)
Jeffrey Huntington, Loudon — Effective: November 16, 2005
Reappointment — Term: November 6, 2008

Waste Management Council
(Elected Official)
Elaine Lauterborn, Rochester — Effective: November 16, 2005
Reappointment — Term: November 10, 2009

NOMINATIONS

The Governor placed into nomination the following:

Board of Acupuncture Licensing
(Acupuncturist)
Karla Renaud, Concord — Effective: Upon confirmation
Reappointment — Term: September 8, 2008

Agriculture Lands Preservation Committee
Jay D. Waldner, Jr., Canaan — Effective: Upon confirmation
Reappointment — Term: October 10, 2008

Business Finance Authority
Dick Anagnost, Bedford — Effective: Upon confirmation
Reappointment — Term: November 3, 2008

Business Finance Authority
Edward Caron, Hudson — Effective: Upon confirmation
Reappointment — Term: November 3, 2008

Community Development Finance Authority
(Small Business)
Benoit Lamontagne, Colebrook — Effective: Upon confirmation
Succeeding: Donald R. Jutton, Sr., Marlborough (resigned) — Term: July 1, 2008

Commissioner: Department of Corrections
William L. Wrenn, Hampton — Effective: Upon confirmation
Succeeding: Stephen J. Curry, Manchester — Term: October 10, 2009
Salary: LL - $101, 303

Justice: Keene District Court
Edward J. Burke, Keene — Effective: Upon confirmation
Vacancy — Term: Until 70 years of age

Board of Hearing Care Providers
(Hearing Aid Dealer)
David Dachowski, Bedford — Effective: Upon confirmation
Reappointment — Term: April 23, 2007

Board of Optometry
Denis Allard, OD, Manchester — Effective: Upon confirmation
Succeeding: Katherine Zagroba, Bow (reached term limit) — Term: July 1, 2010

State Radiation Advisory Committee
Francis H. LaBranche, Jr., DDS, Northfield — Effective: Upon confirmation
Reappointment — Term: October 14, 2009

Regional Community Technical Colleges Board of Trustees
Stephen W. Guyer, Gilford — Effective: Upon confirmation
Succeeding: William R. Grimm, Franklin (resigned) — Term: February 3, 2007

Traffic Safety Commission
Thomas Wolkowski, Manchester — Effective: Upon confirmation
Succeeding: Susan Wante, Keene — Term: September 16, 2010

Advisory Committee on Travel and Tourism
Nominated by the Commissioner of the Department of Resources and Economic Development
(Transportation)
Colette Crisp, Nashua — Effective: Upon confirmation
Succeeding: William Best, Portsmouth (reached term limit) — Term: December 1, 2008

Advisory Committee on Travel and Tourism
Nominated by the Commissioner of the Department of Resources and Economic Development
(Lodging)
Scott Labnon, Gorham — Effective: Upon confirmation
Reappointment — Term: December 1, 2008

Advisory Committee on Travel and Tourism
Nominated by the Commissioner of the Department of Resources and Economic Development
(Rep. Statewide Trade Association)
Katherine J. LaPlante, Pembroke — Effective: Upon confirmation
Vacancy — Term: set persuant to RSA 4:4

Advisory Committee on Travel and Tourism
Nominated by the Commissioner of the Department of Resources and Economic Development
(Attractions)
James S. Morash, Meredith — Effective: Upon confirmation
Succeeding: Richard Hamilton, North Woodstock (reached term limit) — Term: set persuant to RSA 4:4

Advisory Committee on Travel and Tourism
Nominated by the Commissioner of the Department of Resources and Economic Development
(Environment and Wildlife)
Adair D. Mulligan, Lyme Center — Effective: Upon confirmation
Succeeding: Richard Ober, Hillsborough (reached term limit) — Term: December 1, 2008

Advisory Committee on Travel and Tourism
Nominated by the Commissioner of the Department of Resources and Economic Development
(Food and Beverage)
Scott G. Rice, North Woodstock — Effective: Upon confirmation
Vacancy — Term: set persuant to RSA 4:4

Advisory Committee on Travel and Tourism
Nominated by the Commissioner of the Department of Resources and Economic Development
(Chambers of Commerce)
Timothy Sink, Concord — Effective: Upon confirmation
Succeeding: Clinton Bean, Grantham (reached term limit) — Term: set persuant to RSA 4:4

Advisory Committee on Travel and Tourism
Nominated by the Commissioner of the Department of Resources and Economic Development
(Recreation)
Benjamin E. Wilcox, North Conway — Effective: Upon confirmation
Succeeding: Alice Pearce, North Woodstock (reached term limit) — Term: December 1, 2008

Advisory Committee on Travel and Tourism
Nominated by the Commissioner of the Department of Resources and Economic Development
(Culture, Arts and History)
Lawrence Yerdon, Portsmouth — Effective: Upon confirmation
Succeeding: Marjorie Hubbard, New Castle (reached term limit) — Term: set persuant to RSA 4:4

University System of New Hampshire Board of Trustees
Anne M. Sprague, Plainfield — Effective: Upon confirmation
Succeeding: Lorraine S. Merrill, Stratham — Term: June 30 2009

ITEM REMOVED FROM TABLE

The Governor and Council on motion of Councilor Pignatelli, seconded by Councilor Wieczorek, voted to remove item #103- which was tabled at the November 2, 2005 Meeting.

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

#103 The Governor and Council on motion of Councilor Pignatelli, seconded by Councilor Wieczorek, voted to approve the request of the Division of Parks and Recreation to purchase at the market value of $2,160,000 two certain tracts of undeveloped land totaling $7,200 acres in the Township of Berlin, NH, from Thomas R. Dillon and Scott A. Dillon. Effective upon G&C approval. (2)Further Authorized to accept, from the City of Berlin, the gift of 293 acres of land and water, with improvements known as "Jericho Lake" and 10 acres of land completely within the confines of the Dillon property being offered, both located in the Township of Berlin, NH. (3)Further Authorized to accept the gift of certain 6.6-mile by 30 foot-wide recreational trail easement in the Township of Berlin, NH, from Thomas R. Dillon and Scott A. Dillon. **100% Other Funds.** Councilor Burton requested Commissioner O'Kane to set up an Advisory Committee to hear and deal with ongoing issues about the ATV Park, made up of users and interested parties in Coos County and elsewhere at the Commission's discretion. The Advisory Committee should meet every two weeks and should be modeled after the Advisory Committee of Connecticut Headwaters and The Nash Stream.

OFFICE OF ENERGY AND PLANNING

#1 The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Burton authorized the request to enter into a **sole source retroactive** contract with International Institute of Boston, Boston, MA, through its subsidiary the International Institute of NH, to provide support services to elderly refugees, in an amount not to exceed $49,950. Effective September 30, 2005 through September 29, 2006. **100% Other Funds.**

OFFICE OF INFORMATION TECHNOLOGY

The Governor and Council acted as follows:

#2 Authorized to reclassify position #10206, Program Assistant I, labor grade 12, (salary $22,405.50) to an Accountant III, labor grade 21, (salary $32,370) in the Logistics Bureau. (2)Further Authorized to reclassify position #11131, Computer Operator I, labor grade 11 (salary $21,567) to a Statistician, labor grade 16 (salary $26,306.50) in the Logistics Bureau. (3) Further Authorized to reclassify position #41119, Program Specialist IV, labor grade 25 (salary $38,434.50) to an Information Technology Manager I, labor grade 28 (salary $43,855.50) in the Logistics Bureau. **100% Other Funds.**

#3 Authorized to reclassify position #41302, Information Technology Manager II, labor grade 30 (salary $47,911.50) to a Technical Support Specialists VI, labor grade 32 (salary $52,455). **100% Other Funds.**

#4 Authorized with Councilor Pignatelli voting **no,** a **retroactive sole source** contract with House International, Paxton, MA, for software and peripheral services, including support services and maintenance to sustain day-to-day operational needs of agencies within the State of NH, in the amount of $84,811.36. Effective July 1, 2005 through June 30, 2007. **100% Other Funds.**

OFFICE OF THE ADJUTANT GENERAL

The Governor and Council acted as follows:

#5 Authorized John W. Logsdon, Laconia, NH, be confirmed to the rank of Major, NH Army National Guard.

#6 Authorized Robert J. Stuart, Bedford, NH, be confirmed to the rank of Major, NH Army National Guard.

DEPARTMENT OF REVENUE ADMINISTRATION

#7 The Governor and Council on motion of Councilor Burton, seconded by Councilor Wieczorek authorized the request to accept and place on file the annual report for the fiscal year ending June 30, 2005.

DEPARTMENT OF ADMINISTRATIVE SERVICES

The Governor and Council acted as follows:

#8 Authorized to pay York International Corporation, Norwood, MA, for emergency repairs to the ventilation system at the Franklin District Court that were performed between July 18, 2005 and August 31, 2005 for a total cost not to exceed $3,603.14. **100% Other Funds.**

#9 Authorized Bureau of Court Facilities to amend an agreement with the US Postal Service (Landlord) Asset Management, Englewood, CO, (previously approved by G&C on 6-25-03, item #40), for the space serving as the Littleton District Court, Littleton, NH, by assigning responsibility of janitorial services to the Landlord, increasing the rent from $34,800 to $40,300, a difference of $5,500. Effective December 1, 2005 through June 30, 2006.

#10 Authorized Financial Data Management to reclassify positions #10264, 10190, 10204, 10180, 10186, 10218 and 10244 from Systems Development Specialist V (Labor grade 28) to Financial Administrator I (Labor grade 28).

#11 Authorized to accept and place on file the list of vendors that agencies have contracted with for the period of July 1, 2005 through September 30, 2005.

#12 Authorized to contract with Raymond's Landscaping LLC, Boscawen, NH, for snow and ice removal services for a total amount not to exceed $177,000. Effective upon G&C approval through June 30, 2008.

#13 Authorized with Councilor Pignatelli voting **no,** Bureau of Court Facilities to enter into a **retroactive** lease agreement with the Town of Durham, NH, providing 2,320 square feet of space for the Durham District Court, Durham, NH. Effective July 1, 2005 through June 30, 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 to obtain clean air certification is beyond the resources of this agency.

#13A Authorized Bureau of Public Works Design and Construction to enter into a contract with Major L. Rodd, Inc., Johnsbury, VT for re-roofing Philbrook Center, Concord, NH, for the lump sum price of $81,900. (2)Further Authorized payments 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 $1,000.

NH COMMISSION ON THE STATUS OF MEN

#14 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to accept and place on file the Biennial Report.

TREASURY DEPARTMENT

The Governor and Council acted as follows:

#15 Authorized to proceed with a sale as detailed in letter dated November 4, 2005, and issuance of up to $75 million of general obligation bonds in the manner most advantageous to the state.

#16 Authorized to issue a warrant from funds not otherwise appropriated and the State Treasurer to issue checks in the amount of $20,532.63 to the rightful owners of abandoned or unclaimed funds. **100% General Funds.**

DEPARTMENT OF STATE

The Governor and Council acted as follows:

#17 Authorized to reappoint Frank C. Mevers, PhD., Concord, NH, as State Archivist, effective July 6, 2005.

#17A Authorized to accept and place on file the Annual Report for the period July 1, 2004 through June 30, 2005.

ATTORNEY GENERAL

#18 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Spaulding authorized the request to enter into seven sub-grants totaling $90,300 to fund programs providing direct services to victims of crime. Effective of G&C approval through June 30, 2006. **100% Federal Funds.**

DEPARTMENT OF CULTURAL RESOURCES

The Governor and Council acted as follows:

#19 Authorized Division of the Arts to commission the artists as detailed in letter dated November 3, 2005, to create various works of art for the NH Technical Institute Dental Lab, for a total of $7,000. **100% General Funds.**

#20 Authorized Division of Arts to award Art Links Grants totaling $14,900 to the vendors as detailed in letter dated November 1, 2005, for an amount of $14,900. Effective upon G&C approval through June 30, 2006. **100% Federal Funds.**

#21 Authorized Division of the Arts to award an Organizational Support Partnership Initiative Grant in the amount of $6,000 to Currier Museum of Art, Manchester, NH. Effective upon G&C approval through June 30, 2006. **100% Federal Funds.**

#22 Authorized Division of Arts to award a Traditional Arts Project Grant in the amount of $2,800 to Mt. Kearsarge Indian Museum, Warner, NH. Effective upon G&C approval through June 30, 2006. **100% Federal Funds.**

#23 Authorized to award Conservation Number Plate Grants totaling $33,084 to the organizations as detailed in letter dated November 2, 2005. Effective upon G&C approval through September 30, 2006. **100% Other Funds.**

#24 Authorized Division of Arts to award an Operating Grant in the amount of $7,650 to Andy's Summer Playhouse, Wilton, NH. Effective upon G&C approval through June 30, 2006. **100% Federal Funds.**

#25 Authorized with Councilor Pignatelli voting **no,** Division of Historical Resources to **retroactively** amend an agreement with the Town of Newington, (previously approved by G&C on 10-6-04, item #20), by increasing the amount by $1,325 to an amount not to exceed $10,325 for the Newington Cemetery Project, for the period ending September 30, 2005. **100% Federal Funds.**

DEPARTMENT OF LABOR

#26 The Governor and Council on motion of Councilor Burton, seconded by Councilor Wieczorek authorized the request to accept and place on file the Biennial Report for the period July 1, 2003 through June 30, 2005.

PARI-MUTUEL COMMISSION

#27 The Governor and Council on motion of Councilor Griffin, seconded by Councilor Burton authorized the request to continue its membership and participation in the Association of Racing Commissioners for the period January 1, 2006 through December 31, 2006, for an amount of $13,000. **84.36% General, 15.64 Other Funds.**

PUBLIC UTILITIES COMMISSION

#28 The Governor and Council on motion of Councilor Burton, seconded by Councilor Spaulding authorized the request to accept and expend US Department of Transportation grant funds in the amount of $29,996.89 for the expansion of the DigSafe program in NH. Effective upon G&C approval through December 31, 2005. **100% Federal Funds.**

LIQUOR COMMISSION

The Governor and Council acted as follows:

#29 Authorized to enter into a contract with Ali-Di Properties LLC, Ashland, NH, for the sole purpose of snow and ice removal services at Liquor Store #46 – Ashland, for a price limitation of $9,900. Effective upon G&C approval through September 30, 2008. **100% General Funds**.

#30 Authorized to enter into a contract with The Doty Group Incorporated, Hollis, NH, for the sole purpose of snow and ice removal services at Liquor Store #69 – Nashua, for a price limitation of $18,000. Effective upon G&C approval through September 30, 2008. **100% General Funds**.

#31 Authorized to enter into a contract with LaBrie Property Maintenance & Landscaping LLC, Raymond, NH, for the sole purpose of snow and ice removal services at Liquor Store #34 – Salem, and #62 - Raymond, for a price limitation of $39,784. Effective upon G&C approval through September 30, 2008. **100% General Funds**.

#32 Authorized to enter into a contract with Plow MD Incorporated, Walpole, NH, for the sole purpose of snow and ice removal services at Liquor Store #15 – Keene, for a price limitation of $28,500. Effective upon G&C approval through September 30, 2008. **100% General Funds**.

EMPLOYMENT SECURITY

The Governor and Council acted as follows:

#33 Authorized to enter into an agreement with Elf's Landscaping Inc., for snow plowing and removal services at NHES's Portsmouth local office, for a total amount of $22,660. Effective upon G&C approval through June 30, 2008. **100% Federal Funds.**

#34 Authorized to enter into an agreement with Salmon Falls Nursery Inc., for snow plowing and removal service at NHES's Somersworth local office, for a total amount of $7,800. Effective upon G&C approval through June 30, 2008. **100% Federal Funds.**

#35 Authorized to enter into an agreement with Raymond's Landscaping LLC., for snow plowing and removal service at NHES's Concord local offices, for a total amount of $38,100. Effective upon G&C approval through June 30, 2008. **100% Federal Funds.**

DEPARTMENT OF CORRECTIONS

The Governor and Council acted as follows:

#36 Authorized to pay $256,000 in overtime for permanent personnel services out of salaries for vacant positions due to pending recruitment for the period July 1, 2005 through September 30, 2005.

#37 Authorized to accept and expend a grant in the amount of $42,465 from a federal Carl D. Perkins Educations grant administered through the NH Department of Education, to provide funding for education materials, equipment, and software to assist male prison inmates at multiple men's prison facilities in vocational training in order to aid in their reentry into the workforce and society. (2)Further Authorized to accept and expend a grant in the amount of $5,127.26 from a federal Carl D. Perkins Educations grant administered through the NH Department of Education, to provide funding for education materials, equipment, and software to assist female prison inmates at the NH State Prison for Women located in Goffstown, NH, in vocational training to aid in their reentry into the workforce and society. Effective upon G&C approval through June 30, 2006. **100% Federal Funds.**

#38 Authorized with Councilor Pignatelli voting **no, retroactive** payment for the temporary assignment of duties for Probation-Parole Officer Michael McAlister in the amount of $1,176.47 for the period February 4, 2005 to June 9, 2005.

#39 Authorized to enter into a contract with Child and Family Services, Manchester, NH, for the provision of Psycho-Educational Programming Services to male and female parolees previously residing in and returning to Manchester NH in the amount of $15,000. Effective upon G&C approval through June 30, 2006. **100% Federal Funds.**

#40 Authorized with Councilor Pignatelli voting **no,** to enter into a **sole source** contract with Merriam-Graves Industrial Gases and Welding Products, Pembroke, NH, for the rental of temporary medical equipment specific to oxygen concentrators, C-PAP and Bi-PAP machines and the maintenance of these products in an amount not to exceed $11,376.06. Effective **retroactive** to September 30, 2003 through November 30, 2005. **100% General Funds.**

#41 Authorized to enter into a contract with James Foster and Associates Ltd., Manchester, NH for the provision of Mental Health Treatment Services to male and female parolees previously residing in and returning to Manchester NH in the amount of $103,500. Effective upon G&C approval through June 30, 2006. **100% Federal Funds.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

The Governor and Council acted as follows:

#42 Authorized to enter into a contract with Louis Karno & Company Communications, LLC, Concord, NH, for editorial services and public relations work in an amount not to exceed $15,000. Effective upon G&C approval through June 30, 2006 with a one-year option to renew with G&C approval. **33% Other, 67% General Funds.**

#43 Authorized Division of Forests and Lands to reclassify vacant position #40595 from Forest Technician III, labor grade 15 to Forester I, labor grade 19. **100% Other Funds.**

#44 Authorized with Councilor Pignatelli voting **no,** Division of Parks and Recreation to **retroactively** accept and expend a federal grant from the National Park Service, through the Land and Water Conservation Fund (LWCF) for the period ending September 30, 2005 for "LWCF Administrative Grant" in the amount of $45,360. **100% Federal Funds.**

#45 Authorized Division of Parks and Recreation to enter into a contract with Holmes Lewis Inc., Concord, NH, for advertising and promotion services for the Conservation License Plate Advisory Committee in the amount of $50,000. Effective upon G&C approval through June 30, 2006 with a two year renewal option. **100% Other Funds.**

#46 Authorized Trails Bureau to enter into Grant-in-Aid Trail Maintenance Contracts (Winter Trail Grooming) with the OHRV clubs as detailed in letter dated November 16, 2005, for a total amount of $1,518,175.37. Effective upon G&C approval through May 1, 2006. **100% Other Funds.**

#47 Authorized Division of Economic Development to award a grant pursuant to RSA 162-O:3,III, State Jobs Grant program to E.R.T. Inc., d/b/a Eagle Tavern and Grill of Newport, NH, in the amount of $14,080. Effective upon G&C approval. **100% General Funds.**

#48 Authorized Division of Economic Development to award a grant pursuant to RSA 162-O:3,III, State Jobs Grant program to RDS Machine Inc., of Newport, NH, in the amount of $38,800. Effective upon G&C approval. **100% General Funds.**

NH FISH AND GAME DEPARTMENT

#49 The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Wieczorek, and with Councilor Griffin voting **no,** authorized the request to pay the International Association of Fish and Wildlife Agencies Washington, DC, $18,616 annual membership dues. Effective upon G&C approval through June 30, 2006. **100% General Funds.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

The Governor and Council acted as follows:

#50 Authorized to accept and expend $25,905 in federal funds from the US Environmental Protection Agency to provide technical assistance to improve and maintain healthy public schools in NH. Effective upon G&C approval through September 30, 2007. **100% Federal Funds.**

#51 Authorized to **retroactively** enter into a contract with RCAP Solutions Inc., Gardner, MA, to provide technical assistance to small public water systems in the amount of $82,230. Effective October 1, 2005 through September 30, 2006. **100% Federal Funds.**

#52 Authorized with Councilor Pignatelli voting **no,** to enter into a **sole source** contract with SGS Lakefield Research Limited, Lakefield, Ontario Canada, for sediment analyses in the amount of $9,000. Effective upon G&C approval through September 30, 2006. **100% Federal Funds.**

#53 Authorized to enter into a grant agreement with the Connecticut River Conservation District Coalition, Brattleboro, VT, for the purpose of milfoil prevention activities in the amount of $7,786. Effective upon G&C approval through December 31, 2006. **100% Other Funds.**

#54 Authorized to amend an existing landfill closure grant, with the City of Somersworth, NH, to increase the eligible amount of the grant by $111,689.97 from $85,000 to $196,689.97. **100% General Funds.**

#55 Authorized to approve a Supplemental Loan Agreement with the City of Nashua to finance a multi-site landfill closure and park improvement project by lowering the agreement by $346,377 from $1,397,500 to $1,051,123. Effective upon G&C approval. **100% Other Funds.**

#56 Authorized to approve a loan agreement with the City of Manchester, to finance Phase 2 of the Cohas Brook Interceptor in the amount of $4,000,000. Effective upon G&C approval. **80% Federal, 20% General Funds.**

#57 Authorized to award grants to the entities as detailed in letter dated October 6, 2005, for purposes of used oil collection, for a total of $19,425. Effective upon G&C approval through October 19, 2006. **100% Other Funds.**

#58 Authorized to accept and place on file the annual interim report of the Oil Fund Disbursement Board.

#59 Authorized to amend a grant with the City of Dover, (previously approved by G&C on 9-22-04, item #48), to develop a recreation master plan for Maglaras Park, a downtown waterfront park, by extending the completion date from December 31, 2005 to June 30, 2006. **100% Federal Funds.**

#60 Authorized Larry Kohlers request to fill & construct breakwater in an "I" configuration with a gap at the shoreline, and a cantilevered pier accessed by a walkway; install one piling at the lakeward end of the breakwater, and dredge on frontage on property located at Lake Winnipesaukee in Moultonborough.

#61 Authorized with Councilor Pignatelli voting **no,** Donald Sellers' request to construct a seasonal dock attached to the existing shoreline boulders on frontage with an existing permanent dock attached to a permanent dock by a permanent walkway on Lake Winnipesaukee, Moultonborough.

#62 Authorized Richard E Schmidt's request to construct a permanent dock supported by a crib attached to an existing docking structure consisting of a breakwater in an "L" shaped configuration with two cantilevered docks; remove an existing unpermitted wharf accessed by a wide access ramp, reset rocks on end of breakwater, reduce the dock width at the shoreward end of the structure; dredge a slip area, and install two seasonal canopies on frontage on Lake Winnipesaukee, Moultonborough.

#63 Authorized Franklin & Noreen Biehl's request to construct a permanent fixed pier with a seasonal ramp to a seasonal float providing two boat slips on shoreline frontage on property located on the Bellamy River in Dover.

#64 **TABLED –** The Governor and Council on motion of Councilor Pignatelli, seconded by Councilor Spaulding, and with Councilor Griffin voting **no,** voted to **table** Far Echo Harbor Club's request to reconfigure an existing 50 slip major docking facility by permanently removing it and replacing it with a 50 slip major docking facility consisting of a piling pier with twelve piling supported finger piers located southerly and a piling pier with fourteen piling supported finger piers to the north, install four ice clusters at the lakeward end of the docking facilities on property located at Lake Winnipesaukee in Moultonborough.

#65 Authorized with Councilor Pignatelli voting **no,** Winnipesaukee Beach Colony Club Association Inc's request to amend permit to reduce two sections of railing on the north side of the pier on property located at Sally's Gut on Lake Winnipesaukee in Meredith. (Previously approved by G&C on 1-26-05, amended on 6-22-05).

#66 Authorized SMSD Realty Trust's request to amend a permit to increase the size of the cantilevered pier per the as-built plan on property located at Lake Winnipesaukee in Alton. (Previously approved by G&C on 3-9-05).

#66A Authorized to reclassify position #12092, Sanitarian II, labor grade 19 to an Environmentalist III, labor grade 23. Effective upon G&C approval. **100% General Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Governor and Council acted as follows:

Office of Business Operations

#67 Authorized to pay an invoice as a **sole source** to R.B. Allen Co., Inc., No. Hampton, NH, for emergency repairs to the fire alarm panel at the Department's Brown Building in the amount of $8,134. **41% Federal, 59% General Funds.**

Office of Medicaid Business & Policy

#68 Authorized to amend an existing agreement with Granite State Independent Living, Concord, NH, (previously approved by G&C on 6-22-05), for grant budget administration of project services, by increasing the amount by $19,985 from $352,515 to $372,500. Effective **retroactive** to September 1, 2005 through June 30, 2006. **100% Federal Funds.**

Division of Public Health Services

#69 Authorized Public Health Laboratories to pay the enrollment fees for proficiency testing programs to be subscribed to and to be supplied by the vendors as detailed in letter dated October 13, 2005, for a total of $14,377. Effective through December 31, 2006. **33% Federal, 66% General, 1% Other Funds.**

#70 Authorized Bureau of Community Health Services, Alcohol and Other Drug Treatment Section to amend an agreement with Phoenix Houses of New England, Providence, RI (previously approved by G&C on 6-2-05, item #108), to provide substance abuse treatment services, by increasing the price by $211,932.39 from $1,281,125 to $1,493,057.39. Effective upon G&C approval through June 30, 2006. **100% Federal Funds.**

#71 Authorized Bureau of Prevention Services, Alcohol, Tobacco and Other Drug Abuse Prevention Section to enter into a **sole source** agreement with The NH Alliance of Boys and Girls Clubs, Inc., Nashua, NH, to provide substance abuse prevention services, in an amount not to exceed $200,000. Effective upon G&C approval through June 30, 2007. **100% General Funds.**

#72 Authorized Bureau of Community Health Services, Rural Health and Primary Care Section to enter into an agreement with Kristen Prescott, MD, Gilford, NH, to provide services through the State Loan Repayment Program totaling $40,000. Effective upon G&C approval through June 30, 2008. **50% Federal, 50% General Funds.**

Office of Homeless, Housing and Transportation Services

#73 Authorized with Councilor Pignatelli voting **no,** to enter into an agreement with Community Services Council of NH, Concord, NH, to provide services to homeless individuals in an amount not to exceed $113,750. Effective **retroactive** to July 1, 2005 through June 30, 2006. **100% Federal Funds.**

Division of Child Support Services

#74 Authorized to enter into an agreement with Monadnock Family Services Inc., Keene, NH, to provide access, visitation and mediation services to parents in Cheshire County to assist them in resolving their differences regarding custody, access and visitation issues in a non-adversarial, confidential setting, in an amount not to exceed $25,000. Effective upon G&C approval through September 30, 2006. **100% Federal Funds.**

#75 Authorized to enter into an agreement with Tri-County Community Action Program Inc., Berlin, NH, to provide access, visitation and mediation services to parents in Coos and Carroll Counties to assist them in resolving their differences regarding custody, access and visitation issues in a non-adversarial, confidential setting, in an amount not to exceed $31,250. Effective upon G&C approval through September 30, 2006. **100% Federal Funds.**

NH VETERANS HOME

#76 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to enter into an agreement with New England Home Therapies, Concord, NH, to provide Oxygen and Respiratory services to the Home's residents in an amount not to exceed $85,160. Effective upon G&C approval through two years with the option to extend for an additional two year period at the same price. **40% Federal, 38% Agency, 22% General Funds.**

NH HEALTH AND EDUCATION FACILITIES AUTHORITY

#77 The Governor and Council on motion of Councilor Spaulding, seconded by Councilor Burton authorized the request to accept and place on file the Biennial Report for the fiscal years 2004 and 2005.

DEPARTMENT OF EDUCATION

The Governor and Council acted as follows:

#78 Authorized to accept and expend grant funds in the amount of $19,080 from the US Department of Education to cover the entire cost of the advanced placement test for income eligible public and private school students that are NH residents. Effective upon G&C approval through June 30, 2006. **100% Federal Funds.**

#79 Authorized to enter into a contract with Plymouth State University, Plymouth, NH, to provide technical assistance to help students make a successful transition from high school to Institutions of Higher Education in NH in an amount not to exceed $510,000. (2)Further Authorized the payment for services rendered and approved on the basis of invoices which are supported by a summary of activities that have taken place in accordance with the terms of the contract along with a detailed listing of expenses incurred in lieu of withholding 25% of the total value of the contract. Effective upon G&C approval through June 30, 2007. **100% Federal Funds.**

#80 Authorized to enter into a contract with The National Center for the Improvement of Educational Assessment Inc., Dover, NH, to provide technical assistance for the development, implementation and assurance of technical quality for the state assessment system of the No Child Left Behind Act of 2001 in an amount not to exceed $158,100. (2)Further Authorized to exercise a renewal option for up to five additional fiscal years on this contract subject to the contractor's acceptable performance of the terms therein. Effective upon G&C approval through June 30, 2006. **100% Federal Funds.**

POLICE STANDARDS & TRAINING COUNCIL

#81 The Governor and Council on motion of Councilor Wieczorek, seconded by Councilor Burton authorized the request to amend a grant from the NH Department of Safety, (previously approved by G&C on 11-10-04, item #135), to create and provide homeland defense training to NH law enforcement officers, including training on chemical, biological, radiological, and nuclear threats in order to better prepare officers to protect the citizens of NH from such incidents, by extending the end date from November 30, 2005 to May 31, 2006. **100% Other Funds.**

NH POSTSECONDARY EDUCATION COMMISSION

#82 The Governor and Council on motion of Councilor Burton, seconded by Councilor Spaulding authorized the request to award a $79,500 grant to the University of NH for the purpose of granting scholarships to NH residents who have completed their freshman year and who will be selected for scholarships by the college on the basis of financial need or merit. (2)Further Authorized to award a $4,000 grant to the University of NH for the purpose of granting scholarships to full-time and part-time students who are NH residents enrolled in approved programs in a workforce shortage area in the State of NH, and who will be selected for scholarships by the college on the basis of financial need. **100% General Funds.**

DEPARTMENT OF SAFETY

The Governor and Council acted as follows:

#83 Authorized a grant between the Bureau of Emergency Management and the City of Portsmouth for $25,000 for activities associated with enhancing local all-hazard planning. Effective upon G&C approval through March 31, 2006. **100% Federal Funds.**

#84 Authorized with Councilor Pignatelli voting **no,** Division of Motor Vehicles to enter into a $4,800 **retroactive sole source** contract with Alltex Uniform Rental Services Inc., Manchester, NH, to provide customer entrance mats for the satellite DMV offices on a monthly basis April through December and a bi-weekly basis from December through March. This contract is month to month from July 1, 2005 to not later than June 30, 2006. **100% Highway Funds.**

#85 Authorized Division of Fire Safety, Bureau of Electrical Safety & Licensing to enter into a **retroactive** contract with Reliable Janitorial Services, Penacook, NH, to clean on a bi-weekly basis the Bureau's office located in Concord, NH, totaling $726. Effective July 1, 2005 through September 30, 2006. **100% Fees.**

#86 Authorized Division of Fire Safety, Bureau of Electrical Safety & Licensing to amend a lease with McCarthy Properties (previously approved by G&C on 6-9-99, item #147, amended on 11-1903, item #102), for office space in Concord, NH, by extending the lease by nine months, with a total cost of $7,499.97. **100% Fees.**

#87 Authorized Division of State Police to enter into a contract with Newman Property Services d/b/a Snow Masters of Brookline, NH, for snow removal at the Troop B in Milford, NH, for $17,000. Effective upon G&C approval through June 30, 2007.

#88 Authorized Division of State Police and the Division of Motor Vehicles to enter into a contract with Piecuch Enterprises, Lee, NH, for snow removal at the Troop A in Epping, NH, for $17,400. Effective upon G&C approval through June 30, 2007.

#89 Authorized Division of Motor Vehicles to amend a contract with Digimarc Systems, Bedford, MA (previously approved by G&C on 7-15-98, item #159, amended on 1-23-02, item #66, amended on 6-22-05, item #485), for the production of driver licenses, special identification cards and non-driver identification cards, extending the end date from December 5, 2005 through December 3, 2006. **100% Highway Funds.**

DEPARTMENT OF TRANSPORTATION

The Governor and Council acted as follows:

#90 Councilor Spaulding made a motion, seconded by Councilor Pignatelli for discussion purposes. Councilor Spaulding, seconded by Councilor Pignatelli voted to deny only the projects that deal with the Manchester Airport access roads – BMLM DPR-F-0047 (001) 11512. A roll call vote was requested, the results being: Councilor Burton – no; Councilor Spaulding – no; Councilor Griffin – yes; Councilor Wieczorek – no; Councilor Pignatelli – yes. The motion failed. The Bureau of Right of Way's Contemplated Award List for the period of October 12, 2005 through October 26, 2005 was approved in its entirety.

#91 Authorized Bureau of Rail & Transit to accept and expend Federal Transit Administration, United We Ride Program funds in the amount of $35,000. (2)Further Authorized to enter into an agreement with Nelson/Nygaard Consulting Associates, Inc., Milton, MA, to develop a statewide action plan for coordinated human service and community transportation. **100% Federal Funds.**

#92 Authorized to enter into a **sole source** contract with Debra Ryder, d/b/a Thisbe & Shmoop Cleaning Co., Lancaster, NH for the purpose of providing janitorial services at the District One Highway Maintenance Office totaling $9,804. Effective December 1, 2005 or upon G&C approval, whichever is later, through June 30, 2007. **99.87% General, .13% Other Funds.**

#93 Authorized Bureau of Rail & Transit to enter into a lease agreement with Walts Development Inc., for a parcel of land on the State-owned Groveton Branch Railroad Corridor in Lancaster for $1,150 per year, with a one-time administrative fee of $500, for a two year period.

#94 Authorized Bureau of Highway Design to enter into an agreement with Vannasse Hangen Brustlin, Incorporated, Bedford, NH, & Watertown, MA, to assist the Bureau of Traffic in providing technical support services to the Department's project development program and operation needs in the amount of $250,000. Effective upon G&C approval through December 31, 2008.

#95 Authorized Bureau of Right of Way to convey whatever interest the State of NH may have in a 1989 Kelser Mobil Home located in the Town of Conway to Mr. Gerald Farrington.

#96 Authorized Bureau of Right of Way to quitclaim to the two abutting property owners whatever interest the State of NH may have in the Old NH Route 28 Highway Easement that is more than 50 feet northerly of the NH Route 28 center line, as now traveled, in the Town of Epsom, where it abuts other land of each said owner.

#97 Authorized Bureau of Right of Way to quitclaim whatever interest the State of NH may have in a parcel of land located on the easterly side of Interstate 93, southerly of Brickett Road in the City of Manchester to Verizon New England Inc.

#98 Authorized with Councilor Griffin voting **no** only on projects that deal with airport access road money**,** to accept and place on file the Bureau of Right of Way's Contemplated Awards List for amounts less than $5,000 for the time period extending from January 1, 2005 through September 30, 2005.

#99 Authorized Bureau of Construction to amend a contract with Pike Industries Inc., Belmont, NH, (previously approved by G&C on 6-1-05, item #181), for pavement rehabilitation and safety work along US Route 4 in Epsom and Northwood, by increasing the amount by $50,000 from $2,970,194 to $3,020,194. **7.64% General, 90.16% Federal, 2.20% Other Funds.**

#100 Authorized Bureau of Construction to amend a contract with Lane Construction Corporation, Northfield, MA, for pavement rehabilitation and safety work along NH Route 9 in Chesterfield, by increasing the amount by $245,000 from $4,865,879.35 to $5,110,879.35. **7.64% General, 90.16% Federal Funds.**

#101 **TUITION REQUESTS**

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

A. **COMMUNITY TECHNICAL COLLEGE -** Request permission to pay Rivier College, Nashua, NH, the sum of $1,263.00 for the sole purpose of enrolling Michelle Capozzi, College Counselor, in the course entitled "Fundamentals of Research".

B. **COMMUNITY TECHNICAL COLLEGE -** Request permission to pay Plymouth State University, Plymouth, NH, the sum of $1,102.00 for the sole purpose of enrolling Janet Paddack, Professor, in the course entitled "The Integration of Technology".

C. **EDUCATION -** Request permission to pay Granite State College, Concord NH, the sum of $780.00 for the sole purpose of enrolling Jane Levesque, Program Assistant, in the course entitled "Critical Thinking".

D. **EDUCATION -** Request permission to pay Plymouth State University, Plymouth, NH, the sum of $1,162.00 for the sole purpose of enrolling Robin Warner, Administrator III, in the course entitled "Collaborative Leadership".

E. **ENVIRONMENTAL SERVICES -** Request permission to pay Hesser College, Manchester, NH, the sum of $699.00 for the sole purpose of enrolling Almorinda M. Azeredo, Administrative Supervisor, in the course entitled "Legal Research".

F. **ENVIRONMENTAL SERVICES -** Request permission to pay Hesser College, Manchester, NH, the sum of $699.00 for the sole purpose of enrolling Almorinda M. Azeredo, Administrative Supervisor, in the course entitled "Introductory Algebra".

G. **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 "Marketing Management".

H. **HEALTH & HUMAN SERVICES, Division of Child Support Services -** Request permission to pay Hesser College, Concord, NH, the sum of $699.00 for the sole purpose of enrolling Denise Sherburne, Program Specialist I, in the course entitled "Organizational Behavior".

I. **HEALTH & HUMAN SERVICES, Division of Children, Youth & Families -** Request permission to pay Springfield College, Manchester, NH, the sum of $1,692.00.00 for the sole purpose of enrolling Robert Boisvert, Assistant Administrator, in the courses entitled "Education for Liberation" and "Contradictions in Human Services Administration".

J. **HEALTH & HUMAN SERVICES, Bureau of Developmental Disabilities -** Request permission to pay the California College for Health Sciences, Salt Lake City, Utah, the sum of $488.00 for the sole purpose of enrolling Joyce Butterworth, Program Planning & Review Specialist, in the correspondence course entitled "Developing Health Promotion Programs".

K. **HEALTH & HUMAN SERVICES, Bureau of Improvement and Integrity -** Request permission to pay Springfield College, St. Johnsbury, VT, the sum of $846.00 for the sole purpose of enrolling Jennifer Daniels, Administrative Assistant, in the course entitled "Economics of Change".

L. **HEALTH & HUMAN SERVICES, Bureau of Improvement and Integrity -** Request permission to pay Springfield College, St. Johnsbury, VT, the sum of $1,269.00 for the sole purpose of enrolling Jennifer Daniels, Administrative Assistant, in the course entitled "Multicultural/Diversity Aspects of Empowerment Counseling".

M. **HEALTH & HUMAN SERVICES, New Hampshire Hospital -** Request permission to pay the New Hampshire Technical Institute, Concord NH, the sum of $525.00 for the sole purpose of enrolling Susan J. Rogers-Laazouzi, Medical Secretary II, in the course entitled "Medical Terminology".

N. **TRANSPORTATION -** Request permission to pay Franklin Pierce College, Concord, NH, the sum of $705.00 for the sole purpose of enrolling William J. Dusavitch, Right-of-Way Agent, in the courses entitled "Human Resources Management" and "Organizational Behavior"

O. **TRANSPORTATION -** Request permission to pay Southern NH University, Manchester NH, the sum of $714.00 for the sole purpose of enrolling William Oldenburg, Chief of Preliminary Design, in the Internet course entitled "Managerial Economics".

LATE ITEMS

DEPARTMENT OF ADMINISTRATIVE SERVICES

A. Authorized Working Capital Warrant No. 06-06 in the amount of $630,000,000.00 to cover expenditures for the Month of December 2005.

DEPARTMENT OF ADMINISTRATIVE SERVICES

B. Authorized the Department to reimburse the City of Concord, NH up to $15,000.00 to repair pavement on Loudon Road and Manchester Street in Concord, NH.

DEPARTMENT OF JUSTICE

C. Authorized the Department to conduct a two-day training seminar for law enforcement personnel scheduled for December 6-7, 2005 to be held at the Grand Summit Hotel in Bartlett, NH, at a cost not to exceed $6,509.20; further to authorize the Department to accept and expend Streetsweeper grant funds in the amount of $4,428.00 from the Office of the United States Attorney for the District of New Hampshire, for a Drug Task Force training seminar, from the period of Governor and Council approval through February 28, 2006. Grant is 100% Federal Funding.

Next Governor and Executive Council meeting is scheduled for Wednesday, December 7, 2005 at 10:00 a.m. at Hopkinton High School, Hopkinton, NH.

The Honorable Board then Adjourned