



Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

Requested Action

Authorize the Community Development Finance Authority (CDFFA), under the Community Development Block Grant (CDBG) program, to amend a grant agreement with the Town of Pittsburg, 1526 Main Street, Pittsburg, New Hampshire, 03592, in the amount of \$500,000 by extending the completion date to June 30, 2014 from the original grant completion date of June 30, 2013, to allow for finalization of the town's water improvement system project effective upon Governor and Council approval on May 15, 2013. No additional funding is involved in this time extension request. The original grant was approved by Governor and Council on March 16, 2011, agenda item #1 and was amended for time on March 28, 2012, agenda item #4. **100% federal funds.**

Explanation

CDFFA is requesting a time extension on behalf of the Town of Pittsburg. The Pittsburg Village project is a multiphase project including acquisition of property for a new water supply and relocation to that location, construction of a new water supply infrastructure and replacement of existing water mains and connections including engineering design and permitting. The project also includes coordination of multiple funding sources. Construction is also unable to move forward in the winter. This has all contributed to the project going well over the standard 18 month CDFDA contract period. Approximately 70% of the project is complete, with the final water main and service along Route 3 expected to be completed by the end of the construction season in the fall of 2013, with final reporting and disbursements being made in early 2014.

This Agreement allocates a portion of the Community Development Block Grant (CDBG) funds provided to New Hampshire by the U. S. Department of Housing and Urban Development (HUD). CDFFA is administering this program as provided by RSA 162-L. The funds for this contract are from the Community Development Block Grant Fund, which is intended to help municipalities solve development problems.

Sincerely,

Katharine Bogle Shields
Executive Director

KBS/GH:acc

Attachments

AMENDMENT

This Agreement (hereinafter called the "Amendment") dated this 11th day of April, 2013, by and between the State of New Hampshire acting by and through the Community Development Finance Authority (CDFA), (hereinafter referred to as "Grantor") and Town of Pittsburg, (hereinafter referred to as the "Contractor").

WHEREAS, pursuant to an initial agreement (hereinafter called the "Agreement") which was first entered into upon Governor and Council approval on March 16, 2011, agenda item #3 and as amended for time on March 28, 2012, agenda item #4, the Contractor agreed to perform certain services upon the terms and conditions specified in the Agreement and in consideration of payments by Grantor of certain sums specified therein, and;

WHEREAS, pursuant to paragraph 18 of the General Provisions of the Agreement, the contract may be amended, waived or discharged by written instrument executed by the parties hereto and approved by the Governor and Council, and;

WHEREAS, CDFA has received a written request from the Contractor to amend the Agreement;

NOW THEREFORE, in consideration of the foregoing and the covenants and conditions contained in the Agreement as set forth herein, the Contractor and CDFA hereby agree to amend the Agreement as follows:

1. Amendment of Agreement

- A. To amend Section 1.7 of the General Provisions by extending the completion date from June 30, 2013 to June 30, 2014.

2. Effective Date of Amendment

This Amendment shall be effective upon its approval by the Governor and Council of the State of New Hampshire. If such approval is withheld, this document shall become null and void, with no further obligation or recourse to either party.

3. Continuance of Agreement

Except as specifically amended and modified by the terms and conditions of this Amendment, the Agreement and the obligations of the parties thereunder shall remain in full force and effect in accordance with the terms and conditions as set forth therein.

IN WITNESS WHEREOF, the parties have hereunto set their hands:

CONTRACTOR:

Town of Pittsburg

By: Stephen J. Ellis
Stephen J. Ellis, Chairman, Board of Selectmen

GRANTOR:

State of New Hampshire acting through the
Community Development Finance Authority

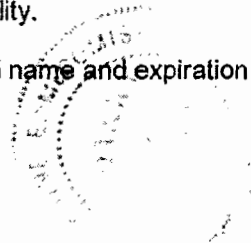
By: Katharine Bogle Shields
Katharine Bogle Shields, Executive Director

NOTARY STATEMENT - FOR GRANTEE CONTRACTOR SIGNATURE ONLY:

On this the 12th day of April, 2013 there appeared before me
Catherine E. McComiskey (Notary Name) the undersigned officer personally
appeared Stephen J. Ellis (Grantee Contractor Designated Officer Name) who
acknowledged him/herself to be Chair, Bd. of Selectmen (Grantee Contractor Designated
Officer Title) and that such officer, they are authorized to do so, executed the foregoing instrument for
the purposes herein contained, by signing him/herself in the name of the municipality.

In witness whereof I hereunto set my hand and official seal (provide seal, stamped name and expiration
date)

By: Catherine E. McComiskey
CATHERINE E. MCCOMISKEY, Notary Public
My Commission Expires July 13, 2016



APPROVAL BY NEW HAMPSHIRE ATTORNEY GENERAL AS TO FORM, SUBSTANCE AND
EXECUTION:

By: Rosemary Wiant, Assistant Attorney General, on 4-17-13

APPROVAL BY THE NEW HAMPSHIRE GOVERNOR AND COUNCIL:

By: _____, on _____

MUNICIPAL RE-CERTIFICATION FOR CONTRACT AMENDMENT

I, Marise C. Burns, Town Clerk of Pittsburg, New Hampshire do hereby certify that: (1) at the Public Hearings and meeting held on June 28, 2010, the Board of Selectmen voted to accept Community Development Block Grant funds and enter into a contract with the Community Development Finance Authority, (2) The Board of Selectmen further authorized the Chairman, Board of Selectmen to execute any documents which may be necessary to effectuate this contract or any amendments thereto; (3) I further certify that this authorization has not been revoked, annulled or amended in any manner whatsoever, and remains in full force and effect as of the date hereof; and (4) the following person has been appointed to and now occupies the office indicated under item (2) above:

Stephen J. Ellis, Chairman, Board of Selectmen
Name and Title of Officer Authorized to Sign

IN WITNESS WHEREOF, I have hereunto set my hand as the Town Clerk of Pittsburg, New Hampshire this 16 day of April, 20 13.

Marise Burns
Marise C. Burns, Town Clerk

CERTIFICATE OF COVERAGE

This certificate evidences the limits of liability in effect at the inception of the Member Agreement(s) described below. This certificate is issued as a matter of information only and confers no rights on the certificate holder and does not amend, extend or alter the coverage afforded by the Member Agreement(s); except to the extent provided in the additional covered party box or loss payee box below, if checked.

THIS IS TO CERTIFY THAT THE MEMBER NAMED BELOW IS A PARTICIPATING MEMBER OF COMPANY A AND THAT A MEMBER AGREEMENT(S) HAS BEEN ISSUED TO THE MEMBER FOR THE AGREEMENT TERM(S) INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE COVERAGE AFFORDED BY THE MEMBER AGREEMENT(S) IS SUBJECT TO ALL THE EXCLUSIONS, EXTENSIONS, TERMS AND CONDITIONS OF SUCH MEMBER AGREEMENT(S). AGGREGATE LIMITS MAY HAVE BEEN REDUCED BY PAID CLAIMS.

Participating Member: Town of Pittsburg Member Number: 129-070187 - 13		Company Affording Coverage (the "Company"): Local Government Center Property-Liability Trust, LLC P.O. Box 617, Concord, NH 03302-0617	
Coverage (Occurrence basis only):	Effective Date (mm/dd/yy)	Expiration Date (mm/dd/yy)	Limits (subject to applicable NH statutory limits)
<input checked="" type="checkbox"/> General Liability (Member Agreement Section III.A)	7/1/2012	6/30/2013	Each Occurrence \$ 5,000,000
			General Aggregate \$
			Personal & Adv Injury \$
			Med Exp (any one person) \$
			Products -Comp/Op Agg \$
<input type="checkbox"/> Fire Damage (each fire) \$			
<input checked="" type="checkbox"/> Automobile Liability (Member Agreement Section III.A) Any Auto <input type="checkbox"/> All Owned Autos <input type="checkbox"/> Scheduled Autos <input type="checkbox"/> Hired Autos <input type="checkbox"/> Non-Owned Autos Other _____	7/1/2012	6/30/2013	Each Occurrence \$ 5,000,000
			Bodily Injury (per person) \$
			Bodily Injury (per accident) \$
			Property Damage (per accident) \$
			Excess Liability
			Aggregate \$ N/A
<input checked="" type="checkbox"/> Property (All Risk including Theft) (Member Agreement Section I) Deductible: \$1,000	7/1/2012	6/30/2013	\$Per scheduled limits and Member Agreement
<input type="checkbox"/> Workers' Compensation (Coverage A) <input type="checkbox"/> Employers' Liability (Coverage B)			Coverage A: Statutory
			Cov. B: Each Accident \$ 2,000,000
			Disease - Each Employee \$ 2,000,000
			Disease - Policy Limit \$ 2,000,000
Description: Proof of Coverage			

CANCELLATION: If any of the above coverages under the Member Agreement are cancelled before the expiration date, the Company will endeavor to mail 30 days written notice to the Certificate Holder named below, but failure to mail such notice shall impose no obligation or liability of any kind upon the Company.

	<input type="checkbox"/> Additional Covered Party	<input type="checkbox"/> Loss Payee, as his, her or its interests appear
Coverage for the Additional Covered Party is limited to "bodily injury" or "property damage" caused by, and only to the extent of, the sole negligence of the "Member," and no protection is available for the negligence of others, including the Additional Covered Party and its directors, officers, employees or agents. Available limits of coverage are shared between the "Member" and the Additional Covered Party.*		
Certificate Holder: Community Development Finance Authority 14 Dixon Avenue Concord NH 03381	Companies By: <u>Debra A. Lewis</u> Authorized Representative Date Issued: 4/16/2013	Please direct inquiries to: Debra A. Lewis 603.224.7447 x3332

*Terms in quotes are defined in the Member Agreement.



CERTIFICATE OF COVERAGE

The New Hampshire Public Risk Management Exchange (Primex³) is organized under the New Hampshire Revised Statutes Annotated, Chapter 5-B, Pooled Risk Management Programs. In accordance with those statutes, its Trust Agreement and bylaws, Primex³ is authorized to provide pooled risk management programs established for the benefit of political subdivisions in the State of New Hampshire.

Each member of Primex³ is entitled to the categories of coverage set forth below. In addition, Primex³ may extend the same coverage to non-members. However, any coverage extended to a non-member is subject to all of the terms, conditions, exclusions, amendments, rules, policies and procedures that are applicable to the members of Primex³, including but not limited to the final and binding resolution of all claims and coverage disputes before the Primex³ Board of Trustees. The Additional Covered Party's per occurrence limit shall be deemed included in the Member's per occurrence limit, and therefore shall reduce the Member's limit of liability as set forth by the Coverage Documents and Declarations. The limit shown may have been reduced by claims paid on behalf of the member. General Liability coverage is limited to Coverage A (Personal Injury Liability) and Coverage B (Property Damage Liability) only. Coverage's C (Public Officials Errors and Omissions), D (Unfair Employment Practices), E (Employee Benefit Liability) and F (Educator's Legal Liability Claims-Made Coverage) are excluded from this provision of coverage.

The below named entity is a member in good standing of the New Hampshire Public Risk Management Exchange. The coverage provided may, however, be revised at any time by the actions of Primex³. As of the date this certificate is issued, the information set out below accurately reflects the categories of coverage established for the current coverage year.

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend, or alter the coverage afforded by the coverage categories listed below.

Participating Member: Town Of Pittsburg 1526 Main Street Pittsburg, NH 03592	Member Number: 270	Company Affording Coverage: NH Public Risk Management Exchange - Primex ³ Bow Brook Place 46 Donovan Street Concord, NH 03301-2624
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Type of Coverage	Effective Date (mm/dd/yyyy)	Expiration Date (mm/dd/yyyy)	Limits - NH Statutory Limits May Apply, If Not	
<input type="checkbox"/> General Liability (Occurrence Form) <input type="checkbox"/> Professional Liability (describe) <input type="checkbox"/> Claims Made <input type="checkbox"/> Occurrence			Each Occurrence	\$
			General Aggregate	\$
			Fire Damage (Any one fire)	\$
			Med Exp (Any one person)	\$
<input type="checkbox"/> Automobile Liability Deductible Comp and Coll: <input type="checkbox"/> Any auto			Combined Single Limit (Each Accident)	
			Aggregate	
<input checked="" type="checkbox"/> Workers' Compensation & Employers' Liability	1/1/2013	1/1/2014	<input checked="" type="checkbox"/> Statutory	
			Each Accident	\$2,000,000
			Disease – Each Employee	\$2,000,000
			Disease – Policy Limit	\$
<input type="checkbox"/> Property (Special Risk includes Fire and Theft)			Blanket Limit, Replacement Cost (unless otherwise stated)	

Description: Proof of Primex Member coverage only.

CERTIFICATE HOLDER:	Additional Covered Party	Loss Payee	Primex³ – NH Public Risk Management Exchange
Community Development Finance Authority 14 Dixon Ave Concord, NH 03301			By: <i>Tammy Downes</i> Date: 4/15/2013 tdenver@nhprimex.org Please direct inquires to: Primex³ Claims/Coverage Services 603-225-2841 phone 603-228-3833 fax



CDFFA
 Community Development Finance Authority
Strengthening New Hampshire's Communities

Amendment #1

Approval by the Governor
 and Council on 3/28/12
 Agenda Item #4

His Excellency, Governor John H. Lynch
 and the Honorable Council
 State House
 Concord, New Hampshire 03301

Requested Action

Authorize the Community Development Finance Authority (CDFFA), under the Community Development Block Grant (CDBG) program, to amend a grant agreement with the Town of Pittsburg, 1526 Main Street, Pittsburg, New Hampshire, in the amount of \$500,000 by extending the completion date to June 30, 2013 from the original grant completion date of June 30, 2012, to allow for finalization of the town's water system upgrade. No additional funding is involved in this time extension request. The original grant was approved by Governor and Council on March 16, 2011, agenda item #3. 100% federal funds.

Explanation

CDFFA is requesting a time extension on behalf of the Town due to a delayed start in receiving final commitments of matching funds, Historical Resources request for a Phase IB historical investigation of a portion of the work site and in securing the easement on the property. In the fall of 2011, two water supply production wells were installed on property purchased by the town. Bidding on the pump station, well connection, water main and service connections will occur in the spring of 2012, with construction completion expected by fall of 2013.

This Agreement allocates a portion of the Community Development Block Grant (CDBG) funds provided to New Hampshire by the U. S. Department of Housing and Urban Development (HUD). CDFFA is administering this program as provided by RSA 162-L. The funds for this contract are from the Community Development Block Grant Fund, which is intended to help municipalities solve development problems.

Sincerely,

Katharine Bogle Shields

Katharine Bogle Shields
 Executive Director

KBS/GH:acc

G&C: 3/28/12

Attachments

AMENDMENT I

This Agreement (hereinafter called the "Amendment") dated this 6th day of March, 2012 by and between the State of New Hampshire acting by and through the Community Development Finance Authority (CDFA), (hereinafter referred to as "Grantor") and Town of Pittsburg, (hereinafter referred to as the "Contractor").

WHEREAS, pursuant to an initial agreement (hereinafter called the "Agreement") which was first entered into upon Governor and Council approval on March 16, 2011, agenda item #3, the Contractor agreed to perform certain services upon the terms and conditions specified in the Agreement and in consideration of payments by Grantor of certain sums specified therein, and;

WHEREAS, pursuant to paragraph 18 of the General Provisions of the Agreement, the contract may be amended, waived or discharged by written Instrument executed by the parties hereto and approved by the Governor and Council, and;

WHEREAS, CDFA has received [a written request from the Contractor (or CDFA or the parties wish)] to amend the Agreement;

NOW THEREFORE, in consideration of the foregoing and the covenants and conditions contained in the Agreement as set forth herein, the Contractor and CDFA hereby agree to amend the Agreement as follows:

1. Amendment of Agreement

A. To amend Section 1.7 of the General Provisions by extending the completion date from June 30, 2012 to June 30, 2013.

2. Effective Date of Amendment

This Amendment shall be effective upon its approval by the Governor and Council of the State of New Hampshire. If such approval is withheld, this document shall become null and void, with no further obligation or recourse to either party.

3. Continuance of Agreement

Except as specifically amended and modified by the terms and conditions of this Amendment, the Agreement and the obligations of the parties thereunder shall remain in full force and effect in accordance with the terms and conditions as set forth therein.

IN WITNESS WHEREOF, the parties have hereunto set their hands:

CONTRACTOR:

Town of Pittsburg

GRANTOR:

State of New Hampshire acting through the
Community Development Finance Authority

By: Burnham A Judd
Burnham A. Judd, Chairman, Board of Selectmen

By: Katharine Bogle Shields
Katharine Bogle Shields, Executive Director

NOTARY STATEMENT: State of New Hampshire, County of Coos

On this the 7th day of March, 2012 there appeared before me
Catherine E. McComiskey (Notary Name) the undersigned officer personally
appeared Burnham A Judd (Designated Officer Name) who acknowledged him/herself to
be Chairman, Board of Selectmen (Designated Officer Title) and that such officer, they
are authorized to do so, executed the foregoing instrument for the purposes herein contained, by
signing him/herself in the name of the municipality.

In witness whereof I hereunto set my hand and official seal (provide seal, stamped name and expiration date)

By: Catherine E. McComiskey
CATHERINE E. McCOMISKEY, Notary Public
My Commission Expires July 13, 2016



APPROVAL BY NEW HAMPSHIRE ATTORNEY GENERAL AS TO FORM, SUBSTANCE AND EXECUTION:

By: Rosemary Wiant, Assistant Attorney General, on 3-9-12

APPROVAL BY THE NEW HAMPSHIRE GOVERNOR AND COUNCIL:

By: [Signature], on MAR 28 2012

DEPUTY SECRETARY OF STATE

original approval

Approval by the Governor

and Council on 3/16/11

Agenda Item # 3

His Excellency, Governor John H. Lynch
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the Community Development Finance Authority (CDFA), under the provisions of the Community Development Block Grant (CDBG) Program, to enter into an Agreement with the Town of Pittsburg, 1526 Main Street, Pittsburg, New Hampshire, 03592, in the amount of \$500,000, to correct health and safety deficiencies in the town's water supply infrastructure reported by the Department of Environmental Services, beginning from the date of the Governor and Council approval until June 30, 2012. **100% federal funds.**

EXPLANATION

This Agreement allocates a portion of the Community Development Block Grant (CDBG) provided to New Hampshire by the U.S. Department of Housing and Urban Development (HUD). The Community Development Finance Authority is administering this program as provided by RSA 162-L:16. The funds for this contract are from the Community Development Block Grant Fund, which is intended to help municipalities solve development problems.

The Town of Pittsburg will use CDBG funds to upgrade its existing municipal water system by constructing two new water wells, a pump station, and a new water storage tank. The project will also include installation of new water treatment equipment and water main. A minimum of eighty-four percent (84%) of low- and moderate- income households reside within the project area. Total project cost is \$2,000,000 and match funds include a \$1,000,000 grant and a \$500,000 loan from the USDA-Rural Development.

Sincerely,



Katharine Bogle Shields
Executive Director

KBS/GH:acc

Attachments

G&C: 3/16/11

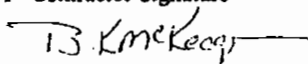
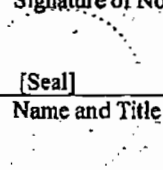
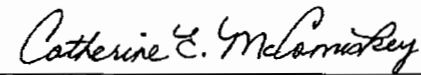
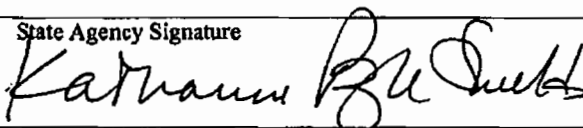

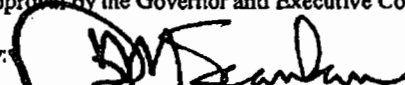
Subject: Town of Pittsburg – Water System Upgrades – Grant #10-066-CDPF

AGREEMENT

The State of New Hampshire and the Contractor hereby mutually agree as follows:

GENERAL PROVISIONS

1. IDENTIFICATION.

1.1 State Agency Name New Hampshire Community Development Finance Authority		1.2 State Agency Address 14 Dixon Ave., Suite 102 Concord, NH 03301	
1.3 Contractor Name Town of Pittsburg		1.4 Contractor Address 1526 Main Street Pittsburg, NH 03592	
1.5 Contractor Phone Number 603-538-6697	1.6 Account Number N/A	1.7 Completion Date June 30, 2012	1.8 Price Limitation \$500,000
1.9 Contracting Officer for State Agency Kathleen Moore, Chairman, Board of Directors		1.10 State Agency Telephone Number 603-226-2170	
1.11 Contractor Signature 		1.12 Name and Title of Contractor Signatory Brendon McKeage, Chairman, Board of Selectmen	
1.13 Acknowledgement: State of <u>New Hampshire</u> , County of <u>Cocumseh</u> On <u>2/9/2011</u> , before the undersigned officer, personally appeared the person identified in block 1.12, or satisfactorily proven to be the person whose name is signed in block 1.11, and acknowledged that she executed this document in the capacity indicated in block 1.12.			
1.13.1 Signature of Notary Public or Justice of the Peace  			
1.13.2 Name and Title of Notary or Justice of the Peace CATHERINE E. MCCOMISKEY, Notary Public My Commission Expires August 9, 2011			
1.14 State Agency Signature 		1.15 Name and Title of State Agency Signatory Katharine Bogle Shields, Executive Director	
1.16 Approval by the N.H. Department of Administration, Division of Personnel (if applicable) By: _____ Director, On: _____			
1.17 Approval by the Attorney General (Form, Substance and Execution) By:  On: <u>3/11/11</u>			
1.18 Approval by the Governor and Executive Council By:  DEPUTY SECRETARY OF STATE On: MAR 16 2011			