

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

Requested Action

Authorize the Community Development Finance Authority (CDFA), under the Community Development Block Grant (CDBG) program, to amend a grant agreement with the Town of Greenville, 46 Main Street, Greenville, New Hampshire 03048 in the amount of \$208,766 by extending the completion date to June 30, 2014 from the original grant completion date of June 30, 2013, to allow for finalization of construction activities effective upon Governor and Council approval on June 5, 2013. No additional funding is involved in this time extension request. The original grant was approved by Governor and Council on October 26, 2011, agenda item #7. 100% federal funds.

Explanation

CDFA is requesting a time extension on behalf of the Town of Greenville to complete construction of a 180 foot long steel sheet pile retaining wall and riprap at the river's edge due to a landslide. Construction was delayed due to the lengthy bid process and construction is expected to get underway in June 2013 and be completed by the end of 2013, with administrative and legal paperwork being completed no later than June 30, 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). CDFA 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

Executive Director

KBS/GH:acc

Attachments

Town of Greenville/High Street Emergency Slope Stabilization – Grant #11-121-EGPF Amendment of CDFA/CDBG Program Agreement Page 1 of 2

AMENDMENT

This Agreement (hereinafter called the "Amendment") dated this 25th 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 Greenville, (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 October 26, 2011, agenda item #7, 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.

Town of Greenville/High Street Emergency Slope Stabilization – Grant #11-121-EGPF Amendment of CDFA/CDBG Program Agreement Page 2 of 2

IN WITNESS WHEREOF, the parties have hereunto set the	eir hands:
CONTRACTOR:	GRANTOR:
Town of Greenville	State of New Hampshire acting through the Community Development Finance Authority
By: Dellay Collins, Town Administrator	By: Katharine Bogle Shields, Executive Director
NOTARY STATEMENT - FOR GRANTEE CONTRACTOR	SIGNATURE ONLY:
DEBRA J. REARDON (Notar	so, executed the foregoing instrument for
In witness whereof I hereunto set my hand and official sea	I (provide seal, stamped name and expiration
By: Debra Gerdon No.	DEBRA J. REARDON y Public/Justice of the Peace mnieska Explos February 6, 2018
APPROVAL BY NEW HAMPSHIRE ATTORNEY GENERAL EXECUTION:	AL AS TO FORM, SUBSTANCE AND
By: M. K. Brown, Assistant Rosemary Wiant Wichael K. Brown	Attorney General, on 6/13/13
APPROVAL BY THE NEW HAMPSHIRE GOVERNOR AN	ID COUNCIL:
Bv	. on

MUNICIPAL RE-CERTIFICATION FOR CONTRACT AMENDMENT

I, Kathleen Valliere, Town Clerk of Greenville, New Hampshire do hereby certify that: (1) at the Public Hearings and meeting held on May 8, 2013, 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 Town Administrator 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:

| Kelley Collins, Town Administrator Name and Title of Officer Authorized to Sign
| IN WITNESS WHEREOF, I have hereunto set my hand as the Town Clerk of Greenville, New Hampshire this grant day of may, 20 13

TOWN OF GREENVILLE, NH SELECTMEN'S MEETING May 8, 2013 Minutes

5:30 p.m. Open Meeting

Chairperson Bergeron made a motion to open the meeting at 5:30 p.m. Selectman Reardon seconded. Motion passed 3-0.

In Attendance: Chairperson Bergeron, Selectman Reardon, Selectman Ste. Marie, Town Administrator Kelley Collins, Mr. Alix/resident and Ms. Saari/reporter for Monadnock Ledger Transcript.

Review, discuss and vote to approve authorizing the Town Administrator to execute the request for an amendment to extend the duration of the Community Development Block Grant for High Street.

The Town Administrator made the Board aware that we need to amend the extend the date on the Community Development Block Grant for the High Street slope stabilization project from completion on June 30, 2013 to completion on June 30, 2014. She needs the Board to vote to authorize her to execute said amendment.

Selectmen Ste. Marie made a motion to authorize the Town Administrator, Kelley Collins, to execute the amendment on the completion date for the Community Development Block Grant, as discussed above. Selectman Reardon seconded. Motion passed 3-0.

Excerpt from minutes of May 8, 2013

Prepared by: Kelley A. Collins/Town Administrator

CERTIFICATE OF COVERAGE

This certificate evidences the limits of flability 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.

Company Affording Coverage (the "Company"):

Local Government Center Property-Liability Trust, LLC

Participating Member: Town of Greenville

098-122786 - 14

Member Number:

	'	F.O. Box 617, Con	cord, NH 03302-0617				
Coverage (Occurrence basis only):	Effective Date (mm/dd/yy)	Expiration Date (mm/dd/yy)	Limits (subject to applicable N				
⊘ General Liability			Each Occurrence	\$ 5,000,000			
(Member Agreement Section III.A)	7/1/2013	6/30/2014	General Aggregate	\$			
(Member vareament pection mrv)		1	Personal & Adv Injury	\$			
			Med Exp (any one person)	\$			
		1	Products -Comp/Op Agg	\$			
			Fire Damage (each fire)	\$			
Automobile Liability (Member Agreement Section III.A)	7/1/2013	6/30/2014	Each Occurrence	\$ 5,000,000			
` Any Auto			Bodily Injury (per person)	\$			
All Owned Autos Scheduled Autos			Bodily Injury (per accident)	\$			
Hired Autos Non-Owned Autos Other			Property Damage (per accident)	\$			
Excess Liability			Each Occurrence	\$ N/A			
			Aggregate	\$ N/A			
✓Property (All Risk including Theft) (Member Agreement Section I) Deductible: \$1,000	7/1/2013	6/30/2014		\$Per scheduled limits and Member Agreement			
■Workers' Compensation (Coverage A)		,	Coverage A:	Statutory			
Employers' Liability (Coverage B)			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.							
	ional Covered P	arty Loss F	Payee, as his, her or its li	nterests appear			
Coverage for the Additional Covered Party is limited sole negligence of the "Member," and no protection is and its directors, officers, employees or agents. Available Covered Party.*	available for the rable limits of cover	egligence of others rage are shared betv	, including the Additional	Covered Party			
Certificate Holder: Community Development Finance Author	rity *	panies		Please direct inquiries to:			
	By-	Dolna A. Lowis					
14 Dixon Avenue		thorized Representative		Debra A. Lewis 603.224.7447			
Concord NH 03381	Date	Issued:	5/7/2013	x3332			
*Terms in quotes are defined in the Member Agreemer	rt.	-					



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 after the coverage afforded by the coverage categories listed below.

alter the coverage anorded by the coverage categories in	iolog polett.					
Participating Member:	Member Number:	· .	Company Affording Coverage:			
Town Of Greenville PO Box 343	188		NH Public Risk Management Exchange - Primex ³ Bow Brook Place			
Greenville, NH 03048			46 Donovan Street Concord, NH 03301-2624			
in the state of th			The state of the s			
General Liability (Occurrence Form)			Each Occurrence \$			
Professional Liability (describe)			General Aggregate \$			
Claims Occurrence			Fire Damage (Any one fire)			
			Med Exp (Any one person) \$			
Automobile Liability Deductible Comp and Coll:			Combined Single Limit (Each Accident)			
Any auto			Aggregate			
X Workers' Compensation & Employers' Lia	bility 01/01/2013	01/01/20	014 X Statutory			
			Each Accident \$2,000,000			
			Disease - Each Employee \$2,000,000			
			Disease - Policy Limit \$			
Property (Special Risk Includes Fire and Theft)		Blanket Limit, Replacement Cost (unless otherwise stated)			
Description: Proof of Primex Member coverage only.						
CERTIFICATE HOLDER: Additional Covere	ad Party Loss	Payee	Primex3 - NH Public Risk Management Exchange			
CENTIFICATE HOLDER. Auditoliat Covere	LUSS LUSS	ujoo				
· · · · · · · · · · · · · · · · · · ·			By: Passey Deves			
Town Of Greenville PO Box 343		Date: 5/7/2013 tdenver@nhprimex.org Please direct inquires to:				
Greenville, NH 03048			Primex ³ Claims/Coverage Services 603-225-2841 phone 603-228-3833 fax			



Original agreement

Approval by the Governor and Council on 10/26/11

Agenda Item #7

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 Community Development Block Grant (CDBG) program, to award an Emergency grant to the Town of Greenville, 46 Main Street, Greenville, New Hampshire, in the amount of \$208,766 for the purpose of repairing a landslide along High Street and to prevent further erosion of the slope, beginning from the date of the Governor and Council approval until June 30, 2013. 100% federal funds.

Explanation

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). CDFA 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.

The Town of Greenville is requesting CDBG Emergency funds to build a 180 foot long steel sheet pile retaining wall and place riprap at the river's edge. This will protect the town's water line, the street and a power line that is a major supply artery to Keene, as well as a portion of a sewer line and home on private property, of which the town will have an easement on for maintenance of the wall. Total project cost is estimated at \$1.4 million, with matching funds from FEMA at \$1,078,595 and a State match of \$179,766. Fifty-seven percent of the town's population is low to moderate-income.

Sincerely,

Katharine Bogle Shields

Executive Director

KBS/GH:acc

G&C: 10/26/11

Attachments

Subject:

Town of Greenville - High Street Emergency Slope Stabilization - Grant #11-121-EGPF

AGREEMENT

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

GENERAL PROVISIONS

 IDENTIFICATION. 			•
1.1 State Agency Name		1.2 State Agency Address	
New Hampshire Community De	velopment Finance Authority	14 Dixon Ave., Suite 102 Concord, NH 03301	
1.3 Contractor Name		1.4 Contractor Address	
Town of Greenville	•	46 Main Street Greenville, NH 03048	
1.5 Contractor Phone	1.6 Account Number	1.7 Completion Date	1.8 Price Limitation
Number 603-878-2084	N/A	June 30, 2013	\$208,766.00
1.9 Contracting Officer for State	te Agency	1.10 State Agency Telephone Number	
David Wood, Chairman, Board	of Directors	603-226-2170	
1.11 Contractor Signature	1	1.12 Name and Title of Cor	ntractor Signatory
Belief a. Collins.		Kelley Collins, Town Administrator	
1.13 Acknowledgement: State	of Hen Hamp County of	ill harmas	•
On October 4 , before	e the undersigned officer, personate is signed in block 1.11, and	ally appeared the person identific	ed in block 1,12, or satisfactorily
indicated in block 1.12. 1.13.1 Signature of Notary Pub	lic or Justice of the Peace	action accepted that also excepted	
indicated in block 1.12. 1.13.1 Signature of Notary Pub		KATHLEE! NOTAR	N VALLIERE Y PUBLIO
indicated in block 1.12. 1.13.1 Signature of Notary Pub	lic or Justice of the Peace	KATHLEE NOTAR STATE OF NE	N VALLIERE
indicated in block 1.12. 1.13.1 Signature of Notary Pub [Seal] Author [Seal] I.13.2 Name and Title of Notar	lic or Justice of the Peace	KATHLEEI NOTARY STATE OF NE My commission ax	N VALLIERE Y PUBLIO W HAMPSHIRE
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indicated in block 1.12. 1.13.1 Signature of Notary Pub [Seal] Attalian 1.13.2 Name and Title of Notar HATHLEEN 1.14 State Agency Signature 1.16 Approval by the N.H. Deg By: 1.17 Approval by the Attorney	lic or Justice of the Peace Note of the Peace Note of the Peace Note of Modern of Administration, Divisional (Form, Substance and E	KATHLEE NOTARE STATE OF NE My commission as My commission as My commission as My commission as Sion of Personnel (if applicable) Director, On: (xecution)	N VALLIERE Y PUBLIO WHAMPSHIPE phre Sept. 19, 2012 te Agency Signatory coutive Director