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STATE OF NEW HAMPSHIRE  
DEPARTMENT of NATURAL and CULTURAL RESOURCES  
STATE COUNCIL on the ARTS

19 Pillsbury Street CONCORD, NEW HAMPSHIRE 03301  
Telephone (603) 271-2789 FAX (603) 271-3584

November 3, 2021

His Excellency, Governor Christopher T. Sununu  
and the Honorable Executive Council  
State House  
Concord, New Hampshire 03301

**REQUESTED ACTION**

Authorize the Department of Natural and Cultural Resources, Division of the Arts, to award an American Rescue Plan Act grant to the New Hampshire Theatre Project (VC #156466), Portsmouth, NH in the amount of \$8,000 for operating support effective upon Governor and Executive Council approval through June 30, 2022. 100% Federal Funds.

Funding is available in account, American Rescue Plan Grants, as follows:

	<u>FY 2022</u>
03-035-035-353510-24930000-072-500575 – Grants-Federal	\$8,000

**EXPLANATION**

The New Hampshire State Council on the Arts received funding from the National Endowment for the Arts through the American Rescue Plan to provided operating support to New Hampshire cultural organizations that were previously adjudicated and awarded Public Value Partnership Grants.

Public Value Partnership grants are awarded to nonprofit arts organizations with a minimum of 5 years of continuous arts programming and professional staffing to strengthen their capacity for offering affordable, diverse arts program to New Hampshire's residents and visitors.

Earlier in Fiscal Year 2022, the New Hampshire Theatre Project received an Arts Council grant in the amount of \$5,400. The cumulative total with the grant requested herein is over the \$10,000 threshold therefore requires Governor and Executive Council approval.

The Attorney General's office has reviewed and approved the grant agreement as to form, substance and execution.

Respectfully submitted,

(19M)

Sarah L. Stewart  
Commissioner



### NEW HAMPSHIRE STATE COUNCIL ON THE ARTS GRANT AGREEMENT

This agreement between the State of New Hampshire, New Hampshire State Council on the Arts (hereinafter "Council") and NH Theatre Project (hereinafter "Grantee") is to witness receipt of funds subject to the following conditions:

- GRANT PERIOD:** FY2022
- OBLIGATIONS OF THE GRANTEE:**
  - The Grantee agrees to accept \$8,000.00 and apply it to the program(s) described in the grant application and approved budget for **American Recovery Program**. In the performance of this grant agreement, the Grantee is in all respects an independent contractor and is neither an agent nor employee of the State.
  - Funding credit including Council logo must appear in all programs, publicity, and promotional materials. The following wording and Council logo should be used:
 

NH Theatre Project is supported in part by a grant from the New Hampshire State Council on the Arts & the National Endowment for the Arts.
  - The Grantee acknowledges that the NHSCA Program Coordinator may schedule a site visit to the organization and may request a site visit from the NHSCA.
  - The Grantee agrees to abide by the limitations, conditions and procedure outlined herein and in the attached appendices. If appropriated funds for this grants program are reduced or terminated, all payments under this grant may cease. That determination rests within the sole discretion of the Council.
- PAYMENT** will be made following the receipt and execution of all required documents and approval of the Governor and Executive Council
- FINAL REPORT:** The Grantee agrees to submit a final financial and narrative report on a form provided by the Council no more than 30 days after the end of the grant period. Failure to submit the final report will render the Grantee ineligible for Council funding for two years.
- SOVEREIGN IMMUNITY:** No provision of this contract is to be deemed a waiver of sovereign immunity by the State of New Hampshire.

#### COUNCIL APPROVAL

Contracting Officer for State Agency

[Signature] 10/1/21  
Signature Date

Name, Title: Virginia Lupi, Director

[Signature] 11/18/21  
Signature Date

Name, Title: Sarah Stewart, Commissioner

#### GRANTEE SIGNATURE

Org/ Name: NH Theatre Project

Address: 959 Islington St, Portsmouth NH

Genevieve Aichele

Printed Name of Authorized Official for Grantee

Genevieve Aichele Ex Director 9/22/21  
Authorized Official's Signature & Title Date

#### NOTARIZATION REQUIRED:

STATE OF NEW HAMPSHIRE, COUNTY OF ROCKINGHAM

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On the 22nd day of September 2021 before the undersigned officer, personally appeared Genevieve Aichele

[Signature]  
(Print name of person whose signature is being notarized)

or satisfactorily proven to be the person whose name appears above, and acknowledged that s/he executed this document in the capacity indicated.

[Signature]  
Notary Public/ Justice of the Peace

Printed Name: NORLAILA K. MILLER

My Commission expires: NORLAILA K. MILLER  
Notary Public - New Hampshire  
My Commission Expires February 6, 2024

#### APPROVED BY ATTORNEY GENERAL

as to form, substance and execution:

[Signature] 11/18/2021  
Office of Attorney General Date

CO	10	10	10
Vendor #	156466	Remit	
PO #		Ln#	\$
AU	24930000	Acct	500
Activity	NEARRPA	Acct Cat	J
Signature	Cassie Mason	Date	10 14 21

# State of New Hampshire

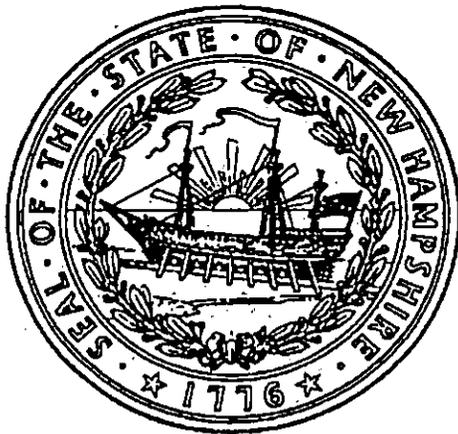
## Department of State

### CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that NEW HAMPSHIRE THEATRE PROJECT is a New Hampshire Nonprofit Corporation registered to transact business in New Hampshire on February 11, 1988. I further certify that all fees and documents required by the Secretary of State's office have been received and is in good standing as far as this office is concerned.

Business ID: 125613

Certificate Number: 0005419428



IN TESTIMONY WHEREOF,

I hereto set my hand and cause to be affixed  
the Seal of the State of New Hampshire,  
this 9th day of August A.D. 2021.

A handwritten signature in black ink, appearing to read "William M. Gardner".

William M. Gardner  
Secretary of State

Corporate Resolution

I, Maxene Feintuch, hereby certify that I am duly elected Clerk/Secretary/Officer of NH Theatre Project. I hereby certify the following is a true of a vote taken at a meeting of the Board of Directors/shareholders, duly called and held on Aug. 16, 2018, at which a quorum of the directors/shareholders were present and voting.

Voted: That Benevise Aichele (may list more than one person) is duly authorized to enter into contracts or agreements on behalf of NH Theatre Project with the State of New Hampshire and any of its agencies and departments and further is authorized to execute any documents which may in his/her judgement to be desirable or necessary to affect the purpose of this vote.

I hereby certify that said vote has not been amended or repealed and remains in full force and effect as the date of the contract to which this certificate is attached. This authority shall remain valid for thirty (30) days from the date of this Corporate Resolution. I further certify that it is understood the State of New Hampshire will rely on this certificate as evidence the person(s) listed above currently occupy the positions(s) indicated and that they have full authority to bind the corporation. To the extent that there are limits on the authority of any listed individual to bind the corporation in contracts with the State of New Hampshire, all such limitations are expressly stated herein.

DATED: 8-10-21

ATTEST: Maxene Feintuch, Clerk

STATE OF New Hampshire  
COUNTY OF Rockingham

On the 10 day of August, before me Charlotte Hubbard, the undersigned officer personally appeared maxene feintuch, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for purposes therein contained. In witness whereof, I hereunto set me hand and official seal:

Charlotte Hubbard  
Justice of the Peace / Notary Public

My Commission Expires: April 5, 2022

