CJG

State of New Hampshire

DEPARTMENT OF SAFETY
JAMES H. HAYES BLDG. 33 HAZEN DR.
CONCORD, N.H. 03305
(603) 271-2791

ROBERT L. QUINN
COMMISSIONER

EDDIE EDWARDS
ASSISTANT COMMISSIONER

STEVEN R. LAVOIE
ASSISTANT COMMISSIONER

October 3, 2025

53

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Her Excellency, Governor Kelly A. Ayotte
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the Department of Safety, Division of Homeland Security and Emergency Management (HSEM) to enter into a **retroactive** amendment to a grant agreement with the Town of Durham (VC#177383-B001), Durham, NH, to complete their emergency generator project by extending the completion date from September 18, 2025 to September 18, 2026, effective upon Governor and Council approval. The original grant was approved by Governor and Council on June 14, 2023, item #152. **100% Federal Funds.**

EXPLANATION

This amendment is **retroactive** due to delays in the extension review process at the Federal level. It was agreed that extending the completion date to September 18, 2026, upon approval by Governor and Council, would be necessary in order to complete their emergency generator project. HSEM has reviewed this request with the Federal Emergency Management Agency (FEMA), and it has been determined that the date change will not affect Federal Funding.

The Legislative Pre-Disaster Mitigation (LPDM) is 75% Federally funded by FEMA with a 25% match requirement supplied by the sub-recipient. The sub-recipient acknowledges their match obligation as part of Exhibits B and C to their grant agreement.

In the event that LPDM funds are no longer available, General Funds and/or Highway Funds will not be requested to support this program.

The Department of Safety has determined that the vendor is in good standing with the Secretary of State's Office, has secured the required levels of insurance, and has provided evidence of authority to execute and be bound by the contract. Documents supporting these assertions are available at the agency, for review upon request.

Respectfully submitted,

Robert L. Quinn
Commissioner of Safety

Federal Award Title & #: Legislative Pre-Disaster Mitigation Program (LPDM) EMB-2022-PD-0005

Federal Awarding Agency: Federal Emergency Management Agency (FEMA)

Assistance Listings: 97.047

Applicant's Unique Entity Identifier (UEI): J69UGK3LMQJ4

Grant Agreement Amendment

Extension or Change of Period of Performance

Town of Durham (Sub-Recipient)

It is hereby agreed that the grant agreement (PO#1093032) approved by the Governor and Executive Council on June 14, 2023, Item #152, between the Town of Durham as "Sub-recipient" and the Department of Safety, Division of Homeland Security & Emergency Management as "State" for their emergency generator project is amended as follows:

1. GENERAL PROVISIONS, Section 1.7, Completion Date;

   Change the project completion date from September 18, 2025 to September 18, 2026

2. EXHIBIT B, Scope of Services, Number 2;

   Delete item three (2) in its entirety and replace with:

   "The Subrecipient" agrees that the period of performance ends on September 18, 2026 and by that date the aforementioned hazard mitigation project must be completed. All completed invoices and a final performance and expenditure report must be sent to "the State" by October 18, 2026, thirty (30) days after the period of performance ends.

3. All other provisions of the grant agreement, approved by the Governor and Council on June 14, 2023 shall remain in full force and effect.

Sub-Recipient Initials: 1.)_____ 2.)_____ 3.)_____ Date: 9/9/25

EFFECTIVE DATE OF THE AMENDMENT: This Amendment shall be effective upon its approval by the Governor & Council. If approval is withheld, this document shall become null and void, with no further obligation or recourse to either party. IN WITNESS WHEREOF, the parties have hereunto set their hands:

Town of Durham (Sub-Recipient)

By (signature): _____ By (signature): _____

Print Name: Todd I. Selig Print Name: _____

Administrator
Town of Durham
8 Newmarket Road
Durham, NH 03824

Title: _____ Title: _____

By (signature): _____ By (signature): _____

Print Name: _____ Print Name: _____

Title: _____ Title: _____

Approval by State of New Hampshire, acting through its Department of Safety:

By (signature): _____

Director of Administration

Sub-Recipient Initials: 1.)_____ 2.)_____ 3.)_____ Date: 9/8/25

Approval by State of New Hampshire Attorney General:

By (signature): /s/ Colin Carroll, Esq.

Attorney General

Approval by State of New Hampshire Governor & Council / Secretary of State:

By (signature): _____

Governor & Council / Secretary of State

Sub-Recipient Initials: 1.)_____ 2.)_____ 3.)_____ Date: 9/17/25

DURHAM TOWN COUNCIL
MONDAY, SEPTEMBER 8, 2025
DURHAM TOWN HALL - COUNCIL CHAMBERS
7:00 PM
DRAFT MINUTES

XI. Unanimous Consent Agenda*(Requires unanimous approval. Individual items may be removed by any councilor for separate discussion and vote)*

A. Shall The Town Council schedule Special Meeting Dates on November 10, 2025 and December 8, 2025 for the Purpose of Deliberating the Proposed FY 2026 Operating, Capital, and Special Fund Budgets and the 2026-2035 Capital Improvement Plan, and schedule a Public Hearing on the Proposed FY 2026 Budget and 2026-2035 Capital Improvement Plan for Monday, November 17, 2025?

B. Shall the Town Council Adopt Resolution #2025-17 amending Resolution #2023-07 by updating the completion date of a FY22 Legislative Pre-Disaster Mitigation (LPDM) grant from the New Hampshire Department of Safety, Division of Homeland Security and Emergency Management, for the Durham Emergency Generator Project, in the amount of $427,612.49 with a required 25% Match of $142,537.51 – for a total project cost of $570,150.00 - and authorize the Administrator to sign and submit grant paperwork and all Documents related to the Grant on Behalf of the Town of Durham?

C. Shall the Town Council Authorize the Administrator to sign the Amicus Brief supporting the Plaintiffs in the case New Hampshire Indonesian Community Support, et al. v. Donald J. Trump, et al., stating Durham's opposition to the executive order that would deny birthright citizenship to certain U.S.-born children and supporting the existing constitutional and federal statutory definition of citizenship?

D. Shall the Town Council Schedule a Public Hearing for Monday, October 6, 2025 on Resolution #2025-18 Authorizing the Acceptance and Expenditure of Funding from the National Oceanic and Atmospheric Administration (NOAA) Community-Based Restoration Program, for the Mill Pond Dam Removal and Oyster River Restoration Project, In the amount of up to $3,247,201, and Authorize the Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham?

Chair Friedman asked if there was anything Councilors want to remove from the Unanimous Consent Agenda. Councilor Burton said he would like to hold Item D.

Chair Friedman MOVED to approve Items A, B and C. Councilor Register SECONDED the motion. The motion PASSED on a unanimous roll call vote of 8-0.

By approving Item A, the Special Meeting Dates for discussing the town's FY2026 budgets are set for Nov. 10 and Dec. 8, 2025, and the Public Hearing on the budgets is set for Nov. 17, 2025.

By approving Item B, Resolution #2025-17 which amends Resolution #2023-07, The Durham Town Council, in a majority vote, accepted the terms of the Legislative Pre-Disaster Mitigation (LPDM) amendment, as presented, to reflect the change of Period of Performance dates from September 18, 2025 to September 18, 2026. Durham Administrator Todd Selig is authorized to sign all documents related to the grant.

By approving Item C, the Council authorized Administrator Selig to sign the Amicus Brief supporting the plaintiffs in the case New Hampshire Indonesian Community Support, et al. v. Donald J. Trump, et al., which states the town's opposition to the executive order that would deny birthright citizenship to certain U.S.-born children and its support of the existing constitutional and federal statutory definition of citizenship.

TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824
Tel: 603-868-5571
Fax: 603-868-1858
www.ci.durham.nh.us

RESOLUTION #2025-17 OF DURHAM, NEW HAMPSHIRE

AMENDING RESOLUTION #2023-07 BY UPDATING THE COMPLETION DATE OF A FY22 LEGISLATIVE PRE-DISASTER MITIGATION (LPDM) GRANT FROM THE NEW HAMPSHIRE DEPARTMENT OF SAFETY, DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, FOR THE DURHAM EMERGENCY GENERATOR PROJECT, IN THE AMOUNT OF $427,612.49 WITH A REQUIRED 25% MATCH OF $142,537.51 – FOR A TOTAL PROJECT COST OF $570,150.00 - AND AUTHORIZE THE ADMINISTRATOR TO SIGN AND SUBMIT GRANT PAPERWORK AND ALL DOCUMENTS RELATED TO THE GRANT ON BEHALF OF THE TOWN OF DURHAM.

WHEREAS, the Town of Durham submitted an FY22 Congressional Directed Spending Request (CDR) application titled, Town of Durham Emergency Generators Project, to Senator Shaheen's office as part of their project solicitation in April 2021; and

WHEREAS, in May 2022, the Town was notified that it was selected for funding in the amount of $427,612.49, with a required 25% match of $142,537.51, from the FY22 LPDM grant program for the Durham Emergency Generators Project; and

WHEREAS, New Hampshire Revised Statutes Annotated (RSA) 31:95-b permits municipalities to authorize acceptance and expenditure of funds from the state, federal or other governmental unit, or a private source, which becomes available during the fiscal year if they first adopt an article authorizing this authority indefinitely until specific rescission of such authority; and

WHEREAS, Resolution #99-19 adopting the provisions of RSA 31:95-b authorizing the Town Council to apply for, accept, and expend unanticipated funds from a Federal, state, or other governmental unit or a private source which becomes available during the Fiscal Year; and

WHEREAS, Council approval is required for the acceptance and expenditure of these funds; and

WHEREAS, RSA 31:95-b III(a) requires that a Public Hearing be held on unanticipated funds in excess of $10,000; and

WHEREAS, on Monday, April 17, 2023, a duly posted and published Public Hearing was held by the Durham Town Council on the $427,612.49 LPDM monies in accordance with RSA 31:95-b;

WHEREAS, on Monday, April 17, 2023, the Town Council approved Resolution #2023-07 by a vote of 8-0.

WHEREAS, on Thursday, August 14, 2025, Administrator Selig received an email from NH DOS stating that FEMA had approved the NH Department of Safety, Division of Homeland Security and Emergency Management's request on behalf of the Town of Durham to extend the 2022 Legislative Pre-Disaster Mitigation program period of performance from 9/18/25 to **9/18/26**.

NOW, THEREFORE, BE IT RESOLVED, that the Durham Town Council, the governing and legislative body of the Town of Durham, New Hampshire does hereby approve **Resolution #2025-17** amending Resolution #2023-07 by updating the completion date on a FY22 Legislative Pre-Disaster Mitigation (LPDM) grant from the New Hampshire Department of Safety, Division of Homeland Security and Emergency Management, for the Durham Emergency Generator Project, in the Amount of $427,612.49 with a Required 25% Match of $142,537.51 – for a total project cost of $570,150.00 - and Authorize the Administrator to sign and submit Grant paperwork and all documents related to the Grant on behalf of the Town of Durham.

PASSED AND ADOPTED this **8th** day of **September, 2025,** by a majority vote of the Durham Town Council with **8** affirmative votes, **0** negative votes, and **0** abstentions.

Joe Friedman, Chair
Durham Town Council

ATTEST:

Rachel Deane, Town Clerk-Tax Collector

Primex³
NH Public Risk Management Exchange

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.

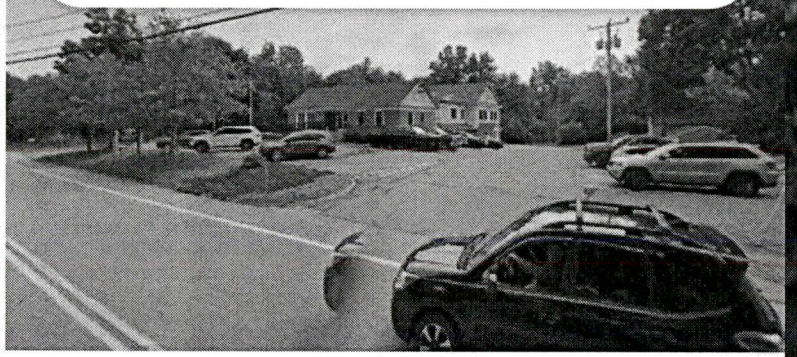
Participating Member:	*Member Number:*	*Company Affording Coverage:*
Town of Durham 8 Newmarket Road Durham, NH 03824-2898	160	NH Public Risk Management Exchange - Primex³ PO Box 23 Hooksett, NH 03106-9716

	Type of Coverage	*Effective Date (mm/dd/yyyy)*	*Expiration Date (mm/dd/yyyy)*	*Limits* - NH Statutory Limits May Apply, If Not:	
X	**General Liability (Occurrence Form)**	7/1/2025	7/1/2026	Each Occurrence	$ 2,000,000
	Professional Liability (describe)			General Aggregate	$ 10,000,000
	☐ Claims Made ☐ Occurrence			Fire Damage (Any one fire)	
				Med Exp (Any one person)	
X	**Automobile Liability** Deductible Comp and Coll: $1,000	7/1/2025	7/1/2026	Combined Single Limit (Each Accident)	$2,000,000
	Any auto			Aggregate	$10,000,000
X	**Workers' Compensation & Employers' Liability**	1/1/2025	1/1/2026	X Statutory	
				Each Accident	$2,000,000
				Disease – Each Employee	$2,000,000
				Disease – Policy Limit	
X	**Property (Special Risk includes Fire and Theft)**	7/1/2025	7/1/2026	Blanket Limit, Replacement Cost (unless otherwise stated)	Deductible: $1,000

Description: Proof of Primex Member coverage only.

CERTIFICATE HOLDER:	☐ Additional Covered Party	☐ Loss Payee	Primex³ – NH Public Risk Management Exchange
			By: *Mary Beth Purcell*
State of NH - Department of Safety 33 Hazen Drive Concord, NH 03305			Date: 9/9/2025 mpurcell@nhprimex.org Please direct inquires to: **Primex³ Claims/Coverage Services** **603-225-2841 phone** **603-228-3833 fax**

Durham Police Department



Durham Police Department

Police department ·

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86 Dover Rd, Durham, NH 03824

Open 24 hours

Town of Durham: Department of Pul

Town of Durham: Department of Public Works

3.5 ★★★☆☆ (2)

Public works department · ♿

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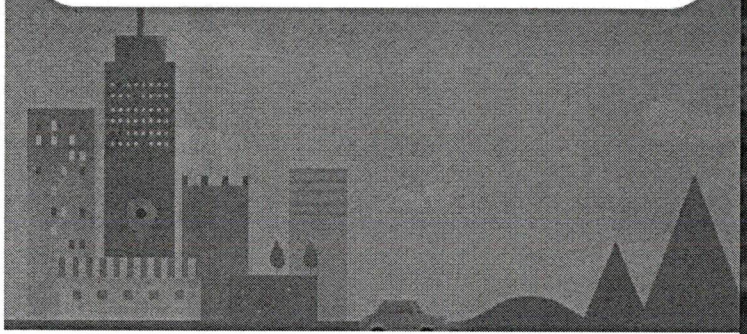
100 Stone Quarry Dr, Durham, NH 03824

43°09'14.2"N 70°59'05.4"W



43°09'14.2"N 70°59'05.4"W

43.153949, -70.984837

Directions Save Nearby Send to phone Share

5238+H3F Lee, New Hampshire

Add a missing place

43°07'36.8"N 70°58'14.7"W

43°07'36.8"N 70°58'14.7"W

43.126887, -70.970744

Directions Save Nearby Send to phone Share

42GH+QP2 Lee, New Hampshire

Add a missing place