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DEC 17 2025

CJG

October 27, 2025

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

#### Requested Action

**The Community Development Finance Authority (CDFA) requests to place this item on the Consent Calendar.**

Authorize the Community Development Finance Authority (CDFA), under the Community Development Block Grant (CDBG) program, to enter into a no cost grant amendment with the Town of Madbury, 13 Town Hall Road, Madbury, New Hampshire, in the amount of \$500,000 by extending the completion date to December 31, 2026 from the completion date of December 31, 2025. The original grant was approved by Governor and Council on August 17, 2022, agenda item #30. On November 13, 2024, consent item #5D, Governor and Council granted a one-year time extension from December 31, 2024 to December 31, 2025. This extension if granted, will allow for completion of its water system improvement project at the Bunker Lane Condominium Association situated at 52 Bunker Lane, Madbury, New Hampshire. Said extension shall be effective upon Governor and Council approval for the period effective through December 31, 2026. **100% federal funds.**

#### Explanation

The Town of Madbury is requesting an additional time extension of its CDBG award on behalf of the Bunker Lane Condominium Association to support its water system improvement project at 52 Bunker Lane, Madbury, New Hampshire location. The project was initially delayed due to urgent septic infrastructure deficiencies needing to be addressed before beginning the water project. USDA RD funds are being used as match funding, and now final design approval is delayed by government shutdown. The project will replace a 40 plus year old water distribution system which is no longer functioning properly and will benefit 116 people, of which 56 percent are currently of low and moderate income.

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.

CDFA 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.

Sincerely,



Katherine Easterly Martey  
Executive Director

KEM/ms

Attachments

**Town of Madbury – \$500,000 – Bunker Lane Condominium Association Water Improvement Project (Public Facilities)**

<b>Applicant</b>	Town of Madbury
<b>Subrecipient</b>	Bunker Lane Condominium Association
<b>Project Name</b>	Bunker Lane Condominium Association Water Improvement Project
<b>Project Location</b>	Bunker Lane, Madbury, NH
<b>Request</b>	\$500,000
<b>LMI Beneficiaries</b>	116 Beneficiaries / 65 LMI (56%)
<b>HUD CDBG National Objective</b>	LMA-03J: Water/Sewer Improvements
<b>NH State Category</b>	Public Facilities

**Project Summary**

The Town of Madbury is seeking \$500,000 which will be subgranted to the Bunker Lane Condominium Association to replace a 40 plus year old water distribution system which is no longer functioning properly, plagued by frequent water line breaks and low water system pressure.

The Bunker Lane Condominium Association (BLCA) is a 51-unit manufactured home condominium association where at least 56% of the residents are of Low- and Moderate-Income. Water is supplied to the BLCA by the City of Portsmouth municipal water system through a master meter. Beyond the master meter, BLCA maintains its own 40+ year old water distribution system. The water distribution system was constructed without professional engineering, construction methods, or quality materials. resulting in undersized pipes, many dead ends, and a limited number of isolation valves. Many homes have shared curb stop valves which should be replaced with individual curb stop valves.

A CDBG funded feasibility study conducted in 2015 notes that the water system inherited by the Association was not constructed to any type of industry standards and, as a result, has left BLCA with a water distribution system which is inadequate and in disrepair. The study noted the potential for cross contamination of the water system and intrusion of groundwater which can be a serious health risk to water system customers. Additionally, a July 26, 2021 letter from the NH Department of Environmental Services supports replacement of the system because it will address the “vulnerability of water system users to bacteria and other pathogens potentially causing health issues, which can enter the dilapidated water system via openings through which leakage occurs from the distribution system and allow for flushing of sediment in which bacteria can thrive.”

The engineering firm that conducted the feasibility study provided updated costs to fully replace the distribution system totaling more than \$1.3 million. In addition to CDBG funds, BLCA will utilize a \$834,766 loan from the New Hampshire Community Loan Fund (CLF). BLCA has also initiated discussions with USDA-RD (RD) regarding the project. USDA-RD funding could replace the CLF financing if the package is financially superior. The NHDES State Revolving Loan Fund was also considered but the BLCA water system is not eligible for funding because it is not considered a registered public water system under NHDES rules.

BLCA currently sets aside \$7,200 annually for improvements which are used for repairs to the substandard system and would be applied to the new water system. Replacement of the water system would provide a long-term benefit of 20 years to BLCA residents due to the nature of the improvement. An assignment of Unit Owners Assessments and a UCC on any personal property will taken by the Community Loan Fund as security for their loan and will also be accepted by CDFA

## Sources and Uses

Sources	CDBG	NHCLF Loan	
Uses			Total Uses \$
Construction	\$475,000	\$734,015	\$1,209,015
Architectural/ Engineering		\$100,751	\$100,751
CDBG Admin Costs	\$25,000		\$25,000
Committed Total		<b>\$834,766</b>	<b>\$834,766</b>
Pending Total	<b>\$500,000</b>		<b>\$500,000</b>
Grand Total	<b>\$500,000</b>	<b>\$834,766</b>	<b>\$1,334,766</b>

## Administrative Costs

Grant Administrator	\$18,000
Legal	\$500
Advertising	\$1,500
Audit	\$1,000
Grant Writer	\$4,000
<b>Total</b>	<b>\$25,000</b>

## Summary

- The project scored **107** points;
- The project will improve the Condominium Association's water infrastructure for a minimum 20-year period.
- The project will provide funding to correct threats to the health and safety of water system users due to the age and poor condition of the water infrastructure.
- The project meets CDBG National Objective by providing a direct benefit to people of low- and moderate-income.

**AMENDMENT #2**  
22-212-CDPF

This Agreement (hereinafter called the "Amendment") dated this 23 day of October, 2025 by and between the State of New Hampshire acting by and through the Community Development Finance Authority (CDFA) (hereinafter referred to as "Grantor") and the Town of Madbury (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 August 17, 2022, agenda item #30, 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 20 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 by extending the completion date from December 31, 2024 to December 31, 2025;

WHEREAS, said request to extend the completion date was approved by Governor and Council on November 13, 2024, consent agenda item 5D; and

WHEREAS, CDFA has received a subsequent written request from the Contractor to further amend the Agreement by extending the completion date from December 31, 2025 to December 31, 2026;

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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:

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1. Amendment of Agreement

A. To amend Section 1.7 of the General Provisions by extending the completion date from December 31, 2025 to December 31, 2026.

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:

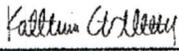
CONTRACTOR:

Town of Madbury

By:   
Tim Burt  
Chairman, Board of Selectmen

GRANTOR:

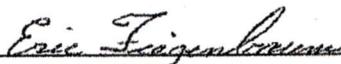
State of New Hampshire acting through the  
Community Development Finance Authority

By:   
Katherine Easterly Martey  
Executive Director

NOTARY STATEMENT - FOR GRANTEE CONTRACTOR SIGNATURE ONLY:

On this the 23 day of OCTOBER, 2025 there appeared before me the undersigned officer personally appeared Tim Burt, who acknowledged himself as Chairman, Board of Selectmen of the Town of Madbury and that such officer, authorized to do so, executed the foregoing instrument for the purposes herein contained, by signing himself 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:   
Notary Public  
My Commission Expires: 3-27-2029



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

By: , Assistant Attorney General, on 11/10/25

APPROVAL BY THE NEW HAMPSHIRE GOVERNOR AND COUNCIL:

By: \_\_\_\_\_, on \_\_\_\_\_

**CERTIFICATE  
22-212-CDPF**

I, Morgan Daigle, Town Clerk of Madbury, New Hampshire do hereby certify that: (1) at the public hearing held on July 19, 2021, the Board of Selectmen voted to submit an application for Community Development Block Grant funds and if awarded; (2) enter into a contract with the Community Development Finance Authority and further authorize the Town Manager 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:

Tim Burt, Board of Selectmen

By: *Morgan Daigle*  
Town Clerk

STATE OF NEW HAMPSHIRE  
COUNTY OF STRAFFORD, SS.

The foregoing instrument was acknowledged before me this 23 day of OCTOBER, 2025, by the above-named MORGAN DAIGLE, Town Clerk of the Town of Madbury, New Hampshire.



*Eric Fiegenbaum* (Seal)  
Notary Public  
My commission expires: 3/27/2029



## CERTIFICATE OF COVERAGE

The New Hampshire Public Risk Management Exchange (Primex<sup>3</sup>) 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, Primex<sup>3</sup> is authorized to provide pooled risk management programs established for the benefit of political subdivisions in the State of New Hampshire.

Each member of Primex<sup>3</sup> is entitled to the categories of coverage set forth below. In addition, Primex<sup>3</sup> 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 Primex<sup>3</sup>, including but not limited to the final and binding resolution of all claims and coverage disputes before the Primex<sup>3</sup> 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 Primex<sup>3</sup>. 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.

<i>Participating Member:</i>	<i>Member Number:</i>	<i>Company Affording Coverage:</i>
Town of Madbury 13 Town Hall Road Madbury, NH 03823	229	NH Public Risk Management Exchange - Primex <sup>3</sup> 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	
<input checked="" type="checkbox"/>	<b>General Liability (Occurrence Form)</b>	1/1/2025	1/1/2026	Each Occurrence	\$ 1,000,000
	<b>Professional Liability (describe)</b>			General Aggregate	\$ 2,000,000
<input type="checkbox"/>	Claims Made			Fire Damage (Any one fire)	
<input type="checkbox"/>	Occurrence			Med Exp (Any one person)	
	<b>Automobile Liability</b>			Combined Single Limit (Each Accident)	
	Deductible    Comp and Coll: \$1,000			Aggregate	
	<input type="checkbox"/> Any auto				
	<b>Workers' Compensation &amp; Employers' Liability</b>			Statutory	
				Each Accident	
				Disease – Each Employee	
				Disease – Policy Limit	
	<b>Property (Special Risk includes Fire and Theft)</b>			Blanket Limit, Replacement Cost (unless otherwise stated)	

**Description:** In regard to the CDBG grant, the certificate holder is named as Additional Covered Party, but only to the extent liability is based on the negligence or wrongful acts of the member, its employees, agents, officials or volunteers. This coverage does not extend to others. Any liability resulting from the negligence or wrongful acts of the Additional Covered Party, or their employees, agents, contractors, members, officers, directors or affiliates is not covered. The Participating Member will advise of cancellation no less than 15 days prior to cancellation.

<b>CERTIFICATE HOLDER:</b>	<input checked="" type="checkbox"/>	Additional Covered Party	Loss Payee	Primex <sup>3</sup> – NH Public Risk Management Exchange
CDFA 14 Dixon Ave, Suite 102 Concord, NH 03301				By: <i>Mary Beth Purcell</i>
				Date: 12/26/2024    mpurcell@nhprimex.org
				Please direct inquires to: <b>Primex<sup>3</sup> Risk Management Services</b> 603-225-2841 phone 603-228-3833 fax



## CERTIFICATE OF COVERAGE

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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"/> <b>General Liability (Occurrence Form)</b> <input type="checkbox"/> <b>Professional Liability (describe)</b> <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"/> <b>Automobile Liability</b> Deductible    Comp and Coll: <input type="checkbox"/> Any auto			Combined Single Limit (Each Accident) Aggregate	
<input checked="" type="checkbox"/> <b>Workers' Compensation &amp; Employers' Liability</b>	1/1/2025	1/1/2026	<input checked="" type="checkbox"/> Statutory	
			Each Accident	\$2,000,000
			Disease – Each Employee	\$2,000,000
			Disease – Policy Limit	
<input type="checkbox"/> <b>Property (Special Risk includes Fire and Theft)</b>			Blanket Limit, Replacement Cost (unless otherwise stated)	

**Description:** Proof of Primex Member coverage only.

<b>CERTIFICATE HOLDER:</b>	<b>Additional Covered Party</b>	<b>Loss Payee</b>	<b>Primex<sup>3</sup> – NH Public Risk Management Exchange</b>
CDFA 14 Dixon Ave, Suite 102 Concord, NH 03301			<b>By:</b> <i>Mary Beth Purcell</i>
			<b>Date:</b> 12/26/2024    mpurcell@nhprimex.org
			Please direct inquires to: <b>Primex<sup>3</sup> Claims/Coverage Services</b> 603-225-2841 phone 603-228-3833 fax