



The State of New Hampshire  
**Department of Environmental Services**



Robert R. Scott, Commissioner

5M

November 13, 2025

DEC 17 2025

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

**REQUESTED ACTION**

Authorize the Department of Environmental Services (NHDES) to amend an American Rescue Plan Act (ARPA) grant agreement (PO # 1099350) with the Town of Acworth, (VC # 159820-B001) NH, by extending the end date to August 31, 2026 from December 31, 2025, to complete the restoration of the Bowers Brook stream channel, effective upon Governor and Council approval. The original agreement was approved by Governor and Council on May 1, 2024, Item #104. This is a no-cost time extension. 100% Federal Funds.

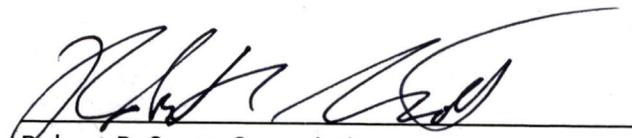
**EXPLANATION**

NHDES is requesting approval of a no-cost time extension amendment with the Town of Acworth to allow additional time to complete the restoration of the Bowers Brook stream channel. A no-cost time extension is being requested to accommodate additional time to complete maintenance work that was identified within the post-construction monitoring period.

In 2023, after initial solicitation and grant awards, South Acworth was victim to dramatic flooding and scouring of a small stream that now threatens historic structures, town property and state highway. The redesigned channel has restored natural flows to increase the resilience of the brook to extreme weather events and flooding. As part of the funding that NHDES received from ARPA, several projects were funded related to flood resilience and stormwater management planning and assessment projects, as well as implementation projects. The ARPA grant agreement with the Town is for final design, permits, construction, and post construction monitoring.

To date, \$334,231 has been spent of the original \$371,250 grant award. This amendment has been approved by the Office of the Attorney General as to form, execution, and content.

We respectfully request your approval.

  
Robert R. Scott, Commissioner

**Agreement for Services with Town of Acworth**  
Amendment No. 1

This Agreement (hereinafter called the "Amendment") is dated this 25<sup>th</sup> day of October, 2025, is by and between the State of New Hampshire, acting by and through its Department of Environmental Services (hereinafter referred to as the "State") and Town of Acworth, acting by and through its Board of Selectmen., Gregory Thibodeau (hereinafter referred to as the "Grantee").

WHEREAS, pursuant to an Agreement (hereinafter called the "Agreement") approved by the Governor and Council on May 1, 2024, Item #104, the Grantee agreed to perform certain services upon the terms and conditions specified in the Agreement and in consideration of payment by the State of certain sums as specified therein; and

WHEREAS, The Grantee and the State have agreed to amend the Agreement in certain respects;

NOW THEREFORE, in consideration of the foregoing, and the covenants and conditions contained in the Agreement and set forth herein, the parties hereto do hereby agree as follows:

1. Amendment and Modification of Agreement: The Agreement is hereby amended as follows:
  - (A) The completion date as set forth in Paragraph 1.7 of the Agreement shall be changed from December 31, 2025 to August 31, 2026.
2. Effective Date of Amendment: This Amendment shall take effect upon approval of this Amendment by the Governor and Executive Council of the State of New Hampshire.
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 set forth therein.

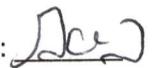
IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and year first above written.

Town of Acworth

By

  
Gregory Thibodeau

STATE OF NEW HAMPSHIRE  
TOWN OF ACWORTH

Initials: 

Date: 10/25/25

On this 25th day of October, 2025, before the undersigned officer, personally appeared Gregory Thibodeau who acknowledged him/herself to be the person who executed the foregoing instrument for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



THE STATE OF NEW HAMPSHIRE  
Department of Environmental Services

By   
Robert R. Scott, Commissioner

Approved by Attorney General this 18th day of November, 2025

OFFICE OF ATTORNEY GENERAL

By   
Keely Lovato AAG

On 11/18/2025

Initials:   
Date: 11/25/25



CERTIFICATE OF VOTE OF AUTHORIZATION GRANTS ONLY



American Rescue Plan Act (ARPA)

A Certificate of Vote of Authorization (COV) is a certificate that states that a grantee is willing to enter into a grant agreement with the State of NH Department of Environmental Services (NHDES) and that whoever signs the Grant Agreement (provided under separate cover) has the authority to do so. Do not complete this form until you have received a Grant Agreement from NHDES. Follow the steps below:

- 1. Following a funding offer from NHDES, obtain the authority to accept grant funds and assign an Authorized Representative (AR) from the grantees governing body. This will likely require a vote at a meeting of the governing body. A vote may take place any time prior to execution of the Grant Agreement.
2. Once the Grant Agreement has been received from NHDES, someone other than the AR (who can certify actions taken at the referenced meeting) completes and signs the COV. The AR cannot sign the COV. The COV must be signed and notarized on the same date as, or within 30 days of, when the AR signs the Grant Agreement. The 30-day window applies to either side of the execution date.
3. The AR signs the Grant Agreement and initials and dates the bottom of each page including the Exhibits.
4. Mail original COV and Grant Agreement documents to program contact at NHDES.

Certificate of Vote of Authorization

TOWN OF ACWORTH

13 Town Hall Road, Acworth, NH 03601

I, Kathi Bradt, Board of Selectmen Chairman of the Town of Acworth do hereby certify that at a meeting held on February 20, 2024, the Acworth Board of Selectmen voted to enter into a American Rescue Plan Act Fund (ARPA) grant agreement with the New Hampshire Department Environmental Services to fund a Wastewater & Stormwater improvement project.

The Town of Acworth further authorized the Project Manager, Gregory Thibodeau, to execute any documents which may be necessary to effectuate this grant agreement.

IN WITNESS WHEREOF, I have hereunto set my hand as Kathi Bradt Board of Selectmen Chairman of the Town of Acworth, the 25 day of October 2025.

Kathi Bradt Signature: [Handwritten Signature]

On this 25 day of October 2025, Charlotte Comeau, before me (Notary Public) the undersigned Officer, personally appeared. Gregg Thibodeau, who acknowledged himself to be the Project Manager of the Town of Acworth, Bowers Brook Restoration Effort, being authorized so to do, execute the foregoing instrument for the purpose therein contained.

In witness thereof, I have set my hand and official seal.

[Handwritten Signature: Charlotte D Comeau]

Notary Public Charlotte Comeau My commission expires: April 6, 2027



www.des.nh.gov
29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • TDD Access: Relay NH 1-800-735-2964



## 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> Town of Acworth PO Box 37 Acworth, NH 03601	<i>Member Number:</i>  100	<i>Company Affording Coverage:</i> 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, If Not:	
<input checked="" type="checkbox"/> <b>General Liability (Occurrence Form)</b> <input checked="" type="checkbox"/> <b>Professional Liability (describe)</b> <input type="checkbox"/> Claims Made <input type="checkbox"/> Occurrence	1/1/2025	1/1/2026	Each Occurrence	\$ 2,000,000
			General Aggregate	\$ 10,000,000
			Fire Damage (Any one fire)	
			Med Exp (Any one person)	
<input checked="" type="checkbox"/> <b>Automobile Liability</b> Deductible    Comp and Coll: \$1,000 <input type="checkbox"/> Any auto	1/1/2025	1/1/2026	Combined Single Limit (Each Accident)	\$ 2,000,000
			Aggregate	\$ 10,000,000
<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 checked="" type="checkbox"/> <b>Property (Special Risk includes Fire and Theft)</b>	1/1/2025	1/1/2026	Blanket Limit, Replacement Cost (unless otherwise stated)	Deductible \$1000
<b>Description:</b> Proof of Primex Member coverage only. Pollution and hazardous waste related liabilities, expenses and claims are excluded from coverage in the coverage document.				

<b>CERTIFICATE HOLDER:</b>	<b>Additional Covered Party</b>	<b>Loss Payee</b>	<b>Primex<sup>3</sup> – NH Public Risk Management Exchange</b>
State of NH, Department of Environmental Services 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095			<b>By:</b> <i>Mary Beth Purcell</i>
			<b>Date:</b> 10/27/2025    mpurcell@nhprimex.org
			Please direct inquires to: <b>Primex<sup>3</sup> Claims/Coverage Services</b> 603-225-2841 phone 603-228-3833 fax