

The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner

November 24, 2025

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DEC 17 2025



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

REQUESTED ACTION

Authorize the New Hampshire Department of Environmental Services (NHDES) to amend an American Rescue Plan Act grant (PO#1092505) to the Town of Gorham, NH (VC# 177396 B002), by extending the completion date from February 1, 2026, to August 31, 2026, for the implementation of energy efficiency measures at the wastewater treatment facility, effective upon Governor and Council approval through August 31, 2026. This is a no-cost amendment. The original grant was approved by Governor and Council on May 3, 2023 Item #115 and amended on May 29, 2024 Item #5G. 100% federal funds.

EXPLANATION

We are requesting approval of this amendment in order to provide the Town of Gorham additional time to complete the agreed upon scope of services. The Town is replacing and upgrading system components to improve energy efficiency within the wastewater treatment facility. The project is progressing, as necessary upgrades are being carried out and crucial equipment has been ordered. Unfortunately, the project is facing delays due to long equipment lead times. The reason for the extension is to allow the Town additional time to receive and install the necessary new system components. Based on the current project schedule this will allow the Town to utilize the entire grant amount for the installation and programming of equipment related to the upgrades of the project. To date, \$54,823.61 of the original \$250,000 grant has been spent.

In the event federal funds become no longer available, general funds will not be requested to support this program. This grant amendment has been approved by the Attorney General's Office as to form, substance and execution.

We respectfully request your approval of this item.

Robert R. Scott
Commissioner

Grant Agreement with the Town of Gorham
ARPA Grant CW-334123-02
Amendment No. 2

This Agreement (hereinafter called the Amendment) dated this 17th 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 the Town of Gorham acting by and through its Water and Sewer Superintendent, Jeff Tennis (hereinafter referred to as the Grantee).

WHEREAS, pursuant to an Agreement (hereinafter called the Agreement) approved by the Governor and Council on May 3, 2023 and amended on May 29, 2024, 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 sub-paragraph 1.7 of the Agreement shall be changed from February 1, 2026, to August 31, 2026.

All other conditions outlined in the contract shall remain in effect.

2. Effective Date of Amendment; This Amendment shall take effect upon the date of 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.

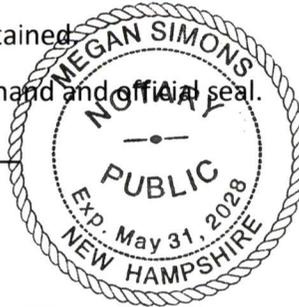
Town of Gorham

By Jeff Tennis
Jeff Tennis, Water and Sewer Superintendent

STATE OF NEW HAMPSHIRE
COUNTY OF COOS

On this the 17 day of October, before the undersigned officer, personally appeared Jeff Tennis who acknowledged himself 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.
Megan Simons
My Commission Expires: 05/31/28



THE STATE OF NEW HAMPSHIRE
Department of Environmental Services

By: Robert R. Scott 11/13/25
Robert R. Scott, Commissioner Date

Approved by Attorney General this 20th day of November 2025, as to form, substance and execution.

OFFICE OF ATTORNEY GENERAL

Melissa Tales
Assistant Attorney General



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 GORHAM

20 Park Street Gorham, NH 03581

I, Peter Gagnon, as Town Manager of the Town of Gorham do hereby certify that at a Selectmen's meeting held on October 14, 2025, the Board of Selectman voted to apply to submit an amendment request to extend a certain American Rescue Plan Act Fund (ARPA) grant agreement with the New Hampshire of Department Environmental Services to fund a Wastewater improvement project, as approved by the Governor and Council on May 3, 2023 and amended on May 29, 2024.

The Town of Gorham further authorized the Water & Sewer Superintendent, Jeff Tennis to execute any documents which may be necessary to effectuate this grant agreement.

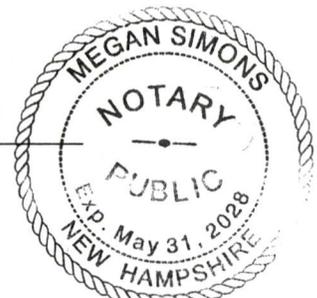
IN WITNESS WHEREOF, I have hereunto set my hand as Town Manager of the Town of Gorham, the 14th day of October 2025.

Peter Gagnon Signature: [Handwritten Signature]

On this 16 day of October 2025, Megan Simons, before me (Notary Public) the undersigned Officer, personally appeared. Peter Gagnon, who acknowledged himself to be the Town Manager of the Town of Gorham, 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.

Notary Public [Handwritten Signature] My commission expires: 05/31/28





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.

<i>Participating Member:</i> Town of Gorham 20 Park Street Gorham, NH 03581		<i>Member Number:</i> 182	<i>Company Affording Coverage:</i> NH Public Risk Management Exchange - Primex ³ 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"/> General Liability (Occurrence Form) Professional Liability (describe) <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 type="checkbox"/> Automobile Liability Deductible Comp and Coll: \$1,000 <input type="checkbox"/> Any auto			Combined Single Limit (Each Accident)	
			Aggregate	
<input checked="" type="checkbox"/> Workers' Compensation & Employers' Liability	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"/> Property (Special Risk includes Fire and Theft)			Blanket Limit, Replacement Cost (unless otherwise stated)	
Description: Proof of Primex Member coverage only. Pollution and hazardous waste related liabilities, expenses and claims are excluded from coverage in the coverage document.				

CERTIFICATE HOLDER:	Additional Covered Party	Loss Payee	Primex³ – NH Public Risk Management Exchange
State of New Hampshire Department of Environmental Services 29 Hazen Drive, PO Box 95 Concord, NH 03302-0095			By: <i>Mary Beth Purcell</i>
			Date: 10/8/2025 mpurcell@nhprimex.org Please direct inquires to: Primex³ Claims/Coverage Services 603-225-2841 phone 603-228-3833 fax