



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

**Robert R. Scott, Commissioner**

December 18, 2025

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JAN 28 2026



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#1091558) to the City of Concord, NH (VC# 177376 B001), by extending the completion date from February 28, 2026, to August 31, 2026, to make energy efficiency improvements to the wastewater treatment facility (WWTF), 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 March 22, 2023 Item #69 and amended on March 12, 2025 Item #75. 100% federal funds.

**EXPLANATION**

We are requesting approval of this amendment to provide the City of Concord with additional time to complete the agreed upon scope of services. The city is improving the energy efficiency of the WWTF by replacing the mixing system within the sludge holding tanks. The project is progressing, as design is complete, necessary upgrades are being carried out, and crucial equipment has been ordered. Unfortunately, the project is facing delays due to long manufacturers lead times. The reason for the extension is to allow the city additional time to receive and install the necessary new system components. Based on the current project schedule this will allow the city to utilize the entire grant amount for the installation and programming of equipment related to the upgrades of the project. To date, \$61,960.31 of the original \$166,000 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 City of Concord**  
**ARPA Grant CW-334157-02**  
**Amendment No. 2**

This Agreement (hereinafter called the Amendment) dated this 17<sup>th</sup> day of November, 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 City of Concord acting by and through its City Manager, Thomas A. Aspell Jr. (hereinafter referred to as the Grantee).

WHEREAS, pursuant to an Agreement (hereinafter called the Agreement) approved by the Governor and Council on March 22, 2023 and amended on March 12, 2025, 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 28, 2026, to August 31, 2026.
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.

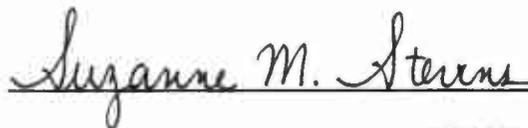
City of Concord

By   
City Manager, Thomas A. Aspell Jr.

STATE OF NEW HAMPSHIRE  
COUNTY OF Merrimack

On this the 17th day of November, before the undersigned officer, personally appeared Thomas J. Aspell, Jr. 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.

  
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My Commission Expires: **SUZANNE M. STEVENS**  
**NOTARY PUBLIC - State of New Hampshire**  
**My Commission Expires**  
**January 12, 2027**

THE STATE OF NEW HAMPSHIRE  
Department of Environmental Services

By:   
Robert R. Scott, Commissioner

Approved by Attorney General this 7<sup>th</sup> day of January 2026, as to form, substance and execution.

OFFICE OF ATTORNEY GENERAL

  
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## Certificate of Vote of Authorization City of Concord, New Hampshire

I, Janice Bonenfant, hereby certify/attest that I am the duly appointed City Clerk for the City of Concord, New Hampshire. I hereby certify that the attached is a true copy of the resolution adopted during a meeting of the Concord City Council, duly called and held on November 14, 2022, at which a quorum of the City Councilors were present and voting.

RESOLVED: That Thomas J. Aspell, Jr., City Manager, is duly authorized to enter into contracts or agreements on behalf of the City of Concord with the State of New Hampshire, Department of Environmental Services, and is further authorized to execute any documents on behalf of the City of Concord NH which may be in his judgement desirable or necessary to affect the purpose of this resolution.

I hereby certify that the foregoing resolution has not been amended or repealed and remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand as the City Clerk of the City of Concord, New Hampshire on this 1<sup>st</sup> day of December 2025.

Attest: 

Janice Bonenfant  
City Clerk

### NOTARIZATION

State of New Hampshire  
County of Merrimack

On this 1<sup>st</sup> day of December 2025, before me the undersigned officer, personally appeared Janice Bonenfant, who acknowledged 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.

  
My Commission Expires: May 17, 2028



# Resolution No. 9507

## CITY OF CONCORD

*In the year of our Lord two thousand and twenty-two*

**RESOLUTION** APPROPRIATING THE SUM OF ONE HUNDRED SIXTY-SIX THOUSAND DOLLARS (\$166,000) FOR THE HALL STREET WASTEWATER TREATMENT PLANT (WWTP) RENOVATIONS (CIP #104) AND TO APPLY FOR AND ACCEPT THE SUM OF ONE HUNDRED SIXTY-SIX THOUSAND DOLLARS (\$166,000) FROM THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES (NHDES) AMERICAN RESCUE PLAN ACT (ARPA) PROGRAM FOR THIS PURPOSE

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**The City of Concord resolves as follows:**

**WHEREAS,** the City of Concord Wastewater Division desires to replace a sludge holding tank mixing system at the Hall Street WWTP in order to maintain treatment; and

**WHEREAS,** this system was installed by City staff in the mid 1990's, has been in continuous operation for nearly 30 years, and has come to the end of its useful life; and

**WHEREAS,** the General Services Department has been working with the NHDES since the spring of 2022 to secure ARPA grant funding for capital improvement projects (CIP) at the Hall Street WWTP; and

**WHEREAS,** NHDES has reserved for the City of Concord an ARPA grant in the amount of \$166,000, estimated total project costs; and

**WHEREAS,** there is no financial match required for this grant; and

**WHEREAS,** this appropriation is for a purpose for which funds are not included in the Fiscal Year 2023 adopted budget, therefore Section 37 of the City Charter requires a two-thirds vote of the City Council to approve this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Concord that:

1) The sum of.....\$166,000  
be and is hereby appropriated as follows:

Wastewater Capital Project Fund  
Hall St WWTP Renovations (CIP #104).....\$166,000

2) Revenue to meet said appropriation shall be provided from the following sources:

Wastewater Capital Project Fund  
NHDES ARPA Program funds.....\$166,000

3) The following four statements are required under the NHDES rules for acceptance of funds:

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A. The City Manager, or his designee, is hereby authorized to take such actions as may be necessary to apply to the NHDES for a grant through the ARPA for the purposes of the Sludge Holding Tank Mixing System Replacement Project at the Hall Street Wastewater Treatment Facility;

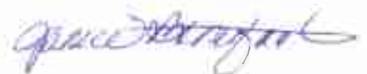
B. In the event the City of Concord is awarded this grant, the City Council hereby accepts the grant.

C. The City Council authorizes raising, appropriating, and expending the sum of up to One Hundred Sixty-Six Thousand Dollars (\$166,000) through the participation in the NHDES ARPA Program of up to One Hundred Sixty-Six Thousand Dollars (\$166,000);

D. The City Manager, or his designee, is hereby authorized to execute all documents and undertake all actions as may be required to implement this Resolution.

- 4) Sums as appropriated shall be expended under the direction of the City Manager.
- 5) This resolution shall take effect upon its passage.

A true copy; I attest:



Janice Bonenfant  
City Clerk  
December 1, 2025

*In City Council*  
**November 14, 2022**  
*Passed*



City Clerk



## 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.

Participating Member: City of Concord 41 Green Street Concord, NH 03301		Member Number: 145	Company Affording Coverage: 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>	7/1/2025	7/1/2026	Each Occurrence	\$ 2,000,000
<input type="checkbox"/>	<b>Professional Liability (describe)</b>			General Aggregate	\$ 10,000,000
<input type="checkbox"/>	Claims Made			Fire Damage (Any one fire)	
<input type="checkbox"/>	Occurrence			Med Exp (Any one person)	
<input checked="" type="checkbox"/>	<b>Automobile Liability</b> Deductible    Comp and Coll: \$1,000  <input type="checkbox"/> Any auto	7/1/2025	7/1/2026	Combined Single Limit (Each Accident)	\$2,000,000
				Aggregate	\$10,000,000
<input checked="" type="checkbox"/>	<b>Workers' Compensation &amp; Employers' Liability</b>	7/1/2025	7/1/2026	<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>	7/1/2025	7/1/2026	Blanket Limit, Replacement Cost (unless otherwise stated)	Deductible: \$1,000
<p><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.</p>					

<b>CERTIFICATE HOLDER:</b>	<b>Additional Covered Party</b>	<b>Loss Payee</b>	<b>Primex<sup>3</sup> – NH Public Risk Management Exchange</b>  <b>By:</b> <i>Mary Beth Purcell</i>  <b>Date:</b> 11/4/2025    mpurcell@nhprimex.org
State of NH Department of Environmental Services 29 Hazen Drive PO Box 95 Concord, NH 03302-0095			Please direct inquires to: <b>Primex<sup>3</sup> Claims/Coverage Services</b> <b>603-225-2841 phone</b> <b>603-228-3833 fax</b>