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The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner

December 22, 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#1091218) to the City of Franklin, NH (VC# 177390 B002), by modifying the scope of services for the Sewer Replacement project effective upon Governor and Council approval through July 31, 2026. This is a no-cost amendment. The original grant was approved by Governor and Council on March 8, 2023 Item #35 and amended on May 7, 2025 Item #5E. 100% federal funds.

EXPLANATION

We are requesting approval of this amendment to provide the City of Franklin a modification to the original agreed upon scope of services. The project originally entailed an evaluation of the City's entire sewer system, with a focus on the rehabilitation and replacement of approximately 2,900 feet of sewer on East and West Bow Street between Central Street and Cheney Street and additional improvements to the cross-country sewer in the area between Glen Street and Glory Avenue. The sewer system evaluation determined that more areas than originally anticipated are in critical condition and require improvements. In addition to the sewer system located in the areas of East and West Bow Street and the cross-country sewer area between Glen Street and Glory Avenue, the sewer system located in the areas of Beaton Street, Sanborn Street, Pleasant Street, Terrace Road, View Street, Prospect Street, and Thunder Road require rehabilitation, replacements, and upgrades. Based on the current project schedule, by modifying the scope of work to include sewer system improvements in these additional areas, the city will be able to efficiently utilize the entire grant amount. To date, \$152,843.89 of the original \$1,500,000 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 Franklin
ARPA Grant CS-334155-03
Amendment No. 2

This Agreement (hereinafter called the Amendment) dated this 4 day of December 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 Franklin acting by and through its City Manager, Mitchel Kloewer (hereinafter referred to as the Grantee).

WHEREAS, pursuant to an Agreement (hereinafter called the Agreement) approved by the Governor and Council on March 8, 2023 and amended on May 7, 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) Delete Exhibit B and replace with Exhibit B–Amendment 1. Exhibit B-Amendment 1 is attached hereto and incorporated into this amendment and agreement by reference.
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 Franklin

By *Mitchel Kloewer*
City Manager, Mitchel Kloewer

STATE OF NEW HAMPSHIRE
COUNTY OF Merrimack

On this the 4 day of December 2025, before the undersigned officer, personally appeared Mitchel Kloewer 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.

Michelle Stanyan

My Commission Expires: 06.16.26



THE STATE OF NEW HAMPSHIRE
Department of Environmental Services

By: *Robert R. Scott*
Robert R. Scott, Commissioner

Approved by Attorney General this 23 day of December, as to form, substance and execution.

OFFICE OF ATTORNEY GENERAL

Keely Lovato
Keely Lovato, AAG

EXHIBIT B – Amendment 1
SCOPE OF SERVICES

The City of Franklin will use the American Rescue Plan Act (ARPA) grant funds to make improvements to the sewer system. The project includes replacement, rehabilitation, and upgrades to the City's sewer system located in the areas of East and West Bow Street, Beaton Street, Sanborn Street, Pleasant Street, Terrace Road, View Street, Prospect Street, and Thunder Road. In addition, sewer improvements will be made to the cross-country sewer in the area between Glen Street and Glory Ave. Grant funds may be used to pay for engineering design, preparation of documents for public bidding, or construction costs.

Grantee Initials MMJ
Date 04 Dec 2025



CITY OF FRANKLIN, NEW HAMPSHIRE
"The Three Rivers City"

316 Central Street
Franklin, NH 03235

(603) 934-3900
fax: (603) 934-7413

Certificate of Vote of Authorization

I, Michelle Stanyan hereby certify/attest that I am the duly appointed City Clerk for the City of Franklin, New Hampshire. I hereby certify that the attached is a true copy of the resolution #06-26 adopted during a meeting of the Franklin City Council, duly called and held on October 6, 2025, at which a quorum of the City Councilors were present and voting.

RESOLVED:

- 1) That Resolution #06-26 amends prior Resolution #08-23 authorized by the City Council on January 9, 2023 related to sewer collection system improvements. This amendment, Resolution #06-26, expands the limits of work and schedule to include other sewer improvements in the City's collection system in addition to East and West Bow Street Area. Additional project areas will include sewer improvements in the areas of Beaton Street, Sanborn Street, Pleasant Street, Terrace Road, View Street, Prospect Street, and Thunder Road. These additional sewer improvement areas allow the City to maximize the prior approved funding through the State of New Hampshire Department of Environmental Services, Clean Water State Revolving Fund and American Rescue Plan Act programs.
- 2) That Mitchel Kloewer, as the new City Manager, is duly authorized to enter into contracts or agreements on behalf of the City of Franklin with the State of New Hampshire, Department of Environmental Services, and is further authorized to execute any documents on behalf of the City of Franklin 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 Manager of the City of Franklin, New Hampshire on this 4th day of December 2025.

Attest:

Mitchel Kloewer
City Manager

Notarization

City of Franklin, New Hampshire
Certificate of Vote of Authorization
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State of New Hampshire
County of Merrimack

On this 4th day of December 2025, before me the undersigned officer, personally appeared Mitchel Kloewer, City Manager, who acknowledged herself/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.


Michelle Stanyan

My Commission Expires: 06-16-26





CITY OF FRANKLIN, NEW HAMPSHIRE
"The Three Rivers City"

316 Central Street
Franklin, NH 03235

(603) 934-3900
fax: (603) 934-7413

RESOLUTION #06-26

A Resolution to amend prior Resolution #08-23 authorized by the City Council on January 9, 2023 related to sewer collection system improvements. This Amendment expands the limits of work and schedule to include other sewer improvements in the City's collection system in addition to the East and West Bow Street Area. Additional project areas will include sewer improvements in the areas of Beaton Street, Sanborn Street, Pleasant Street, Terrace Road, View Street, Prospect Street and Thunder Road. This allows the City to maximize the prior approved funds through the New Hampshire Clean Water State Revolving Fund (CWSRF) and American Rescue Plan Act (ARPA).

WHEREAS, the City of Franklin has previously completed the water portion of the original resolution and therefore, the balance of funds from the CWSRF and ARPA funds allocated for the East/West Bow Street and expanded areas will be used. The previously approved and available funds for the original and expanded work include \$1,500,000 from ARPA and \$3,500,000 from the CWSRF.

WHEREAS, the City of Franklin previously adopted Resolution #08-23.

WHEREAS, certain additional sewer improvements are needed. The additional sewer improvement areas may incorporate collection system rehabilitation and/or sewer replacement.

WHEREAS, this amendment is needed to expand the sewer improvement areas to be improved with the ARPA and CWSRF funds available. The original budget of \$5,000,000 was intended to cover more than just the East/West Bow sewer improvement area.

NOW, THEREFORE, BE IT RESOVLED BY the Franklin City Council, Franklin, New Hampshire, the governing body of said City as follows:

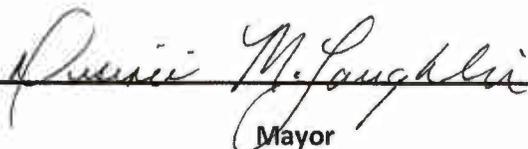
1. That the previously approved ARPA funding of \$1,500,000 and CWSRF Funding of \$3,500,000 will be used to complete additional sewer improvements in the areas identified above.
2. That the other provisions in the original Resolution #08-23 remain in effect.

Resolution #06-26
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Roll Call:

Councilor Johnston	<u>Yes</u>	Councilor Hallett-Cook	<u>Yes</u>	Councilor Webb	<u>Yes</u>
Councilor Carrier	<u>Yes</u>	Councilor Warner	<u>Yes</u>	Councilor Prive	<u>Yes</u>
Councilor Boyce	<u>Yes</u>	Councilor Marshall	<u>Yes</u>	Councilor Feener	<u>Yes</u>

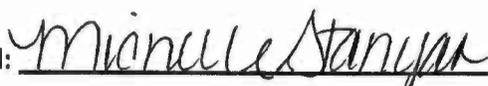
Approved:


Mayor

Passed: 10/6/2025

I certify that said vote has not been amended or repealed and remains in full force and effect as of the date of this Certification and that Michelle Stanyan is the City Clerk for the City of Franklin, Franklin, New Hampshire.

A true copy, attested:


City Clerk

Date: 10/06/2025



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: City of Franklin 316 Central Street Franklin, NH 03235	Member Number: 175	Company Affording Coverage: NH Public Risk Management Exchange - Primex ³ PO Box 23 Hooksett, NH 03106-9716
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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	
General Liability (Occurrence Form) Professional Liability (describe) <input type="checkbox"/> Claims Made <input type="checkbox"/> Occurrence			Each Occurrence General Aggregate Fire Damage (Any one fire) Med Exp (Any one person)	
Automobile Liability Deductible Comp and Coll: <input type="checkbox"/> Any auto			Combined Single Limit (Each Accident) Aggregate	
<input checked="" type="checkbox"/> Workers' Compensation & Employers' Liability	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 type="checkbox"/> Property (Special Risk includes Fire and Theft)			Blanket Limit, Replacement Cost (unless otherwise stated)	

Description: Proof of Primex Member coverage only.

CERTIFICATE HOLDER:	Additional Covered Party	Loss Payee	Primex³ - NH Public Risk Management Exchange
State of NH, Department of Environmental Services 29 Hazen Drive P.O. Box 95 Concord, NH 03302-0095			By: <i>Mary Beth Purcell</i>
			Date: 12/4/2025 mpurcell@nhprimex.org Please direct Inquires to: Primex³ Claims/Coverage Services 603-225-2841 phone 603-228-3833 fax