

139  
Jm



# State of New Hampshire

DEPARTMENT OF SAFETY  
OFFICE OF THE COMMISSIONER  
33 HAZEN DR. CONCORD, NH 03305  
603/271-2791

JOHN J. BARTHELMES  
COMMISSIONER  
Representative Ken Weyler, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301

October 5, 2012

Retroactive

His Excellency, Governor John H. Lynch  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

### Requested Action

1. Pursuant to RSA 14:30-a, VI, authorize the Department of Safety, Division of State Police, to amend FIS 12-116 approved by the Fiscal Committee on April 13, 2012 and Governor and Executive Council on May 9, 2012, item #98, by **retroactively** extending the end date only, with no increase in funding, of the grant received from the Department of Justice, Office of Justice Programs, for the purpose of reducing and deterring serious crime in New Hampshire, from the original end date of September 30, 2012, to a new end date of June 30, 2013. Effective upon Fiscal Committee and Governor and Council approval through June 30, 2013. Funding source: 100% Federal Funds.

Funds are available in SFY2013 in the following account:

02-23-23-234010-60420000 Dept. of Safety – Division of State Police – Operation Street Sweeper 2009

RSRC: 406480

2. Authorize the Department of Safety to **retroactively** amend a Memorandum of Agreement (MOA), upon approval of requested action #1, with the City of Manchester (VC#177433) by extending the effective end date from September 30, 2012 to September 30, 2013. All other terms and conditions remain unchanged for the enforcement of activities relating to gang, undercover drug investigations, and related search warrant executions. Effective upon Governor and Council approval. 100% Federal Funds.

### Explanation

This request is **retroactive** due to the length of time for the Division to obtain the grant extension authorization from the Department of Justice as well as the time necessary for the Division to prepare the paperwork for submission due to its complexity.

This grant is used to improve the Division's ability to fulfill its role as the primary law enforcement agency responsible for statewide drug and major crime investigations. The primary goal of this grant and enforcement program is to reduce the total number of serious crimes that are occurring within the State of New Hampshire. Its MOA with the City of Manchester is for the enforcement of activities relating to gang, undercover drug investigations, and related search warrant executions

In the event that Federal Funds become no longer available, General and/or Highway Funds will not be requested to support this program.

Respectfully submitted,

John J. Barthelmes  
Commissioner of Safety

MOA Agreement Amendment  
Extension of Performance Period

City of Manchester

It is hereby agreed that the Memorandum of Agreement (MOA) approved by the Governor and Executive Council on May 9, 2012, Item #98, between the City of Manchester and the Department of Safety, Division of State Police for the enforcement of activities relating to Gang, Undercover Drug Investigations, and related search warrant executions is amended as follows:

1. GENERAL PROVISIONS, Section 12 Termination;  
Change the effective from September 30, 2012 to September 30, 2013.
2. All other provisions of the grant agreement, approved by the Governor and Executive Council on May 9, 2012 shall remain in full force and effect.

EFFECTIVE DATE OF THE AMENDMENT: This Amendment shall be effective upon its approval by the Governor and Executive Council of the State of New Hampshire. If approval is withheld, this document shall become null and void, with no further obligation or recourse to either party. IN WITNESS WHEREOF, the parties have hereunto set their hands:

APPROVED BY:

City of Manchester

By (signature):

*Theodore Gatsas Mayor*

Print Name:

THEODORE GATSAS

Title:

MAYOR

State of: New Hampshire

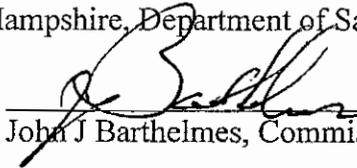
County of: Hillsborough

As Notary Public/Justice of the Peace, REGISTERED IN THE STATE OF NEW HAMPSHIRE,  
COUNTY OF Hillsborough, UPON THIS DATE September 5, 2012, APPEARED  
BEFORE ME (print full name of notary) Victoria Ferraro the undersigned officer

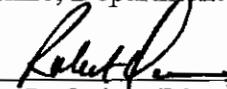
In witness whereof I hereunto set my hand and official seal. (Provide notary signature and seal)

*Victoria L. Ferraro*

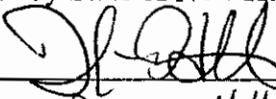
State of New Hampshire, Department of Safety:

By (signature):   
John J. Barthelmes, Commissioner

State of New Hampshire, Department of Safety, Division of State Police:

By (signature):   
Robert L. Quirk, Director of State Police

Approval by State of New Hampshire Attorney General as to form, substance, and execution:

By: , Assistant Attorney General, on 10/17/12.  
David M. H. Hs

Approval by State of New Hampshire Governor and Executive Council:

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



Change Project Period GAN



[All Active](#)



US DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS

[Change Requested](#)

**GRANT ADJUSTMENT NOTICE**

[Approved](#)

[Denied](#)

[Draft](#)

[Create Grant Adjustment](#)

[Help/Frequently Asked Questions](#)

Grantee Information				
<b>Grantee Name:</b>	New Hampshire Department of Safety	<b>Project Period:</b>	10/01/2010 - 09/30/2013	<b>GAN Number:</b> 003
<b>Grantee Address:</b>	33 HAZEN DRIVE CONCORD, 03305	<b>Program Office:</b>	BJA	<b>Date:</b> 07/26/2012
<b>Grantee DUNS Number:</b>	06-034-0564	<b>Grant Manager:</b>	Linda Hill-Franklin	
<b>Grantee EIN:</b>	02-6000618	<b>Application Number(s):</b>	2010-H5704-NH-D1	
<b>Vendor #:</b>	026003618	<b>Award Number:</b>	2010-DD-BX-0539	
<b>Project Title:</b>	Operation Street Sweeper - 2010	<b>Award Amount:</b>	\$750,000.00	

Change Project Period				
<b>Current Grant Period:</b>	Month: <del>09</del> Day: <del>30</del>	<b>New Grant Period:</b>	Month: <u>10</u> Day: <u>31</u>	
<b>Project Start Date:</b>	10/01/2010	<b>*New Project Start Date:</b>	10/01/2010	
<b>Project End Date:</b>	09/30/2012	<b>*New Project End Date:</b>	09/30/2013	
<b>*Required Justification for Change Project Period:</b>				
This request is for a no-cost, 12-month extension to the existing project period, currently due to expire 09-30-2012. As of June 30, 2012, approximately \$268,800 has been expended from this grant; representing -36% of				
<b>Attachments:</b>				
None				
<b>Actions:</b>				
<input type="button" value="Close"/>				
<input type="button" value="Printer Friendly Version"/>				
<b>Audit Trail:</b>				
<b>Description:</b>	<b>Role:</b>	<b>User:</b>	<b>Timestamp:</b>	<b>Note:</b>
Approved-Final	OCFMD - Financial Analyst	SYSTEM_USER	07/26/2012 12:00 PM	<a href="#">View Note</a>
Submitted	PO - Grant Manager	mliabl	07/24/2012 3:39 PM	<a href="#">View Note</a>
Draft	EXTERNAL - External User	mliabl	07/24/2012 3:37 PM	<a href="#">View Note</a>



# State of New Hampshire

DEPARTMENT OF SAFETY  
 OFFICE OF THE COMMISSIONER  
 33 HAZEN DR. CONCORD, NH 03305  
 603/271-2791

Fiscal 4.13.12  
 # FIS 12-116

G#C 5.9.12  
 # 98

JOHN J. BARTHELMES  
 COMMISSIONER

March 12, 2012

Representative Ken Weyler, Chairman  
 Fiscal Committee of the General Court  
 State House  
 Concord, NH 03301

His Excellency, Governor John H. Lynch  
 and the Honorable Council  
 State House  
 Concord, New Hampshire 03301

Requested Action

1. Pursuant to RSA 14:30-a, VI, authorize the Department of Safety, Division of State Police, to amend Fiscal Item #FIS11-221, originally approved on September, 23, 2011, and Item #121, originally approved by Governor and Council on September 28, 2011, by reallocating grant funds of \$75,000.00 received from the Department of Justice, Office of Justice Programs, for the purpose of reducing and deterring serious crime in New Hampshire. Effective upon Fiscal Committee and Governor and Council approvals through September 30, 2012. Funding source: 100% Federal Funds.

Account: 02-23-23-234010-60420000      Dept. of Safety      Div. of State Police      Operation Street Sweeper 2009  
 RSRC: 406480

Class	Description	SFY 2012 Current		Requested Action	SFY 2012 Revised	
		Adjusted	Authorized		Adjusted	Authorized
000-406480	Federal Funds	\$	(1,351,474.54)	\$	-	\$ (1,351,474.54)
018-500106	Overtime	\$	405,332.58	\$	(75,000.00)	\$ 330,332.58
020-500200	Current Expense	\$	135,605.30	\$	-	\$ 135,605.30
024-500227	Maint. Other Than Build.-Grnd.	\$	56,000.00	\$	-	\$ 56,000.00
030-500311	Equipment	\$	504,028.60	\$	-	\$ 504,028.60
040-500800	Indirect Cost	\$	105,466.81	\$	-	\$ 105,466.81
041-500801	Audit Fund Set Aside	\$	1,551.34	\$	-	\$ 1,551.34
060-500602	Benefits	\$	101,328.14	\$	-	\$ 101,328.14
072-500574	Grants - Federal	\$	25,832.95	\$	75,000.00	\$ 100,832.95
080-500713	Out-Of-State-Travel	\$	16,328.82	\$	-	\$ 16,328.82
	Total	\$	1,351,474.54	\$	-	\$ 1,351,474.54

Representative Ken Weyler, Chairman  
Fiscal Committee of the General Court

His Excellency, Governor John H. Lynch  
and the Honorable Council  
March 12, 2012  
Page 2 of 2

2. Authorize the Department of Safety to enter into a Memorandum of Agreement, upon approval of requested action #1 with the City of Manchester (VC#177433) in the amount of \$75,000.00 for the enforcement of activities relating to Gang, Undercover Drug Investigations, and related search warrant executions. Effective upon Governor and Council approval through September 30, 2012. 100% Federal Funds.

Funding is available in an account titled "Operation Street Sweeper 2009" as follows, with the authority to adjust encumbrances in each of the state fiscal years through the Budget Office if needed and justified.

010-02300-60420000-072-500574 Grants to Local Gov't - Federal	<u>SFY 2012</u> \$75,000.00
---	--------------------------------

Explanation

The request to reallocate funds is needed as follows:

Class 018 - The appropriations originally budgeted in class 018 were budgeted in the federal grant to be awarded to Local Police Departments for the enforcement of activities relating to Gang, Undercover Drug Investigations, and related search warrant executions.

Class 072 - Appropriations are needed to enter into the MOA with the City of Manchester for the enforcement of activities relating to Gang, Undercover Drug Investigations, and related search warrant executions.

When the grant was originally accepted, the funds were accepted in class 018 because the Division of State Police was not aware at that time of the amounts that would be awarded to the local Police Departments. Class 018 can only be used to pay for state employee overtime; therefore, the requested action #1 is needed to move the appropriations into class 072.

These funds are to be used by the local Police Departments to supplement their current budget, to fund law enforcement activities that would not otherwise be available to perform at the local level, for the enforcement activities relating to Gang, Undercover Drug Investigations, and related search warrant executions (SWAT).

In the event that Federal Funds become no longer available, General and/or Highway Funds will not be requested to support this program.

Respectfully submitted,

  
John J. Barthelmes  
Commissioner of Safety

MEMORANDUM OF AGREEMENT (MOA)

With The State of New Hampshire, Department of Safety,  
Division of State Police, and the City of Manchester  
Police Department

**REGARDING THE USE OF THE FFY 2010 FEDERAL STREETSWEEPER GRANT FOR LAW  
ENFORCEMENT OVERTIME**

1. **PARTIES.** The parties to this agreement are the City of Manchester Police Department and the State of New Hampshire, Department of Safety, Division of State Police.
2. **AUTHORITY.** This Agreement is authorized under the provisions of the United States Department of Justice.
3. **OVERVIEW.** The New Hampshire Department of Safety, Division of State Police, at its sole discretion, has allocated from its current grant budget an amount of \$75,000, for the period of approval of the State of New Hampshire Fiscal Committee and the State of New Hampshire's Governor and Council through September 30, 2012, to the Manchester Police Department. These funds are to be used by the Manchester Police Department for the enforcement activities relating to Gang, Undercover Drug Investigations and related search warrant executions. Although these funds represent a portion of a larger Grant, issued to the New Hampshire Department of Safety, Division of State Police, by the U.S. Department of Justice - BJA, it should be noted that the Manchester Police Department is not a sub-grantee of this awarded Grant, nor is the Manchester Police Department named by the U.S. Department of Justice - BJA in this Grant Award in any manner or fashion. However, as a party to and participant with the NH Department of Safety grant and the stated objectives, the Manchester Police Department is responsible for compliance with all Federal Terms and Conditions as attached. This includes being available in person and with appropriate documentation to participate in any audits from Federal or State authorities that may result from the award of this grant.
4. This award is funded for the period noted on this MOA. No guarantee is given or implied of subsequent funding in future year. The \$75,000 allotment, which requires no matching funds, is a discretionary amount that the Division of State Police has voluntarily made available to the Manchester Police Department for the specific purpose of funding the afore mentioned functions. The use of these funds is limited to the payment of overtime salaries that are being paid to Manchester Police Officers working the streets, in the performance of joint patrols, undercover drug investigations and search warrant executions with the State Police, as referenced above, and does not include benefits or other miscellaneous expenses incurred by the Manchester Police Department as a consequence of their personnel working these gang, drug investigations or search warrant executions. The funds will be distributed in the following amounts; \$75,000.00 after approval of the State of New Hampshire Fiscal Committee and New Hampshire's Governor and Council, on a reimbursement basis as defined in #7 of this agreement. The grant will expire September 30, 2012.
5. **PURPOSE.** The purpose of this Agreement is to identify the affiliation among the Department of Safety, Division of State Police and the City of Manchester to combat crime within the city and monitor Gang activity and illegal drug sales.
6. **AGREEMENT.** Monthly invoices and activity reports (summarizing activities on a weekly basis) should be submitted to the attention of:

Captain John G. LeLacheur  
NH State Police - Operations Bureau, Room 200  
33 Hazen Drive  
Concord, NH 03305 - 0001  
JOHN.LELACHEUR@DOS.NH.GOV

via e-mail attachment. Captain LeLacheur will be responsible for making all invoices and activity reports available to the Colonel of the State Police and the Commissioner of Safety upon receipt. The activity reports are to include such items as:

- Number and itemization of motor vehicle activity generated; both warning, summons and arrests.
- Number of DWI arrests specifically made by these patrols.
- Number of City ordinance violations; both warning and summons.
- Number of Criminal Arrests in total.
- Number of drug related arrests specifically made by these patrols.
- Number of "Field Reporting Cards" generated.
- Number of overall calls responded to on any given night by these patrols.
- Number of fights responded to on any given night by these patrols.
- Number and types of seizures made as a consequence of these patrols.
- Number of Gang Members Identified.
- Number of New Informants generated.

Information that the Department of Safety obtains from these weekly reports and other summary reports that the Department of Safety may request from time to time, is to be incorporated into the progress reports that the Department of Safety is required to file with the Granting Agency. At a minimum a formal quarterly report in conjunction with our federal reporting periods will be required for submission from the Manchester Police Department. It is important that these reports are completed and submitted in a timely fashion, so as to avoid any reimbursement funding delays. Accuracy of the information submitted is also important as it helps the Department of Safety to support future requests for funding of this kind and to maintain minimum current grant compliance.

7. **TERMS OF REIMBURSEMENT:** As per the budget plan approved by the U.S. DOJ reimbursement will be made to the City of Manchester at a rate not to exceed **\$55 per hour per sworn law enforcement personnel**, which provides a 10% variance above the approved grant rate. This is the maximum allowable rate per person. If an officer is charged at a lower rate on the municipal payroll then the lower rate must be reported to NH State Police and will be reimbursed at that lower rate. Overtime expenses are the result of personnel who worked over and above their normal scheduled daily or weekly work time in the performance of pre-approved activities related specifically to the objectives of this grant. Payment of overtime expenses will be for work performed by Manchester Police Department employees in excess of the established work week (usually 40 hours or by contract) related to approved objectives of this grant. These costs are allowed only to the extent the payment for such services is in accordance with the policies of the state or unit(s) of local government and has the approval of the state or the awarding agency, whichever is applicable. In no case is dual compensation allowable. That is, an employee of a unit of government may not receive compensation from their unit or agency of government AND from an award for a single period of time (e.g., 1:00 p.m. to 5:00 p.m.), even though such work may benefit both activities. Documentation will be retained at the Municipal/Agency level and be available for State/Federal audit. All documented expenses will be further certified as an accurate record of time and wage of those incurred by the listed individual for this specific grant approved activities and that the individuals have been paid by the municipality. This signed certification will be submitted in a summarized spreadsheet format and will include payroll verification, signed by a payroll supervisor and the Chief of the Department verifying the time worked. The spreadsheet must include employees name, hours worked, dates worked, and salary paid for that period.

As requested in previous years, the billing by your Agency is to be done on a monthly basis and is to be submitted within 10 business days following the month being requisitioned. The invoice will accompany the monthly activity reports. These invoices should be directed to the attention of Captain John LeLacheur, at 33 Hazen Drive in Concord, NH. Captain LeLacheur will review these invoices and subject to our receipt of the requested weekly reporting for the given month, will forward your invoices to our Administrator within the Division of State Police for authorization for payment.

Please refer any question that you may have concerning the reporting requirements to Captain LeLacheur, at 603-223-8514, or Tim Pifer at 603-223-8334, and any concerning payment discrepancies to Mrs. Tammy Holso, at 603-223-8355.

8. **OTHER PROVISIONS.** Nothing in this Agreement is intended to conflict with current laws or regulations of the State of NH or Federal Grant Terms and Conditions or other stipulations as specified by the grant award issued by the U.S. DOJ. If a term of this agreement is inconsistent with such authority, then that term shall be invalid, but remaining terms and conditions of this agreement shall remain in full force and effect.

9. **Non-Supplanting of local and state costs with Federal Funds:** per OMB 1121-0323: "Non-Supplanting: Federal funds must be used to supplement existing state and local funds for the program activities and must not replace those funds that have been appropriated for the same purpose." **Non-Supplanting Agreement:** The sub-grantee shall not use grantor (DOS via US DOJ) funds to supplant state or local funds or other resources that would otherwise have been made available for this program. **Non-Supplanting Certification:** This certification, which is a required component of the New Hampshire application, affirms that federal grant funds will be used to supplement (add to) existing funds, and will not supplant (replace) funds that have been locally appropriated for the same purpose. Potential supplanting will be addressed in the application review as well as in the pre-award review, post award monitoring, and the audit. Applicants and/or grantees will be/may be required to supply documentation certifying that a reduction in non-federal resources occurred for reasons OTHER than the receipt or expected receipt of federal Homeland Security grant funds.

Supplanting funds is loosely defined (for these purposes) as using federal grant money to "replace" or "take the place of" existing local funding for equipment or programs. The funds are intended to provide local entities with increased capabilities or to build capacity to address the direct objectives of this grant as outlined in this agreement. DOS/US DOJ grant funds cannot be used to replace aged, local equipment; instead they are intended to help increase capabilities. The funds are not to be used to replace items that are worn out/broken or for replacing (supplanting) routine local budget expenses.

10. **EFFECTIVE DATE.** The terms of this agreement will become effective upon approval of the State of New Hampshire Fiscal Committee and the State of New Hampshire's Governor and Council. As per the U.S. DOJ Financial Guide, (Part III - Ch. 16) any costs that are incurred either before the start of the project period or after the expiration of the project period are not allowable for reimbursement.
11. **MODIFICATION.** This agreement may be modified upon the mutual written consent of the parties and upon appropriate approval of the State of New Hampshire Fiscal Committee and the State of New Hampshire's Governor and Council, as needed.
12. **TERMINATION.** The terms of this agreement, as modified with the consent of both parties, will remain in effect until September 30, 2012. Either party upon 30 days written notice to the other party may terminate this agreement.

APPROVED BY:

State of New Hampshire, Department of Safety, Division of State Police

[Signature] 3/6/12  
Signature

Robert L. Quinn 3/6/12  
Robert L. Quinn, Director of State Police  
Date

City of Manchester

Theodore L. Gates  
Signature

THEODORE L. GATES  
Print Name, Title  
MAYOR Date

Signature

Print Name, Title Date

Signature

Print Name, Title Date

Signature

Print Name, Title Date

State of New Hampshire, Department of Safety

[Signature]  
Signature

John J. Barthelmes, Commissioner 3/7/12  
Date

State of New Hampshire, NH Department of Justice

Signature

Print Name, Attorney General Date

GRANT TERMS AND CONDITIONS – FFY 2010 U.S. DOJ

NOTE: The Grant terms and conditions must be submitted within thirty (30) days from award date and prior to disbursement of funds unless otherwise specified.

As a condition of the receipt of these funds:

- 1) Funding may be suspended or terminated for filing a false certification in this application or other reports or documents as part of this program.
- 2) Availability of Federal Funds: This grant award is contingent upon availability of federal funds approved by Congress. No State funds will be substituted should Federal funds be no longer available for this project.
- 3) Reports: The sub-grantee shall submit, at such times and in such form as may be prescribed, such reports as NH DOS may reasonably require, including quarterly financial reports, progress reports, final financial reports and evaluation reports. Recipients shall be responsible for providing updated obligation and expenditure information on a regular basis. The State DOS must provide to US DOJ consolidated information in the Biannual Strategy Implementation Reports (BSIR) and the Categorical Assistance Progress Reports (CAPR) and local and other funding recipients shall be obligated to supply requested data to meet these obligations.
- 4) Applicable Federal Regulations: The recipient agrees to comply with the organizational audit requirement of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit organizations. The recipient must comply with the Office of Management and Budget (OMB) Circulars, as applicable: A-21 Cost Principles for Educational Institutions; A-87 Cost Principles for State and Local Governments; A-110 Uniform Administrative Requirements for Grants and Agreements with Institutions; and, A-122 Cost Principles for Non-Profit Organizations. Also, the Sub-grantee must comply with the provisions of 28 CFR applicable to grants and cooperative agreements including Part II, Applicability of Office of Management and Budget Circulars; Part 18, Administrative Review Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 42, Non-discrimination Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; and Part 66 (formerly OMB Circular A-102), Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 5) Allowable Costs: The allowability of costs incurred under any grant shall be determined in accordance with the general principles of allowability and standards for selected cost items as set forth in the applicable OMB Circulars referenced above.
- 6) Audit Requirements: The sub-grantee agrees to comply with the requirements of OMB Circular A-133. Further, records with respect to all matters covered by this grant shall be made available for audit and inspection by NH DOS and/or any of its duly authorized representatives. If required, the audit report must specifically cite that the report was done in accordance with OMB Circular A-133. If a compliance audit is not required, a written certification must be provided at the end of each audit period stating that the sub-grantee has not expended the amount of federal funds that would require a compliance audit. The sub-grantee agrees to accept these requirements by the completion of the cover page and the signature page of the application.
- 7) Equal Employment Opportunity: No person shall on the grounds of race, creed, color or national origin, be excluded from participation in, be refused the benefits of, or be otherwise subjected to discrimination under sub-grants awarded pursuant to the Act governing these funds or any project, program, activity or sub-grant supported by such requirements of Title VI of the Civil Rights Act of 1964, and all applicable requirements pursuant to the regulations of the Department of Commerce (Title 15, code of Federal Regulations, Part 8, which have been adopted by the Federal Funding Agency); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Labor Regulation 41 CFR Part 60; and the Department of Justice Non-discrimination

## GRANT TERMS AND CONDITIONS – FFY 2010 U.S. DOJ

NOTE: The Grant terms and conditions must be submitted within thirty (30) days from award date and prior to disbursement of funds unless otherwise specified.

Regulations 28 CFR Part 42, Subparts C, D, E and G. The sub-grantee must therefore ensure it has a current Equal Employment Opportunity Program (EEOP) which meets the requirements of 28 CFR 42.301. The Sub-grantee further agrees to post in a conspicuous place, available to all employees and applicants for employment, notices setting forth the provisions of the EEOP, as supplemented in Department of Labor Regulations 41 CFR Part 60. The Sub-grantee assures that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will immediately forward a copy of the findings to NH DOS.

- 8) Compliance with Federal Civil Rights Laws and Regulations: The grantee is required to comply with Federal civil rights laws and regulations. Specifically, the grantee is required to provide assurances as a condition for receipt of Federal funds that its programs and activities comply with the following:
  33. *Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 et. seq.* – no person on the grounds of race, color, or national origin will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program or activity receiving Federal financial assistance.
  34. *Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794* – no qualified individual with a disability in the United States, shall, by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity receiving Federal financial assistance.
  35. *Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et. seq.* – discrimination on the basis of sex is eliminated in any education program or activity receiving Federal financial assistance.
  36. *The Age Discrimination Act of 1975, as amended, 20 U.S.C. 6101 et. seq.* – no person in the United States shall be, on the basis of age, excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance.
- 9) Grantee must comply with all regulations, guidelines, and standards adopted under the above statutes. The grantee is also required to submit information, as required, to the DHS Office for Civil Rights and Civil Liberties concerning its compliance with these laws and their implementing regulations.
- 10) Limited English Proficiency (LEP): Recipients of US DOJ financial assistance is required to comply with several Federal civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended. These laws prohibit discrimination on the basis of race, color, religion, natural origin, and sex in the delivery of services. National origin discrimination includes discrimination on the basis of limited English proficiency. To ensure compliance with Title VI, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. The grantee is encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs. For additional information, see <http://www.lep.gov>.
- 11) Ensuring Equal Treatment for Faith based Organizations: Per 28 CFR part 38 requiring State Administrative Agencies to treat these organizations the same as any other applicant or recipient. Prohibits SAA from making awards or from administering grants based upon an organization's religious character, or affiliation, religious name, or the religious composition of the Board of Directors. The regulation also prohibits faith-based organizations from using financial assistance from US DOJ to fund inherently religious activities. Additional stipulations may apply and should be referred to U.S. DOJ.
- 12) Conflict Of Interest: Personnel and other officials connected with this grant shall adhere to the requirements given below:

GRANT TERMS AND CONDITIONS – FFY 2010 U.S. DOJ

NOTE: The Grant terms and conditions must be submitted within thirty (30) days from award date and prior to disbursement of funds unless otherwise specified.

- 13) **Appearance:** In the use of these grant funds, officials or employees of state or local units of government and non-governmental grantees/sub-grantees shall avoid any action that might result in, or create the appearance of the following:
- 33. Using his or her official position for private gain;
  - 34. Giving preferential treatment to any person;
  - 35. Losing complete independence or impartiality;
  - 36. Making an official decision outside official channels; and/or
  - 37. Adversely affecting the confidence of the public in the integrity of the government or the program.
- 14) The recipient must promptly refer to DOJ/OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any sub recipient.
- 15) **Bonding:** It is strongly recommended that all officials identified on this grant who have authority to obligate, expend or approve expenditures be bonded for an amount no less than the total amount of the grant, including match. (RSA 31:95B)
- 16) **Non-Supplanting Agreement:** The sub-grantee shall not use grantor funds to supplant state or local funds or other resources that would otherwise have been made available for this program. Non-Supplanting Certification: This certification, which is a required component of the New Hampshire application, affirms that federal US DOJ grant funds will be used to supplement (add to) existing funds, and will not supplant (replace) funds that have been locally appropriated for the same purpose. Potential supplanting will be addressed in the application review as well as in the pre-award review, post award monitoring, and the audit. Applicants and/or grantees will be/may be required to supply documentation certifying that a reduction in non-federal resources occurred for reasons OTHER than the receipt or expected receipt of federal US DOJ grant funds.
- Supplanting funds is loosely defined (for these purposes) as using federal grant money to "replace" or "take the place of" existing local funding for equipment or programs. The funds are intended to provide local entities with increased capabilities or to build capacity to address CBRNE/WMD terrorist incidents. Federal US DOJ grant funds cannot be used to replace aged, local equipment; instead they are intended to help increase capabilities. The funds are not to be used to replace items that are worn out/broken or for replacing (supplanting) routine local budget expenses.
- 17) **Written Approval of Changes:** Any mutually agreed upon changes to this sub-grant must be approved, in writing, by NH DOS prior to implementation or obligation and shall be incorporated in written amendments to this grant. This procedure for changes to the approved sub-grant is not limited to budgetary changes, but also includes changes of substance in project activities and changes in the project director or key professional personnel identified in the approved application.
- 18) **Bidding Requirements:** The sub-grantee must comply with proper competitive bidding procedures as required by 28 CFR Part 66 (formerly OMB Circular A-102) or OMB Circular A-110, as applicable. On any items, including that bid in the aggregate, whose total cost is less than \$5,000, the bids do not have to be submitted to the NH DOS for review and approval; but adequate documentation must be maintained in the sub-grantee's files.
- 19) **Buy American Act:** In general, grantees are not required to comport with the restrictions of the Buy American Act (41 U.S.C. 10a) However, grants authorized under the Stafford Act, including this DOJ program, must follow

## GRANT TERMS AND CONDITIONS – FFY 2010 U.S. DOJ

NOTE: The Grant terms and conditions must be submitted within thirty (30) days from award date and prior to disbursement of funds unless otherwise specified.

these standards. The Buy American Act requires that all materials purchased be produced in the United States, unless such materials are not available, or such purchases would not be in the public interest.

- 20) Obligation of Grant Funds: Grant funds may not be obligated prior to the effective date of the approved grant application and without advance written approval by NH DOS. No obligations may be made, and the final request for payment must be submitted, no later than 30 calendar days before the end of the grant period.
- 21) Utilization and Payment of Grant Funds: Funds awarded are to be expended only for purposes and activities covered by the grant recipients approved project plan and budget. Items must be in the sub-grantee's approved grant budget in order to be eligible for reimbursement. Payments will be adjusted to correct previous overpayments and disallowances or under payments resulting from audit. Claims for reimbursement must be submitted no more frequently than once a month and no less than once a quarter. Grants failing to meet this requirement, without prior written approval, are subject to cancellation.
- 22) Recording and Documentation of Receipts and Expenditures: Sub-grantee's accounting procedures must provide for accurate and timely recording of receipt of funds by source of expenditures made from such funds and unexpended balances. These records must contain information pertaining to grant awards, obligations, unobligated balances, assets, liabilities, expenditures and program income. Controls must be established which are adequate to ensure that expenditures charged to the sub-grant activities are for allowable purposes. Additionally, effective control and accountability must be maintained for all grant cash, real and personal property and other assets. Accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract documents, grant award documents, etc.
- 23) Financial Responsibility: The financial responsibility of sub-grantee must be such that the sub-grantee can properly discharge the public trust which accompanies the authority to expend public funds. Adequate accounting systems should meet the following criteria:
  - a. Accounting records should provide information needed to adequately identify the receipt of funds under each grant awarded and the expenditure of funds for each grant;
  - b. Entries in accounting records should refer to subsidiary records and/or documentation which support the entry and which can be readily located;
  - c. The accounting system should provide accurate and current financial reporting information; and,
  - d. The accounting system should be integrated with an adequate system of internal controls to safeguard the funds and assets covered, check the accuracy and reliability of accounting data, promote operational efficiency and encourage adherence to prescribed management policies.
- 24) Retention of Records: Records for non-expendable property purchased totally or partially with grantor funds must be retained for three years after its final disposition. All other pertinent grant records including financial records, supporting documents and statistical records shall be retained for a minimum of three years after the final expenditure report. However, if any litigation, claim or audit is started before the expiration of the three year period, then records must be retained for three years after the litigation, claim or audit is resolved.
- 25) Property Control: Effective control and accountability must be maintained for all personal property. Sub-grantees must adequately safeguard all such property and must assure that it is used solely for

GRANT TERMS AND CONDITIONS -- FFY 2010 U.S. DOJ

NOTE: The Grant terms and conditions must be submitted within thirty (30) days from an award date and prior to disbursement of funds unless otherwise specified.

authorized purposes. Sub-grantees should exercise caution in the use, maintenance, protection and preservation of such property.

1. **Title:** Subject to the obligations and conditions set forth in 28 CFR Part 66 (formerly OMB Circular A-102), title to non-expendable property acquired in whole or in part with grant funds shall be vested in the sub-grantee. Non-expendable property is defined as any item having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit.
  2. **Property Control Record:** The sub-grantee agrees to be subject to a biennial audit by NH DOS and/or its duly authorized representatives. Upkeep, maintenance, and training of and for equipment procured as part of the US DOJ grant program is a local and/or grantee responsibility. The inventory of this equipment is a local responsibility and the recipient of such understands that inspections, auditing, and inventory accounting of this equipment may occur as a condition of this grant either from Federal, State or other appropriate level agency and agent
  3. **Use and Disposition:** Equipment shall be used by the sub-grantee in the program or project for which it was acquired as long as needed, whether or not the program or project continues to be supported by federal funds. When use of the property for project activities is discontinued, the sub-grantee shall request, in writing, disposition instructions from NH DOS prior to actual disposition of the property. Theft, destruction, or loss of property shall be reported to NH DOS immediately. To comply with OMB circular A-87, equipment valued over \$5,000 must be inventoried and tracked locally and be reported to the NH Department of Safety (DOS) Grants Management Unit for 3 years or until the item carries a depreciated value of less than \$100. The disposition of the equipment must be reported. DOS recommends consulting with local auditors for GASB-34 compliance and disposition rules governing equipment procured with Federal funds.
- 26) **Performance:** This grant may be terminated or fund payments discontinued by NH DOS where it finds a substantial failure to comply with the provisions of the legislation governing these funds or regulations promulgated, including those grant conditions or other obligations established by NH DOS. In the event the sub-grantee fails to perform the services described herein and has previously received financial assistance from NH DOS, the sub-grantee shall reimburse NH DOS the full amount of the payments made. However, if the services described herein are partially performed, and the sub-grantee has previously received financial assistance, the sub-grantee shall proportionally reimburse NH DOS for payments made.
- 27) **Deobligation of Grant Funds:** All grants must be deobligated within thirty (30) calendar days of the end of the grant period. Failure to deobligate the grant in a timely manner will result in an automatic deobligation of the grant by NH DOS.
- 28) **Final Report:** The report is in addition to the cumulative progress reports and is also due 30 days after the end of the grant period.
- 29) **Copyright:** Except as otherwise provided in the terms and conditions of this grant, the sub-grantee or a contractor paid through this grant is free to copyright any books, publications or other copyrightable materials developed in the course of or under this grant. However, the federal awarding agency and/or state funding agency (NH DOS) reserve a royalty-free, non-exclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for federal government and/or NH DOS purposes:

GRANT TERMS AND CONDITIONS – FFY 2010 U.S. DOJ

NOTE: The Grant terms and conditions must be submitted within thirty (30) days from award date and prior to disbursement of funds unless otherwise specified.

1. the copyright in any work developed under this grant or through a contract under this grant; and,
  2. any rights of copyright to which a sub-grantee or subcontractor purchases ownership with grant support.
- 30) The federal government's rights and/or NH DOS' rights identified above must be conveyed to the publisher and the language of the publisher's release form must ensure the preservation of these rights.
- 31) Americans with Disabilities Act of 1990 (ADA): The sub-grantee must comply with all requirements of the Americans with Disabilities Act of 1990 (ADA), as applicable.
- 32) Compliance with the National Energy Conservation Policy and Energy Policy Acts: In accordance with the *Consolidated Security, disaster Assistance, and continuing Appropriations Act, 2009* (Public Law 110-329), grant funds must comply with the following two requirements:
- None of the funds made available shall be used in contravention of the Federal buildings performance and reporting requirements of Executive Order No. 13123, part 3 of title V of the National Energy Conservation Policy Act (42 USC 8251 et seq), or subtitle A of title I of the Energy Policy Act of 2005 (including amendments made thereby).
- None of the funds made available shall be used in contravention of section 303 of the Energy Policy Act of 1992 (42 USC 13212).
- 33) Compliance with Section 504 of the Rehabilitation Act of 1973 (Handicapped): All recipients of federal funds must comply with Section 504 of the Rehabilitation Act of 1973. Therefore, the federal funds recipient pursuant to the requirements of the Rehabilitation Act of 1973 hereby gives assurance that no otherwise-qualified handicapped person shall, solely by reason of handicap, be excluded from the participation in, be denied the benefits of or be subject to discrimination, including discrimination in employment, in any program or activity that receives or benefits from federal financial assistance. The recipient agrees it will ensure that requirements of the Rehabilitation Act of 1973 shall be included in the agreements with and be binding on all of its sub-grantees, contractors, subcontractors, assignees or successors.
- 34) Construction and Renovation: Construction and Renovation is generally prohibited except as outlined below. Such construction and renovation shall be strictly limited and allowable only when it is a necessary component of a security system at critical infrastructure facilities.
1. Funds may not be used for any type of construction or renovation
  2. Project construction and renovation not exceeding \$1,000,000 is allowable, as deemed necessary. The following types of projects are considered to constitute construction or renovation, and must be submitted to NH DOS for compliance review under Federal environmental planning and historic preservation (EHP) laws and requirements prior to initiation of the project:
    - a. Construction and/or renovation to guard facilities
    - b. Renovation of and modifications, including the installation of security and communication equipment, to buildings and structures that are 50 years old or older
    - c. Any other construction or renovation efforts that change or expand the footprint of a facility or structure, including security enhancements to improve perimeter security.
  3. Physical security enhancements, including but not limited to:
    - a. Lighting

GRANT TERMS AND CONDITIONS – FFY 2010 U.S. DOJ

NOTE: The Grant terms and conditions must be submitted within thirty (30) days from award date and prior to disbursement of funds unless otherwise specified.

- b. Fencing
  - c. Closed-circuit television (CCTV) systems
  - d. Motion detection systems
  - e. Barriers, doors, gates and related security enhancements
4. In addition, the erection of communications towers that are included in a jurisdiction's interoperable communications plan is allowed, subject to all applicable laws, regulations, and licensing provisions. Communication tower projects must be submitted to US DOJ for EHP review. Per the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of 2009 (Public Law 110-329), communications towers are not subject to the \$1,000,000 construction and renovation cap.
- 35) 32. Environmental and Historic Preservation (EHP) Compliance US DOJ is required to consider the potential impacts to the human and natural environment of projects proposed for US DOJ funding. US DOJ, through its EHP Program, engages in a review process to ensure that US DOJ-funded activities comply with various Federal laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). The goal of these compliance requirements is to protect our nation's water, air, coastal, wildlife, agricultural, historical, and cultural resources, as well as to minimize potential adverse effects to children and low-income and minority populations. Grantees may be required to provide additional detailed information about the project, including the following: location; description of the project including any associated ground disturbance work, extent of modification of existing structures, construction equipment to be used, staging areas, access roads, etc.; year the existing facility was built; natural, biological, and/or cultural resources present in the project vicinity; visual documentation such as site and facility photographs, project plans, maps, etc; and possible project alternatives.
- 36) Because of the potential for significant adverse effects to EHP resources or public controversy, some projects may require an additional assessment or report, such as an Environmental Assessment, Biological Assessment, archaeological survey, cultural resources report, wetlands delineation, or other document, as well as a public comment period. Grantees are responsible for the preparation of such documents, as well as for the implementation of any treatment or mitigation measures identified during the EHP review that are necessary to address potential adverse impacts. Failure of the grantee to meet Federal, State, and local EHP requirements, obtain applicable permits, and comply with any conditions that may be placed on the project as a result of US DOJ's EHP review may jeopardize Federal funding. Please refer to IB 271 for information on Environmental Planning and Historic Preservation Requirements for Grants. Any construction activities that have been initiated without the necessary EHP review and approval will result in a non-compliance finding and will not be eligible for US DOJ funding.
33. Political Activity: None of the funds, materials, property or services provided directly or indirectly under this contract shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office, or otherwise in violation of the provisions of the "Hatch Act."
34. Debarment Certification: With the signing of the grant application, the sub-grantee agrees to comply with Federal Debarment and Suspension regulations as outlined in the "Certification Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements" form. (Attached)
35. Drug-Free Workplace Certification: the Federal Drug-Free Workplace Act of 1988 requires this certification. The federal regulations, published in the January 31, 1989, Federal Register, require certification by state agency sub-grantees that they will maintain a drug-free workplace.

GRANT TERMS AND CONDITIONS – FFY 2010 U.S. DOJ

NOTE: The Grant terms and conditions must be submitted within thirty (30) days from award date and prior to disbursement of funds unless otherwise specified.

36. Disclosure of Federal Participation: In compliance with Section 623 of Public Law 102-141, the sub-grantee agrees that no amount of this award shall be used to finance the acquisition of goods and services (including construction services) for the project unless the sub-grantee agrees to the following:
- a. Specifies in any announcement of the awarding of the contract for the procurement of the goods and services involved (including construction services) the amount of federal funds that will be used to finance the acquisition; and,
  - b. Expresses the amount announced pursuant to paragraph (a) as a percentage of the total cost of the planned acquisition.
- 37) The above requirements only apply to a procurement for goods or services (including construction services) that has an aggregate value of \$500,000 or more.
- 38) Publications: The sub-grantee agrees that any publication (written, visual, or sound, but excluding press releases, newsletters, and issue analyses) issued by the sub-grantee describing programs or projects funded in whole or in part with federal funds, shall prominently contain the following statement:
33. This document was prepared under a grant from U.S. DOJ. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of U.S. DOJ or the NH Department of Safety (DOS)".
- 39) The sub-grantee also agrees that one copy of any such publication will be submitted to NH DOS to be placed on file and distributed as appropriate to other potential sub-grantees or interested parties. NH DOS may waive the requirement for submission of any specific publication upon submission of a request providing justification from the sub-grantee.
- 40) Closed-Captioning of Public Service Announcements: Any television public service announcement that is produced or funded in whole or in part by any agency or instrumentality of the federal government shall include closed captioning of the verbal content of such announcement.
- 41) Fiscal Regulations: The fiscal administration of grants shall be subject to such further rules, regulations and policies concerning accounting and records, payment of funds, cost allowability, submission of financial reports, etc., as may be prescribed by NH DOS Guidelines or "Special Conditions" placed on the grant award.
- 42) Compliance Agreement: The sub-grantee agrees to abide by all Terms and Conditions including "Special Conditions" placed upon the grant award by NH DOS. Failure to comply could result in a "Stop Payment" being placed on the grant.
- 43) Suspension or Termination of Funding: NH DOS may suspend, in whole or in part, and/or terminate funding for or impose another sanction on a sub-grantee for any of the following reasons:
- a. Failure to comply substantially with the requirements or statutory objectives of the 2003 Omnibus Appropriations Act issued there under, or other provisions of Federal Law.
  - b. Failure to adhere to the requirements, standard conditions or special conditions.
  - c. Proposing or implementing substantial program changes to the extent that, if originally submitted, the application would not have been approved for funding.

**GRANT TERMS AND CONDITIONS – FFY 2010 U.S. DOJ**

NOTE: The Grant terms and conditions must be submitted within thirty (30) days from award date and prior to disbursement of funds unless otherwise specified.

- d. Failure to submit reports.
- e. Filing a false certification in this application or other report or document.
- f. Other good cause shown

**CERTIFICATION BY PROGRAM MANAGER/CONTACT\***

I certify that: (1) I understand and agree to comply with the general and fiscal provisions of this grant application including the terms and conditions; (2) I understand and agree to comply with provisions of the regulations governing these funds and all other federal and state laws; (3) all information presented is correct; (4) there has been appropriate coordination with affected agencies; (5) I am duly authorized by the applicant to perform the tasks of Program Manager/Contact as they relate to the requirements of this grant application; (6) costs incurred prior to Grantee approval may result in the expenditures being absorbed by the sub-grantee; and, (7) the receipt of these grant funds through the Grantee will not supplant state or local funds.

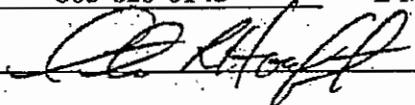
Name: David J. Mara Title: Chief of Police  
Agency: Manchester Police Department Mailing Address: 351 Chestnut St  
Phone Number: 603-628-6132 x301 Manchester, NH 03101  
Fax Number: 603-628-6137 E-Mail Address: dmara@manchesternh.gov  
Signature: 

**CERTIFICATION BY FINANCIAL OFFICER\***

GRANT TERMS AND CONDITIONS - FFY 2010 U.S. DOJ

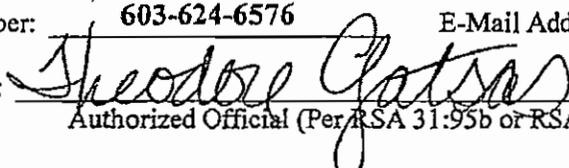
NOTE: The Grant terms and conditions must be submitted within thirty (30) days from award date and prior to disbursement of funds unless otherwise specified.

I certify that: (1) I understand and agree to comply with the general and fiscal provisions of this grant application including the terms and conditions; (2) I understand and agree to comply with provisions of the regulations governing these funds and all other federal and state laws; (3) all information presented is correct; (4) there has been appropriate coordination with affected agencies; (5) I am duly authorized by the applicant to perform the tasks of Financial Officer as they relate to the requirements of this grant application; (6) costs incurred prior to Grantee approval may result in the expenditures being absorbed by the sub-grantee; and, (7) the receipt of these grant funds through the Grantee will not supplant state or local funds.

Name: Steven L. Hoefft Title: Business Services Officer  
Agency: Manchester Police Department Mailing Address: 351 Chestnut St  
Phone Number: 603-628-6132 x330 Manchester, NH 03101  
Fax Number: 603-628-6145 E-Mail Address: shoefft@manchesternh.gov  
Signature: 

**CERTIFICATION BY AUTHORIZED OFFICIAL\***

I certify that: (1) I understand and agree to comply with the general and fiscal provisions of this grant application including the terms and conditions; (2) I understand and agree to comply with provisions of the regulations governing these funds and all other federal and state laws; (3) all information presented is correct; (4) there has been appropriate coordination with affected agencies; (5) I am duly authorized by the applicant to perform the tasks of Authorized Official as they relate to the requirements of this grant application; (6) costs incurred prior to Grantee approval may result in the expenditures being absorbed by the sub-grantee; and, (7) the receipt of these grant funds through the Grantee will not supplant state or local funds.

Name: Theodore L. Gatsas Title: Mayor  
Agency: City of Manchester Mailing Address: One City Hall Plaza  
Phone Number: 603-624-6500 Manchester, NH 03101  
Fax Number: 603-624-6576 E-Mail Address: gatsas@manchesternh.gov  
Signature:   
Authorized Official (Per RSA 31:95b or RSA 37:6)

\*NOTE: THE PROJECT DIRECTOR, FINANCIAL OFFICER AND AUTHORIZED OFFICIAL CANNOT BE THE SAME PERSON.

*Matthew Normand  
City Clerk*



*Heather Freeman  
Assistant City Clerk*

*JoAnn Ferruolo  
Assistant City Clerk*

**CITY OF MANCHESTER**  
*Office of the City Clerk*

**MEMORANDUM**

To: Leon LaFreniere  
Director of Planning & Community Development

From: Matthew Normand  
City Clerk

Date: February 22, 2012

Re: Reports of the Committee on Community Improvement

Enclosed please find copies of reports of the Committee on Community Improvement accepted by the Board of Mayor and Aldermen on February 21, 2012.

Enclosures

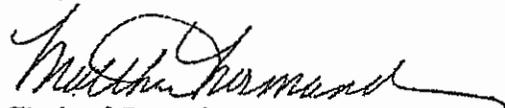
pc: William Sanders, Finance Officer  
Samuel Maranto, CIP Manager  
William Sanders, Finance Officer  
David Mara, Chief of Police

To the Board of Mayor and Aldermen of the City of Manchester:

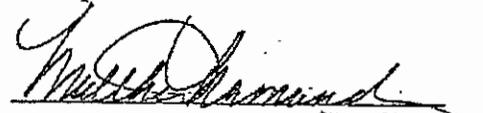
The Committee on Community Improvement respectfully recommends, after due and careful consideration, that amending Resolution and budget authorization providing for acceptance of funds in the amount of \$75,000 for CIP project #412412 – Operation Streetsweeper Program be approved.

*(Unanimous vote)*

Respectfully submitted,

  
Clerk of Committee

At a meeting of the Board of Mayor and Aldermen held February 21, 2012, on a motion of Alderman O'Neil, duly seconded by Alderman Osborne, the report of the Committee was accepted and its recommendations adopted.

  
City Clerk



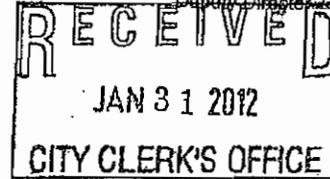
**CITY OF MANCHESTER**  
**PLANNING AND COMMUNITY DEVELOPMENT**

Planning and Land Use Management  
Building Regulations  
Community Improvement Program  
Zoning Board of Adjustment

Leon L. LaFreniere, AICP  
Director

\* Pamela H. Goucher, AICP  
Deputy Director - Planning & Zoning

Matthew M. Sink  
Deputy Director - Building Regulations



Memo to: Matthew Normand, City Clerk &  
Board of Mayor and Aldermen

From: Leon L. LaFreniere, AICP  
Director of Planning and Community Development

Date: January 9, 2012

Subject: Police Department -- CIP #412412 -- Operation Streetsweeper Program  
(New Funding)

The Police Department has notified us that the City has received a grant from the State of New Hampshire, Department of Safety, Division of State Police totaling \$75,000 for the implementation of the Operation Streetsweeper Program.

As such, we have prepared the appropriate CIP Amending Resolution and Budget Authorization Form necessary for program initiation.

Your review of these documents and a recommendation for approval to the full Board is respectfully requested.

Attachments:

Date: 2/07/12  
On motion of Ald. O'Neil  
Seconded by Ald. Roy  
Voted to refer to the Committee on  
Community Improvement.

*Matthew Normand* City Clerk



City of Manchester  
Office of Risk Management

Harry G. Ntapalis  
Risk Manager

One City Hall Plaza  
Manchester, New Hampshire 03101  
(603) 624-6503 Fax (603) 624-6528  
TTY: 1-800-735-2964

**CERTIFICATE OF COVERAGE  
TO WHOM IT MAY CONCERN**

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 within the financial limits of RSA 507-B as follows:

	Limits of Liability (in thousands 000)	
GENERAL LIABILITY	Bodily Injury and Property Damage	
	Each Person	275
	Each Occurrence	925
AUTOMOBILE LIABILITY	Bodily Injury and Property Damage	
	Each Person	275
	Each Occurrence	975
WORKER'S COMPENSATION	Statutory Limits	

The City of Manchester, New Hampshire maintains a Self-Insured, Self-Funded Program and retains outside claim service administration. All coverages are continuous until otherwise notified. Effective on the date Certificate issued and expiring upon completion of contract. Notwithstanding any requirements, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the coverage afforded by the limits described herein is subject to all the terms, exclusions and conditions of RSA 507-B.

**DESCRIPTION OF OPERATIONS/LOCATION/CONTRACT PERIOD**

Issued the 18th day of August, 2009.

*Harry G. Ntapalis*  
Risk Manager

File to Yott 8/19/11



# State of New Hampshire

DEPARTMENT OF SAFETY  
OFFICE OF THE COMMISSIONER  
33 HAZEN DR. CONCORD, NH 03305  
603/271-2791

Fiscal 9-23-11  
#FIS 11-221  
G+C 9-28-11  
#121

JOHN J. BARTHELMES  
COMMISSIONER

August 13, 2011

Representative Ken Weyler, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, NH 03301

His Excellency, Governor John H. Lynch  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

### Requested Action

Pursuant to RSA 14:30-a, VI authorize the Department of Safety, Division of State Police, to amend Fiscal Item #FIS11-041, approved on February 18, 2011 and Item # 79, approved by Governor and Council on February 16, 2011, and subsequently amended Fiscal Item #FIS11-188, approved on June 17, 2011 and Item #329, approved by Governor and Council on June 22, 2011 by reallocating grant funds from the Department of Justice, Office of Justice Programs due to the reallocating of the indirect cost as directed by the Federal agency. Effective upon Governor & Council approval through September 30, 2012. Funding source: 100% Federal Funds.

Funds are available in SFY2012 in the following account:

02-23-23-234010-6042 Dept. of Safety - Division of State Police - Operation Street Sweeper 2009  
RSRC: 406480

<u>Class</u>	<u>Description</u>	<u>SFY 2012 Adjusted Authorized</u>	<u>Requested Action</u>	<u>SFY 2012 Revised Adjusted Authorized</u>
000	Federal Funds	\$ (1,351,474.54)	\$ -	\$ (1,351,474.54)
018-500106	Overtime	\$ 376,332.58	\$ 29,000.00	\$ 405,332.58
020-500200	Current Expense	\$ 135,605.30	\$ -	\$ 135,605.30
024-500227	Maint. Other Than Build.-Grnd.	\$ 56,000.00	\$ -	\$ 56,000.00
030-500311	Equipment	\$ 504,028.60	\$ -	\$ 504,028.60
040-500800	Indirect Cost	\$ 139,254.81	\$ (33,788.00)	\$ 105,466.81
041-500801	Audit Fund Set Aside	\$ 1,551.34	\$ -	\$ 1,551.34
060-500602	Benefits	\$ 96,540.14	\$ 4,788.00	\$ 101,328.14
072-500574	Grants - Federal	\$ 25,832.95	\$ -	\$ 25,832.95
080-500713	Out-Of-State-Travel	\$ 16,328.82	\$ -	\$ 16,328.82
	<b>Total</b>	<b>\$ 1,351,474.54</b>	<b>\$ -</b>	<b>\$ 1,351,474.54</b>

Explanation

This grant will be used to improve the Division's ability to fulfill its role as the primary law enforcement agency, responsible for statewide drug and major crime investigations. This grant will be used to acquire equipment and training needed to address the illicit manufacture, distribution and sale of drugs. The primary goal of this grant and enforcement program is to reduce the total number of serious crimes that are occurring within the State of New Hampshire.

The request to reallocate funds is needed as follows:

- Class 018      Increased to cover the overtime for statewide drug and major crime investigations for the Narcotics Unit, State Police patrols, as well as the State Forensics Lab.
- Class 060      Increased to benefits associated with the overtime as noted above.
- Class 040      Decreased indirect cost due to the calculation on items within the budget not allowable by the funding agency.

In the event that Federal Funds become no longer available, General Funds and/or Highway funds will not be requested to support this program.

Respectfully submitted,

  
John J. Barthelme  
Commissioner of Safety



Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

Grant

PAGE 1 OF 3

1. RECIPIENT NAME AND ADDRESS (including Zip Code)

New Hampshire Department of Safety  
33 Hazen Drive  
Concord, NH 03305-0001

4. AWARD NUMBER: 2010-DD-BX-0539

5. PROJECT PERIOD: FROM 10/01/2010 TO 09/30/2012  
BUDGET PERIOD: FROM 10/01/2010 TO 09/30/2012

6. AWARD DATE 09/08/2010

7. ACTION

1A. GRANTEE IRS/VENDOR NO.  
026003618

8. SUPPLEMENT NUMBER  
00

Initial

9. PREVIOUS AWARD AMOUNT

\$ 0

3. PROJECT TITLE

Operation Street Sweeper - 2010

10. AMOUNT OF THIS AWARD

\$ 750,000

11. TOTAL AWARD

\$ 750,000

12. SPECIAL CONDITIONS

THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).

13. STATUTORY AUTHORITY FOR GRANT

This project is supported under Department of Justice Appropriations Act, 2010 (Pub. L. No. 111-117)

15. METHOD OF PAYMENT

GPRS

AGENCY APPROVAL

GRANTEE ACCEPTANCE

16. TYPED NAME AND TITLE OF APPROVING OFFICIAL

Laurie Robinson  
Assistant Attorney General

18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL

John Barthelmes  
Commissioner

17. SIGNATURE OF APPROVING OFFICIAL

19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL

19A. DATE

9/24/10

AGENCY USE ONLY

20. ACCOUNTING CLASSIFICATION CODES

FISCAL YEAR	FUND CODE	BUD. ACT.	DIV. OFC.	REG.	SUB.	POMS	AMOUNT
X	B	D1	80	00	00		750000

21. JDIUGT3116

# TITLE I

## THE STATE AND ITS GOVERNMENT

### CHAPTER 14

#### LEGISLATIVE OFFICERS AND PROCEEDINGS

##### Legislative Budget Assistant

###### Section 14:30-a

###### 14:30-a Fiscal Committee. —

I. There is hereby established a fiscal committee of the general court. Said committee shall consist of 10 members. Five shall be members of the house as follows: the chairperson of the finance committee and 2 other members of the committee, appointed by the chairperson; and 2 other house members appointed by the speaker of the house. Five members shall be members of the senate as follows: the chairperson of the finance committee and 2 other members of that committee, appointed by the chairperson; and 2 other senators appointed by the senate president. The chairperson of the house finance committee shall be the chairperson of the fiscal committee.

II. The committee shall, while the general court is in session and during the interim, consult with, assist, advise, and supervise the work of the legislative budget assistant, and may at its discretion investigate and consider any matter relative to the appropriations, expenditures, finances, revenues or any of the fiscal matters of the state. The members shall be paid the regular legislative mileage during the interim while engaged in their work as members of the committee.

III. The fiscal committee shall consider recommendations proposed to it by the legislative performance audit and oversight committee established under RSA 17-N:1. The fiscal committee shall adopt all recommendations proposed to it as provided in RSA 17-N:1, III by the performance audit and oversight committee unless the fiscal committee refuses by unanimous vote to adopt such recommendations.

IV. [Repealed.]

V. [Repealed.]

VI. Any non-state funds in excess of \$50,000, whether public or private, including refunds of expenditures, federal aid, local funds, gifts, bequests, grants, and funds from any other non-state source, which under state law require the approval of governor and council for acceptance and expenditure, may be accepted and expended by the proper persons or agencies in the state government only with the prior approval of the fiscal committee.

Source. 1965, 239:19. 1987, 416:7. 1989, 396:13; 408:2. 1991, 346:18, I. 1995, 9:8, eff. June 11, 1995. 2005, 177:11, eff. July 1, 2005. 2006, 290:21, eff. June 15, 2006.