R-08-109

RESOLUTION

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF $10,000 FROM THE COUNTY OF HILLSBOROUGH INTO SPECIAL REVENUE ACCOUNT #332-6308 TO OPERATE A REGIONAL JUVENILE FIRE INTERVENTION PROGRAM

CITY OF NASHUA

In the Year Two Thousand and Eight

RESOLVED *by the Board of Aldermen of the City of Nashua* that the City of Nashua and the Nashua Fire Rescue Fire Marshal's Office are authorized to accept and appropriate $10,000 received from the County of Hillsborough into Special Revenue Account #332-6308 to operate a Regional Juvenile Fire Intervention Program for FY09.

LEGISLATIVE YEAR 2008

RESOLUTION: R-08-109

PURPOSE: **Relative to the acceptance and appropriation of $10,000 from the County of Hillsborough into Special Revenue Account #332-6308 to operate a Regional Juvenile Fire Intervention Program**

ENDORSER(S): **Mayor Donnalee Lozeau**
Alderman-at-Large Lori Wilshire
Alderman Marc W. Plamondon
Alderman Michael J. Tabacsko

COMMITTEE ASSIGNMENT:

FISCAL NOTE: **Fiscal impact is a $10,000 grant to the City to be used for a specific purpose.**

ANALYSIS

This resolution authorizes the City of Nashua and the Nashua Fire Rescue Fire Marshal's Office to accept and appropriate $10,000 from the County of Hillsborough into Special Revenue Account #332-6308 for the purpose of operating a Regional Juvenile Fire Intervention Program for FY09.

Approved as to account structure, numbers and amount: **Financial Services Division**

By: Rosemarie Evans

Approved as to form: **Office of Corporation Counsel**

By: Dorothy Clarke

Date: August 6, 2008

County code # 2954

AGREEMENT

This agreement made this 1st day of August 2008 by and between the County of Hillsborough (Grantor) and Nashua Fire Rescue-Regional Adolescent Fire School (Grantee). The Grantor hereby authorizes the release of up to $10,000.00 in Incentive Funds allocated to Hillsborough County by the State of New Hampshire, Division for Children, Youth and Families, to the Grantee for the provision of services as outlined in the previously submitted proposal (inclusive of application and oral presentation) which is incorporated by reference herein and made a part hereof. The term of this agreement shall be from July 1, 2008 through June 30, 2009. It is understood that acceptance of these moneys obligates the parties to the following conditions:

1. All funds will be subject to any State and/or County audit.

2. By acceptance of these funds, the Grantee hereby agrees to comply with the rules and regulations of the Division for Children, Youth and Families, which are incorporated by reference herein and made a part hereof.

3. Funds will be released at intervals quarterly or monthly, as determined by Grantor, but only after a timely accounting of previous expenditures.

4. A quarterly progress report will be submitted, in writing to the Grantor and the New Hampshire Division for Children Youth and Families.

5. A complete report of the program results and effectiveness will be submitted to the Grantor within (30)-thirty days of the completion of the term of the agreements.

6. Grantee will secure an audit of its financial statements annually at the end of the year. Three percent (3%) of the amount authorized for release will be withheld until the audit is submitted and reviewed by Grantor. *Release of all funds following receipt of the audit and final reports must be completed within eight months of the end of this agreement.*

7. The Grantor must approve any changes to this agreement with regard to services to be performed by Grantee. Failure to obtain Grantor's approval may result in the loss of funds previously authorized for release.

8. **Release of funds authorized by this agreement is contingent upon and subject to a continuing allocation from the State of New Hampshire Division for Children, Youth and Families to the County of Hillsborough. Grantor reserves the right to cancel this agreement at any time.**

9. By accepting these funds, Grantee agrees that all persons furnished by Grantee to implement, manage and/or administer any program arising from use of the funds allocated herein, shall be considered Grantee's employees or agents and that Grantee shall be responsible for payment of all unemployment, social security and other payroll taxes including contributions from them when required by law. Grantee hereby agrees to protect, defend, indemnify and hold Hillsborough County and its employees agents, officers and servants free and harmless from any and all losses, claims, liens, demands and causes of action of every kind and character, including but not limited to, the amounts of judgments, penalties, interests, court costs, legal fees and all other expenses incurred by Hillsborough County in favor of any party including claims, liens, debts, personal injuries and without limitation by enumeration, all other claims or demands of every character occurring or in any way incident to, in connection with or arising directly or indirectly out of this

agreement. Grantee agrees to investigate, handle, respond to, provide defense for and defend any such claims, demands or suits at the sole expense of Grantee. Grantee also agrees to bear all other costs and expenses related thereto, even if the claim or claims alleged are groundless, false or fraudulent. This provision is not intended to create any cause of action in favor of any third party against Grantee or Grantor or to enlarge in any way Grantee's liability, but is intended solely to provide for indemnification of Grantor from liability for damages or injuries to third persons or property arising from Grantee's acceptance and use of funds allocated hereunder.

10. The Grantee shall add the following language giving appropriate credit to this funding source to any publications related to the programs funded. "***Funding for this program is provided by the New Hampshire Department of Health and Human Services in partnership with Hillsborough County Incentive Fund Program.***"

11. Grantee shall evidence its acceptance of the terms and conditions of this agreement through a certificate of vote of its authorizing agents, which shall be attached hereto.

GRANTEE	GRANTOR:
_____	_____
Name	Commissioner Toni Pappas, Chairman
_____	_____
Name	Commissioner Carol H. Holden, Vice Chairman
_____	_____
Name	Commissioner Michael Clemons, Clerk

RESOLUTION R-08-109

Relative to the acceptance and appropriation of $10,000 from the County of Hillsborough into Special Revenue Account #332-6308 to operate a Regional Juvenile Fire Intervention Program

Endorsed by

Donalee Lozeau — Mayor
Lori Wilshire — Wilshire
Marc Plamondon — Plamondon
Michael J. Tabacsko — Tabacsko
Joe Mac Laughlin — MACLAUGHLIN

IN THE BOARD OF ALDERMEN

1ST READING AUGUST 12, 2008

Referred to:

HUMAN AFFAIRS COMMITTEE

2nd Reading SEPTEMBER 9, 2008

3rd Reading

4th Reading

Other Action

Passed SEPTEMBER 9, 2008

Indefinitely Postponed

Defeated

Attest: Patricia Pearl Deputy
City Clerk

President

Approved Sept 12. 2008
(Date)

Donalee Lozeau
Mayor's Signature

Vetoed:

Veto Sustained:

Veto Overridden:

Attest:
City Clerk

President