

# CITY OF CONCORD

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

**RESOLUTION** AUTHORIZING THE CITY MANAGER TO APPLY FOR THE SUM OF TWENTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$27,500) IN NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES BROWNFIELDS PROGRAM GRANT FUNDS, APPROPRIATING THE SUM OF TWENTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$27,500) FOR HAZARDOUS BUILDING MATERIALS ABATEMENT AT THE FORMER NEW HAMPSHIRE EMPLOYMENT SECURITY PROPERTY LOCATED 32-34 SOUTH MAIN STREET (CIP #578), AND ACCEPTING THE SUM OF TWENTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$27,500) IN NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES BROWNFIELDS PROGRAM GRANT FUNDS FOR THIS PURPOSE

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

**WHEREAS,** on October 31, 2014 the City acquired certain real estate located at #32-34 South Main Street, known as the former New Hampshire Employment Security Property (the "Property"), for the purpose of fostering the redevelopment of said Property in order to promote and achieve community economic development goals as set forth in various City master plans (CIP #578); and

**WHEREAS,** the Property features a 26,000SF +/- office building, which was vacated by the State of New Hampshire Department of Employment Security in May 2014; and

**WHEREAS,** the City desires to abate hazardous building materials located within the existing 26,000SF +/- structure to foster and promote redevelopment of the Property; and

**WHEREAS,** on August 28, 2020 the City applied for \$172,500 in grant funds from the New Hampshire Department of Environmental Services Brownfields Program to partially finance hazardous building materials abatement activities at the Property; and

**WHEREAS,** the New Hampshire Department of Environmental Services (NHDES) Brownfields Program approved and awarded the City's grant application on December 31, 2020; and

**WHEREAS,** on May 10, 2021 the City Council approved Resolution #9375 which authorized the City Manager to enter into a Purchase and Sale Agreement with the John J. Flatley Company (the Developer) concerning sale and redevelopment of the Property into a new 80,000SF +/- building which shall feature approximately 64 market rate apartments; and

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**WHEREAS,** in accordance with the terms and conditions of said Purchase and Sale Agreement, the City is obligated to complete abatement of certain hazardous building materials at the Property prior to conveying the Property to the Developer; and

**WHEREAS,** subsequent to entering into the Purchase and Sale Agreement with the Developer, additional Asbestos Containing Materials (ACM) were discovered at the Property; and

**WHEREAS,** on July 9, 2021 the New Hampshire Department of Environmental Services offered to increase the Brownfields Grant for the Property from \$172,500 to \$200,000 (a net increase of \$27,500); and

**WHEREAS,** this appropriation is for a purpose for which funds are not included in the Fiscal Year 2022 adopted budget, therefore Section 37 of the City Charter requires a two-thirds vote of the City Council.

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

- 1) The sum of .....\$27,500  
be and is hereby appropriated as follows:

Sears Block TIF District Capital Project Fund  
Former NHES Property Redevelopment Project (CIP #578) .....\$27,500

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

Sears Block TIF District Capital Project Fund  
NH Department of Environmental Services Brownfields Grant funds .....\$27,500

- 3) The City Manager is authorized to enter into agreements and contracts with the New Hampshire Department of Environmental Services concerning grant funds secured from the Brownfields Program for this purpose.

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- 4) These funds shall be available for hazardous building materials abatement, or any other associated purpose, for the former NH Employment Security Property located at 32-34 South Main Street.
- 5) Sums as appropriated shall be expended under the direction of the City Manager.
- 6) This resolution shall take effect upon its passage.