



TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824
Tel: 603-868-5571
Fax: 603-868-1858
www.ci.durham.nh.us

RESOLUTION #2024-13 OF DURHAM, NEW HAMPSHIRE

AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF FUNDING FROM THE NH DEPARTMENT OF ENVIRONMENTAL SERVICES (NHDES), NH CLEAN DIESEL GRANT PROGRAM, FUNDED THROUGH THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S (EPA) DIESEL EMISSION'S REDUCTION ACT (DERA) FOR UP TO TWO (2) BATTERY ELECTRIC REFUSE COLLECTION TRUCKS AND UP TO TWO (2) DIRECT CURRENT FAST CHARGING STATIONS (DCFC) THAT WILL OPERATE IN DURHAM, NEW HAMPSHIRE TO REDUCE DIESEL EMISSIONS. FUNDING SHALL EQUAL AN AMOUNT NOT TO EXCEED 45% OF THE COST OF EACH ELIGIBLE VEHICLE AND CHARGER OR A TOTAL NOT TO EXCEED \$723,681, WHICHEVER IS LESS, AND AUTHORIZE THE ADMINISTRATOR TO SIGN AND SUBMIT GRANT PAPERWORK ON BEHALF OF THE TOWN OF DURHAM

WHEREAS, the Town of Durham submitted a comprehensive grant application to the New Hampshire Department of Environmental Services (NHDES), NH Clean Diesel Program funding opportunity under the Environmental Protection Agency's (EPA) Diesel Emissions Reduction Act (DERA) in the amount of \$723,681 for the replacement of up to two diesel semi-automated refuse collection vehicles with up to two EV split body automated collection vehicles and charging stations; and

WHEREAS, on September 26, 2023, the Town was formally notified that the New Hampshire Clean Diesel Scoring Committee has selected the project for funding in the requested amount of \$723,681, noting the formal grant agreement must be approved by the Governor and Executive Council ; and

WHEREAS, New Hampshire Revised Statutes Annotated (RSA) 31:95-b permits municipalities to authorize acceptance and expenditure of funds from the state, federal or other governmental unit, or a private source, which becomes available during the fiscal year if they first adopt an article authorizing this authority indefinitely until specific rescission of such authority; and

WHEREAS, Resolution #99-19 adopting the provisions of RSA 31:95-b authorizing the Town Council to apply for, accept, and expend unanticipated funds from a Federal, state, or other governmental unit or a private source which becomes available during the Fiscal Year; and

WHEREAS, Council approval is required for the acceptance and expenditure of these funds; and

WHEREAS, RSA 31:95-b III(a) requires that a Public Hearing be held on unanticipated funds in excess of \$10,000; and

WHEREAS, on Monday, April 15th, 2024, a duly posted and published Public Hearing was held by the Durham Town Council on the \$723,681 monies in accordance with RSA 31:95-b;

NOW, THEREFORE, BE IT RESOLVED, that the Durham Town Council, the governing and legislative body of the Town of Durham, New Hampshire does hereby approve **Resolution #2024-13** authorizing the Acceptance and Expenditure of Funding from the NH Department of Environmental Services (NHDES), NH Clean Diesel Grant Program, Funded Through the U.S. Environmental Protection Agency's (EPA) Diesel Emission's Reduction Act (DERA) for Up to Two (2) Battery Electric Refuse Collection Trucks and Up to Two (2) Direct Current Fast Charging Stations (DCFC) That will Operate in Durham, New Hampshire to Reduce Diesel Emissions. Funding shall Equal an amount not to exceed 45% of the Cost of Each Eligible Vehicle and Charger Or a Total Not to Exceed \$723,681, Whichever is Less, and Authorize the Administrator to Sign and Submit Grant Paperwork on Behalf of the Town of Durham.

PASSED AND ADOPTED this 15th day of April, 2024, by a majority vote of the Durham Town Council with 7 affirmative votes, 0 negative votes, and 0 abstentions.


Sally Needell, Chair
Durham Town Council

ATTEST:


Rachel Deane, Town Clerk-Tax Collector