

SPECIAL BOARD OF ALDERMEN

JUNE 21, 2022

7:00 p.m.

Nashua High School North - Auditorium

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PRESIDENT LORI WILSHIRE CALLS ASSEMBLY TO ORDER PRAYER

OFFERED BY CITY CLERK SUSAN LOVERING

PLEDGE TO THE FLAG LED BY ALDERWOMAN-AT-LARGE SHOSHANNA KELLY

ROLL CALL

Alderman-at-Large Lori Wilshire  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman-at-Large Ben Clemons  
Aldermwoman-at-Large Shoshanna Kelly  
Aldermwoman-at-Large Gloria Timmons  
Alderman-at-Large Melbourne Moran, Jr.

Alderman Tyler Gouveia – Ward 1  
Alderman Richard A. Dowd – Ward 2  
Alderman Patricia Klee – Ward 3  
Alderman Thomas Lopez – Ward 4  
Alderman Ernest A. Jette – Ward 5  
Alderman Alex Comeau – Ward 6  
Alderman John Cathey – Ward 7  
Alderman Derek Thibeault – Ward 8  
Alderman John Sullivan – Ward 9

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**R-22-035**

Endorsers: Mayor Jim Donchess  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman John Sullivan  
Alderman Patricia Klee  
Alderman Thomas Lopez  
Alderman Alex Comeau  
Alderman Richard A. Dowd  
Alderman John Cathey  
Alderman Derek Thibeault  
Alderman-at-Large Lori Wilshire

**RELATIVE TO THE ADOPTION OF THE FISCAL YEAR 2023 PROPOSED BUDGET FOR THE CITY OF NASHUA GENERAL, ENTERPRISE, SPECIAL REVENUE AND GRANT FUNDS**

**PUBLIC HEARING**

Sequence in Which City Department Budgets will be Discussed:

<u>Dept. #</u>		<u>Revenue</u>	<u>Appropriations</u>
	<b><u>GENERAL GOVERNMENT DIVISION</u></b>		
101	MAYOR'S OFFICE		52

102	BOARD OF ALDERMEN		53
103	LEGAL DEPARTMENT		54
107	CITY CLERK'S OFFICE	29	57
	<b><u>OTHER PUBLIC SAFETY</u></b>		
156	EMERGENCY PREPAREDNESS		132
157	CITYWIDE COMMUNICATIONS		135
	<b><u>PUBLIC HEALTH AND COMMUNITY SERVICES</u></b>		
171	PUBLIC HEALTH & COMMUNITY SERVICES		142
172	COMMUNITY HEALTH	37, 238	146
173	ENVIORNMENTAL HEALTH	37	149
174	WELFARE ADMINISTRATION	38	152
175	WELFARE ASSISTANCE		153
	<b><u>ADMINISTRATIVE SERVICES</u></b>		
106	ADMINISTRATIVE SERVICES		72
110	ARLINGTON STREET COMMUNITY CENTER		75
111	HUMAN RESOURCES		78
112	PAYROLL		81
113	BENEFITS		83
120	TELECOMMUNICATIONS		86
122	INFORMATION TECHNOLOGY		89
128	RISK MANAGEMENT		93
129	CITY BUILDINGS		97
130	PURCHASING	31	100
132	ASSESSING		102
134	GIS	31	105
2505	PEG ACCESS CHANNELS FUND	32	244
	<b><u>GENERAL GOVERNMENT</u></b>		
131	HUNT BUILDING		62
158	PARKING ENFORCEMENT	29	63
166	PARKING OPERATIONS	30	64
183	ECONOMIC DEVELOPMENT		68
4085	NASHUA RIVERWALK TIF DISTRICT	253	253
2610	SCHOOL STREET TIF DISTRICT	255	255
2506	HUNT BUILDING FACILITY RENTAL FUND	246	246
	<b><u>PUBLIC LIBRARY</u></b>		
179	PUBLIC LIBRARY	42	180

	<b><u>FINANCIAL SERVICES DIVISION</u></b>		
118	OTHER GENERAL GOVERNMENT	32	107
126	FINANCIAL SERVICES	33	111
	<b><u>CAPITAL IMPROVEMENTS</u></b>		
various	CAPITAL EQUIPMENT		306
81	CAPITAL IMPROVEMENTS		217, 218
	<b><u>OTHER PUBLIC SAFETY</u></b>		
159	HYDRANT FEES – FIRE PROTECTION		137
162	STREET LIGHTING		138
	<b><u>DEBT SERVICE, CONTINGENCY &amp; INTERFUND TRANSFERS</u></b>		
193	DEBT SERVICE		210
194	CONTINGENCY		214
198	INTERFUND TRANSFERS		215
2508	SPECIAL ROAD AND HIGHWAY FUND	249, 250	249, 250
2510	PENNICHUCK ACQUISITION BOND FUND	251, 252	251, 252
VARIOUS	CITY SPECIAL REVENUE FUNDS FUNDED BY GRANTS	257	257
	<b><u>PUBLIC WORKS and ENGINEERING</u></b>		
160	ADMINISTRATION and ENGINEERING	39	157
161	STREET DEPARTMENT	39	161
177	PARKS AND RECREATION	40	165
168	SOLID WASTE FUND	222	223-227
169	WASTERWATER USER FUND	231	232-236
	<b><u>PUBLIC SAFETY</u></b>		
152	FIRE DEPARTMENT	36, 248	126
	<b><u>COMMUNITY DEVELOPMENT DIVISION</u></b>		
153	BUILDING INSPECTION	43	185
155	CODE ENFORCEMENT	43	188
170	HYDROELECTRIC OPERATIONS	43	189
181	COMMUNITY DEVELOPMENT		192
182	PLANNING & ZONING	44	195
185	SUSTAINABILITY		198
109	CIVIC & COMMUNITY ACTIVITIES	257	59
186	TRANSPORTATION	257	201

	<b><u>PUBLIC SAFETY</u></b>		
150	POLICE DEPARTMENT	35 & 239	116
	<b><u>EDUCATION</u></b>		
191	SCHOOL DEPARTMENT	45, 259-275	206
	<b><u>CAPITAL IMPROVEMENTS</u></b>		
1001	CAPITAL EQUIPMENT		218
	<b><u>ENTERPRISE FUNDS-REVENUE &amp; APPROPRIATIONS</u></b>		
6000	SOLID WASTE FUND ESTIMATED REVENUES	222	
6000	SOLID WASTE FUND APPROPRIATIONS		223
	<b><u>WASTEWATER</u></b>		
6200	WASTEWATER FUND ESTIMATED REVENUES	231	
6200	WASTEWATER FUND APPROPRIATIONS		232
	<b><u>SPECIAL REVENUE FUNDS-REVENUE &amp; APPROPRIATIONS</u></b>		
	<i>City Special Revenue Funds</i>		
2501	PUBLIC HEALTH CLIENT FEES FUND	238	238
2502	LAW ENFORCEMENT TRAINING FUND	239	239
2503	PARKS & RECREATION PROGRAMS FUND	240	240
2504	HOLMAN STADIUM EVENTS FUND	241	241
2505	PEG ACCESS CHANNELS FUND	244-245	244-245
2506	HUNT BUILDING FACILITY RENTAL FUND	246-247	246-247
2507	FIRE TRAINING FACILITY RENTAL FUND	248	248
2508	SPECIAL ROAD & HIGHWAY FUND	249-250	249-250
2510	PENNICHUCK ACQUISITION BOND FUND	251-252	251-252
	<i>School Special Revenue Funds</i>		
2100	FOOD SERVICES	259-260	259-260
2120	SUMMER FEEDING PROGRAM	261	261
2201	DRIVER'S EDUCATION	262	262
2204	SUMMER SCHOOL	263	263
2207	ADULT CONTINUING EDUCATION	264-265	264-265
2212	ATHLETIC REVENUE FUND	266	266
2217	SCHOOL FACILITIES RENTAL	267	267
2222	AFTER SCHOOL PROGRAM	268	268
2227	NORTH STUDENT SHOP	269	269

2232	SOUTH STUDENT SHOP	270	270
2247	CULINARY ARTS	271	271
2252	DAY CARE	272	272
2257	SPECIAL EDUCATION-LOCAL TUITION	273	273
2258	SCHOOL CTE TUITION FUND	274	274
3899	SCHOOL GRANTS	275	

ADJOURNMENT



## RESOLUTION

### RELATIVE TO THE ADOPTION OF THE FISCAL YEAR 2023 PROPOSED BUDGET FOR THE CITY OF NASHUA GENERAL, ENTERPRISE, SPECIAL REVENUE AND GRANT FUNDS

### *CITY OF NASHUA*

*In the Year Two Thousand and Twenty-Two*

**RESOLVED** by the Board of Aldermen of the City of Nashua that the Fiscal Year 2022 Proposed Budget for the General Fund of the City of Nashua be and is hereby adopted, and that the following amounts are hereby appropriated for the several accounts and for other needs of the City of Nashua General Fund for the fiscal year beginning July 1, 2022, and ending June 30, 2023, and for the purpose of Section 50-a et seq. of the Nashua Revised City Charter, as amended, each item of this budget shall be considered as a separate appropriation. The proposed General Fund appropriation amount is \$302,998,903 with estimated General Fund Revenues of \$72,322,078 including estimated state funding for education in the amount of \$41,110,000.

That the Fiscal Year 2023 Proposed Budget for the Enterprise Funds of the City of Nashua be and is hereby adopted, and that the following amounts are hereby appropriated for the several accounts and for other needs of the City of Nashua Enterprise Funds for the fiscal year beginning July 1, 2022 and ending June 30, 2023, and the purpose of Section 50-a et seq. of the Nashua Revised City Charter, as amended, each item of this budget shall be considered as separate appropriation. The proposed Enterprise Funds appropriation amount is \$44,082,794 (inclusive of anticipated Capital Appropriations), with estimated Enterprise Funds Revenues of \$38,222,735 and any additional funding for capital and CSO-related expenditures from retained earnings, bonding and/or State Revolving Fund Loans.

That the Fiscal Year 2023 Proposed Budget for the Special Revenue Funds of the City of Nashua be and is hereby adopted, and that the following amounts are hereby appropriated for the several accounts and for other needs of the City of Nashua Special Revenue Funds for the fiscal year beginning July 1, 2022 and ending June 30, 2023. The proposed Special Revenue Funds appropriation amount is \$36,607,613 with estimated Special Revenue Funds Revenues of \$36,607,613 for the City of Nashua. The proposed Special Revenue Funds appropriation amount is \$22,974,364 with estimated Special Revenue Funds Revenues of \$22,974,364 for the Nashua School District.

**RESOLUTION****R-22-035**

Neither the approval and adoption of this budget, or any appropriation contained herein, or to any City department or agency, including the Nashua School District, whether as proposed or amended, shall be deemed to mean that the City has approved any program or responsibility for funding in accordance with Part 1, Article 28-a of the Constitution of the State of New Hampshire. Notwithstanding any appropriation herein, the city hereby expressly declines to approve funding for any program or responsibility for which it is entitled by law to payment from the State of New Hampshire pursuant to Part 1, Article 28-a of the State Constitution, whether it has previously been determined that the City is entitled to said funding or not.

Pursuant to NRO § 5-145, E, the accumulated sum of all appropriations of the FY2023 combined annual municipal budget pursuant to Nashua City Charter §56-c is \$406,663,584. The FY2023 dollar amount under the limit established by City Charter Section 56-c is \$113,341,062. Please find attached the Combined Annual Municipal Budget Calculation for the FY2023 Proposed Budget and the City of Nashua Charter and Related Laws pertaining to §56-c and §56-d.

## **City of Nashua**

### **Charter and Related Laws**

#### **§ 56-c. Limitation on budget increases <sup>32</sup>**

Recognizing that final tax rates for the City of Nashua are set by the New Hampshire Department of Revenue Administration pursuant to RSA 21-J:35(1), the mayor, the board of aldermen, and all departments in the City of Nashua including the mayor's office, aldermanic office, legal department, administrative services division, community services division, community development division, school department, public works division, fire department, police department, public libraries, parking garages and cemeteries shall prepare their annual budget proposals and the Board of Aldermen shall act upon such proposals in accordance with the mandates in this paragraph.

In establishing a combined annual municipal budget for the next fiscal year, the mayor and the board of aldermen shall consider total expenditures not to exceed an amount equal to the combined annual budget of the current fiscal year, increased by a factor equal to the average of the changes in the Gross Domestic Product Implicit Price Deflator (IPD) for State and Local Government Consumption Expenditures and Gross Investment of the three (3) calendar years immediately preceding budget adoption as published by the Bureau of Economic Analysis <sup>33</sup>

This provision shall not prevent the mayor and the board of aldermen from establishing a combined annual municipal budget below this limit.

This provision shall not prevent the mayor and the board of aldermen from appropriately funding any programs or accounts mandated to be paid from municipal funds by state and federal law.

#### **§ 56-d. Exception to budget limitation<sup>34</sup>**

The total or any part of principal and interest payments of any municipal bond, whether established for school or municipal purposes, may be exempted from the limitation defined in paragraph 56-c upon an affirmative vote of at least ten (10) aldermen. This decision shall be made annually.

In addition, capital expenditures deemed necessary by the mayor and the board of aldermen, subject to recommendation by the capital improvements committee (ref. Paragraph 77- a of the City Charter) may similarly be exempted from this limitation upon an affirmative vote of at least ten (10) aldermen.



**City of Nashua Combined Budget Analysis to the  
FY23 Proposed Budget**

**Combined Annual Municipal Budget Calculation (per Nashua City Charter § 56-c)**

<u>Line</u>	<u>Description</u>	<u>FY2022</u>	<u>FY2023</u>
1	<b><u>Appropriations</u></b>		
2	General Fund	\$ 291,026,961	\$ 302,998,903
3	Enterprise Funds	38,344,285	44,082,704
4	Special Revenue Funds (includes Grants)	95,981,790	59,581,977
5	<b>Total Appropriations</b>	<b>\$ 425,353,036</b>	<b>\$ 406,663,584</b>
6			
7			
8	<b><u>Supplemental Appropriations</u></b>		
9	General Fund	\$ 2,338,394	\$ -
10	Enterprise Funds	1,859,440	-
11	Capital Project Funds	76,290,225	-
12	<b>Total Supplemental Appropriations</b>	<b>\$ 80,488,059</b>	<b>\$ -</b>
13			
14	<b>Total Appropriations</b>	<b>\$ 505,841,095</b>	<b>\$ 406,663,584</b>
15			
16	<b><u>Spending Cap Calculation</u></b>		
17	FY2022 Total Appropriations		\$ 425,353,036
18	Add: FY2022 Supplemental Appropriations		80,488,059
19	FY2022 Total Appropriations		<b>\$ 505,841,095</b>
20			
21	Last 3-Years Annual Average S&L IPD		2.8%
22	Allowable Spending Over Prior Year Total Appropriations		<b>\$ 14,163,551</b>
23			
24	<b>Maximum Appropriations Allowed (Line 20 plus Line 23)</b>		<b>\$ 520,004,646</b>
25	Total Proposed Appropriations - FY2023		406,663,584
26	<b>Total Appropriations Under the Spending Cap</b>		<b>\$ (113,341,062)</b>

**LEGISLATIVE YEAR 2022**

**RESOLUTION:** R-22-035

**PURPOSE:** Relative to the adoption of the Fiscal Year 2023 proposed budget for the City of Nashua general, enterprise, special revenue, and grant funds

**SPONSOR(S):** Mayor Jim Donchess

**COMMITTEE ASSIGNMENT:** Budget Review Committee

**FISCAL NOTE:** The tax rate cannot be determined at this time. The entire budget is a comprehensive package and each component impacts the tax rate.

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**ANALYSIS**

This resolution adopts the Fiscal Year 2023 Budget for the City's general, enterprise, special revenue, and grant funds. For the purpose of Section 50-a et seq. of the Nashua Revised City Charter, as amended, each item of this budget shall be considered as a separate appropriation.

A public hearing on the budget shall be held before its adoption by the Board of Aldermen with at least seven days' notice. Nashua City Charter § 56-a; NRO § 5-8.

Nashua City Charter § 56-b provides that the Board of Aldermen may reduce any item in the mayor's budget by a majority vote, but an increase or addition requires a vote of two-thirds of the members of the board. Court decisions concerning Nashua's Charter suggest that a court may find that this provision, when applied to the budget resolution itself, is inconsistent with state statutes and therefore unenforceable. See memorandum of Corporation Counsel dated March 8, 2018.

The budget shall be finally adopted not later than August 1, 2022. Nashua City Charter § 56-b.

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**Approved as to content,  
account structure, numbers,  
and amount:**

**Financial Services Division**

By: /s/ John Griffin

**Approved as to form:**

**Office of Corporation Counsel**

By: 

Date: May 10, 2022