

BUDGET REVIEW COMMITTEE

SEPTEMBER 27, 2021

7:00 p.m. or immediately after the Special Board of Aldermen public hearing Aldermanic Chamber and Zoom

Join Zoom Meeting: <https://us02web.zoom.us/j/83472411294?pwd=eDljUi9weDVXWXIRQzhtRHRXQkRXUT09>

Meeting ID: 834 7241 1294 Passcode: 044143

Join by telephone: 1-929-205-6099

Meeting ID: 834 7241 1294 Passcode: 044143

If for some reason you cannot connect to Zoom, please contact us at (603) 589-3329 and they will help you with connectivity. The public may also view the meeting via Channel 16.

ROLL CALL

PUBLIC COMMENT

COMMUNICATIONS

From: Fred S. Teeboom

Re: Unacceptable restriction and aldermanic participation during Public Hearings

From: Matthew Sullivan, Planning Manager

Re: Referral from Board of Aldermen on Proposed R-21-169, relative to the authorization of the City of Nashua to enter an Agreement and Consent to Joint Use with Liberty Utilities and making a supplemental appropriation of \$38,394

UNFINISHED BUSINESS

NEW BUSINESS – RESOLUTIONS

R-21-163

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman Richard A. Dowd
Alderman-at-Large David C. Tencza
Alderman Linda Harriott-Gathright
Alderman June M. Caron
Alderman Jan Schmidt
Alderman-at-Large Lori Wilshire

ESTABLISHING THE USE OF FUND BALANCE FOR TAX RATE

R-21-164

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman Richard A. Dowd
Alderman Skip Cleaver
Alderman Linda Harriott-Gathright

RELATIVE TO THE TRANSFER OF \$30,000 FROM ACCOUNT 70100 "GENERAL CONTINGENCY" TO ACCOUNTING CLASSIFICATION 51 "SALARIES & WAGES" IN ADMINISTRATIVE SERVICES (\$25,000) AND ECONOMIC DEVELOPMENT (\$5,000) FOR THE PURPOSE OF FUNDING SALARIES

R-21-168

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman Richard A. Dowd
Alderman Jan Schmidt

Alderman Linda Harriott-Gathright

Alderman Skip Cleaver

Alderman-at-Large Lori Wilshire

ESTABLISHING AN OPIOID ABATEMENT EXPENDABLE TRUST FUND FUNDED BY APPROPRIATIONS AND MAKING A SUPPLEMENTAL APPROPRIATION OF \$27,223.40 INTO THE EXPENDABLE TRUST FUND

R-21-169

Endorsers: Alderman Patricia Klee
Alderman-at-Large Michael B. O' Brien, Sr.
Alderman-at-Large Ben Clemons
Alderman Skip Cleaver

AUTHORIZING THE CITY OF NASHUA TO ENTER INTO AN AGREEMENT AND CONSENT TO JOINT USE WITH LIBERTY UTILITIES AND MAKING A SUPPLEMENTAL APPROPRIATION OF \$38,394

- Planning Board – with favorable recommendation
- Board of Public Works – with favorable recommendation

NEW BUSINESS – ORDINANCES

TABLED IN COMMITTEE

GENERAL DISCUSSION

PUBLIC COMMENT

REMARKS BY THE ALDERMEN

POSSIBLE NON-PUBLIC SESSION

ADJOURNMENT

Fred S. Teeboom
24 Cheyenne Drive
Nashua, NH 03063
(603) 889-2316
fredtee@comcast.net

August 24, 2021

Nashua Board of Aldermen

Copy: Mayor Donchess
City Attorney Steve Bolton

Subject: Unacceptable restriction and aldermanic participation during Public Hearings.

President Wilshire and Members of the Board:

On 23 August Public Hearings were held on three resolutions (R-21-158, -160 and -162) before the Budget Review Committee.

I want to point out some very annoying practices having crept into Public Hearings, none ordained by local and state statute.

1. The committee, through its clerk, instructed members of the public to hold their comments to 3 minutes.

Possibly the committee confused the Public Hearing with the 3-minute restriction on public comment before the board and its committees, but no such arbitrary restriction is set for Public Hearings under local and state statute.

In particular, see NRO § 5-28, D Public Hearings:

The public hearing shall not be limited in duration but the chair may set or extend time limits for each member of the public speaking, subject to motion and affirmative vote by members of the board or committee holding the hearing.

The point of Public Hearings, set by state statute, is to hear from the public, not from aldermen, and to give the subject ample reflection by the public before the aldermen commence debate in their board and committees.

2. During the Public Hearing, following presentation and prior to public comment, it has become customary for aldermen to ask questions. The purpose of the Public Hearing is to hear from the public, and allow for questions from the public, not hear from aldermen. There is unrestricted opportunity for aldermen to discuss the subject of the public hearing and ask questions during its scheduled board and committee meetings.

In particular, see NRO § 5-28, B Public Hearings:

Following the presentation set forth in Subsection A, the chair shall recognize members of the public to testify in favor, followed by members of the public opposed and shall allow an opportunity for rebuttal by members of the public.

The point of public hearings, set by state statute, is to hear from the public, not hear from aldermen, and to give the subject of the Public Hearing adequate reflection by the public before the aldermen commence debate and vote in their board and committees.

I expect the President of the Board of Aldermen and the Chairman of the Budget Review Committee to admonish its members to adhere to the intent of the Public Hearings and follow the procedures set forth in NRO 5-28.

Fred S. Teeboom

Fred S. Teeboom
Former alderman-at-large



City of Nashua
Planning Department
229 Main Street
Nashua, New Hampshire 03061-2019

Planning & Zoning 603 589-3090
WEB www.nashuanh.gov

MEMORANDUM

Date: September 24th, 2021

To: Ald. Lori Wilshire, President, and Board of Aldermen

From: Matthew Sullivan, Planning Manager

RE: Referral from Board of Aldermen on Proposed R-21-169, relative to the authorization of the City of Nashua to enter an Agreement and Consent to Joint Use with Liberty Utilities and making a supplemental appropriation of \$38,394

At the Nashua City Planning Board's regularly scheduled meeting of September 23rd, the Planning Board voted unanimously to make a favorable recommendation on R-21-169.

If you have any questions concerning this notification, please contact me at 603-589-3090 or via sullivanm@nashuanh.gov.

cc: Mayor Jim Donchess
Donna Graham, Legislative Assistant
Sarah Marchant, Community Development Director
Susan Lovering, City Clerk
Scott LeClair, Chair, NPCB



RESOLUTION

ESTABLISHING THE USE OF FUND BALANCE FOR TAX RATE

CITY OF NASHUA

In the Year Two Thousand and Twenty-One

RESOLVED by the Board of Aldermen of the City of Nashua that pursuant to NRO §5-135, B, \$4,000,000 of the unassigned general fund balance shall be applied to the Calendar Year 2021 (Fiscal Year 2022) Tax Rate. With approval of this action, unassigned fund balance remains at or above the five percent (5%) minimum as recommended by Department of Revenue Administration and the ten percent (10%) minimum as established by NRO §5-136, A.

LEGISLATIVE YEAR 2021

RESOLUTION: R-21-163
PURPOSE: Establishing the use of fund balance for tax rate
SPONSOR(S): Mayor Jim Donchess

**COMMITTEE
ASSIGNMENT:** Budget Review Committee

FISCAL NOTE: This resolution would apply \$4,000,000 of unassigned general fund balance to the FY22 tax rate. This amount is from fund balance consisting of anticipated surplus in the FY21 operating budget.

ANALYSIS

This resolution applies \$4,000,000 of the unassigned general fund balance to the Calendar Year 2021 (Fiscal Year 2022) Tax Rate. With approval of this action, unassigned fund balance remains at or above the five percent (5%) minimum as recommended by Department of Revenue Administration and the ten percent (10%) as established by NRO §5-136, C.

Per NRO §5-135, B, in order to use unassigned general fund balance to reduce the tax rate, this resolution must be approved on or before the board's second meeting in September (September 28, 2021) "by 10 members of the Board of Aldermen."

**Approved as to account
Structure, numbers, and
amount:**

Financial Services Division

By: /s/ David G. Fredette

Approved as to form:

Office of Corporation Counsel

By: Dorothy Claulke

Date: 31 August 2021



RESOLUTION

RELATIVE TO THE TRANSFER OF \$30,000 FROM ACCOUNT 70100 "GENERAL CONTINGENCY" TO ACCOUNTING CLASSIFICATION 51 "SALARIES & WAGES" IN ADMINISTRATIVE SERVICES (\$25,000) AND ECONOMIC DEVELOPMENT (\$5,000) FOR THE PURPOSE OF FUNDING SALARIES

CITY OF NASHUA

In the Year Two Thousand and Twenty-One

RESOLVED by the Board of Aldermen of the City of Nashua that \$25,000 be transferred from Department 194 "Contingency", Account 70100 "General Contingency" into Department 106 "Administrative Services", Accounting Classification 51 "Salaries & Wages" and \$5,000 be transferred from Department 194 "Contingency", Account 70100 "General Contingency" into Department 183 "Economic Development", Accounting Classification 51 "Salaries & Wages" for the purpose of funding salaries.

LEGISLATIVE YEAR 2021

RESOLUTION:

R-21-164

PURPOSE:

Relative to the transfer of \$30,000 from Account 70100 "General Contingency" to Accounting Classification 51 "Salaries & Wages" in Administrative Services (\$25,000) and Economic Development (\$5,000) for the purpose of funding salaries

SPONSOR(S):

Mayor Jim Donchess

**COMMITTEE
ASSIGNMENT:**

Budget Review Committee

FISCAL NOTE:

Reduces amount available in general contingency by \$30,000 that could be used for escrow or surplus in FY22. The current balance in the general contingency account is \$250,000.

ANALYSIS

This resolution authorizes the transfer of \$25,000 from General Contingency into Administrative Services and \$5,000 from General Contingency into Economic Development for the purpose of providing funding for salaries.

Charter Sec. 53 permits the Board of Aldermen to transfer any unencumbered appropriation balance or any portion from one department, fund or agency to another.

NRO 5-130, H provides that "when proposed legislation to transfer or re-appropriate a particular appropriation or purpose thereof has had its first reading, such funds shall not be expended or transferred while the legislation is pending".

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

Financial Services Division

By: /s/ David G. Fredette

Approved as to form:

Office of Corporation Counsel

By: *Donkey Clarke*

Date: *31 August 2021*



RESOLUTION

ESTABLISHING AN OPIOID ABATEMENT EXPENDABLE TRUST FUND FUNDED BY APPROPRIATIONS AND MAKING A SUPPLEMENTAL APPROPRIATION OF \$27,223.40 INTO THE EXPENDABLE TRUST FUND

CITY OF NASHUA

In the Year Two Thousand and Twenty-One

RESOLVED by the Board of Aldermen of the City of Nashua that pursuant to RSA 31:19-a, the City of Nashua hereby establishes an opioid abatement expendable trust fund, for the purpose of accepting payments from the New Hampshire Opioid Abatement Trust Fund used for all opioid-related settlement funds or judgments.

Funds will be used in accordance with RSA 126-A:86 I (1) through (14) for the intervention, treatment, and recovery services related to opioid use disorder.

The Mayor is appointed as the agent to expend. Any balance remaining in the expendable trust fund at each fiscal year end will not lapse or be closed out to the General Fund, but will remain in this expendable trust fund.

FURTHERMORE, BE IT RESOLVED by the Board of Aldermen of the City of Nashua to appropriate \$27,223.40 of Fiscal Year 2021 unanticipated revenue from Department #118 "Other General Government", Accounting Classification #43 "Intergovernmental Revenue", Account #43594 "Opioid Litigation Funds" into this new opioid abatement expendable trust fund, which represents a recently received payment from the State of New Hampshire from the State Trust Fund noted above.

LEGISLATIVE YEAR 2021

RESOLUTION:

R-21-168

PURPOSE:

Establishing an opioid abatement expendable trust fund funded by appropriations and making a supplemental appropriation of \$27,223.40 into the expendable trust fund

SPONSOR(S):

Mayor Jim Donchess

**COMMITTEE
ASSIGNMENT:**

Budget Review Committee

FISCAL NOTE:

Establishes a restricted fund to account for appropriations designated for a specific purpose. Supplemental appropriation of money received by the City for this purpose.

ANALYSIS

This legislation establishes a non-lapsing opioid abatement expendable trust fund, funded by appropriations, to be used for the purposes listed in the legislation. RSA 31:19-a, I provides for an annual accounting and report of the activities of the trust.

This legislation also appropriates \$27,223.40 of FY2021 unanticipated revenue from Other General Government – Intergovernmental Revenue – Opioid Litigation Funds into the new expendable trust fund. This money is a recently received payment from the New Hampshire Opioid Abatement Trust Fund used for all opioid-related settlement funds or judgements. The City anticipates future payments from the State, which will also be appropriated into this expendable trust fund. The time span of receiving these payments can be up to 18 years.

Charter Sec. 53 permits specific non-budget, supplementary appropriations. There should be notice and a public hearing. A two-thirds vote is required under Charter Sec. 56-b for an item or amount not in the mayor's budget. A roll call is required under Charter Sec. 49.

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

Financial Services Division

By: /s/David G. Fredette

Approved as to form:

Office of Corporation Counsel

By: Dowling Clark

Date: 8 September 2021



RESOLUTION

**AUTHORIZING THE CITY OF NASHUA TO ENTER INTO AN AGREEMENT AND
CONSENT TO JOINT USE WITH LIBERTY UTILITIES AND MAKING A
SUPPLEMENTAL APPROPRIATION OF \$38,394**

CITY OF NASHUA

In the Year Two Thousand and Twenty-One

RESOLVED by the Board of Aldermen of the City of Nashua that the City is authorized to enter into an Agreement and Consent to Joint Use with Liberty Utilities in substantially the same form as the attached.

FURTHER RESOLVED that the Mayor, with the assistance of the Office of Corporation Counsel, is authorized to take all necessary actions and prepare and execute the Agreement and Consent to Joint Use and all documents contemplated by, or related or required to effectuate the Agreement and Consent to Joint Use.

FURTHER RESOLVED to appropriate \$38,394.00 of FY2022 unanticipated revenue from Department #160 "Public Works Administration & Engineering", Account #45999 "Miscellaneous Revenue" into Department #160 "Public Works Administration & Engineering, Account #54210 "Construction Services". This represents a one-time payment from Liberty Utilities to cover the City's cost to reline the existing drain line in the area of 39 Swart Terrace, where the new gas main will be installed.



August 13, 2021

City of Nashua – Engineering Department
ATTN: Daniel Hudson, P.E.
9 Riverside Street
Nashua, NH 03062

RE: Agreement and Consent to Joint Use (off Swart Terrace)

Dear Mr. Hudson,

As discussed, and subject to the City of Nashua's approval of the "Agreement and Consent to Joint Use" for 39 Swart Terrace, Nashua, Liberty agrees to compensate the City of Nashua in the amount of \$38,394.00. This one-time payment reflects the City's cost to reline the existing drain line in the area where the new gas main will be installed, parallel to the existing drain line within the above lot.

Liberty will provide this payment in the form of a check prior to the installation of the new gas main.

Sincerely,

A handwritten signature in cursive script that reads "Tracy Musto".

Tracy Musto

Manager, Gas Operations – Construction
Liberty Utilities

After recording return to:
Erica O'Sullivan
Liberty Utilities
9 Lowell Road
Salem, NH 03079

AGREEMENT AND CONSENT TO JOINT USE

AGREEMENT made this ____ day of _____, 2021 by and between the City of Nashua, New Hampshire, a New Hampshire municipal corporation, with a business address of 229 Main Street, Nashua, New Hampshire 03061 and a mailing address c/o Dan Hudson, City Engineer, 9 Riverside Street, Nashua, NH 03062 (hereinafter referred to as **NASHUA**) and **LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP.**, a New Hampshire corporation, having its principal place of business at 15 Buttrick Road, Londonderry, New Hampshire 03053 (hereinafter referred to as **LIBERTY**);

WITNESSETH THAT

WHEREAS NASHUA acquired certain temporary and permanent easement rights over premises in Nashua described as Parcel 12, Sheet 12 as shown on the plans entitled "Sewer Easement Plans, North Merrimack River Interceptor II", dated August 6, 1969 and October 12, 1973, Hamilton Engineering Associates, Inc., recorded with the Hillsborough County Registry of Deeds as Plan #8074, by deed of Dudley Orr, Trustee under the will of Kathleen W. Connell and Sylvia Spalding, dated January 21, 1975 and recorded in the Hillsborough County Registry of Deeds in Book 2387, Page 354 (hereinafter the "Sewer and Drainage Easement") which are essential to its sewer and drainage operations in Nashua.

WHEREAS the third paragraph of the Sewer and Drainage Easement states, in part, "The permanent easement shall remain free from construction of any encumbrances either within or over the easement".

WHEREAS the fifth paragraph of the Sewer and Drainage Easement states, "Both temporary and permanent easements shall also include in the City of Nashua the right and privilege to remove natural and man-made obstructions which interfere with the location,

construction, maintenance, replacement and operation of said sewer, embankments, drainage structures, slope protection and appurtenant facilities”.

WHEREAS the property encumbered by the Sewer and Drainage Easement is located at 39 Swart Terrace and is currently owned in fee by Michael Richard Paradis and Melania Marcu (the “**OWNERS**”) by virtue of a deed dated August 17, 2020 and recorded with the Hillsborough County Registry of Deeds in Book 9335, Page 1819.

WHEREAS LIBERTY desires to obtain from the **OWNERS**, and **OWNERS** are desirous of granting to **LIBERTY**, a ten (10) foot wide easement (the “Gas Easement Area”) over their property located at 39 Swart Terrace (“Property”) for the installation of a gas line, a portion of which will cross the Sewer and Drainage Easement, said gas easement being shown on a Plan entitled: Easement Plan for Liberty Utilities in Nashua New Hampshire (Hillsborough County), 39 Swart Terrace, Map 48 Lot 27 over the land of: Michael R. Paradise & Melania Marcu, June 17, 2021, and recorded in the Hillsborough County Registry of Deeds as Plan # _____ (the “**LIBERTY** Easement Plan”).

WHEREAS LIBERTY wishes to enter into an agreement with **NASHUA** to allow **LIBERTY** the right to install, maintain, repair and replace a gas line in a portion of the Sewer and Drainage Easement as depicted on the **LIBERTY** Easement Plan, and to be installed at least five (5) feet north of the existing sewer line (the “Encroachments”).

NOW THEREFORE, the parties hereby agree as follows:

1. **NASHUA** agrees and consents to the construction and maintenance of the Encroachments and use of a portion of the Sewer and Drainage Easement by **LIBERTY** as shown on the **LIBERTY** Easement Plan; such consent is not to be deemed a waiver of any of its rights under the Sewer and Drainage Easement.

2. **NASHUA** and **LIBERTY** agree to use their best efforts to cooperate in said joint use and to use their best efforts to provide each other, when requested, with engineering and surveying plans, maps or information necessary or helpful in locating or determining rights of the other.

3. **NASHUA** and **LIBERTY** agree to provide notification to each other prior to beginning construction and/or performing any maintenance within the Sewer and Drainage Easement.

4. **LIBERTY** agrees that in the event that **NASHUA** ever determines, in its sole discretion, it is necessary to construct, maintain, repair, remove, relocate or replace any **NASHUA** facilities within or to be placed within the Sewer and Drainage Easement, and should such work require the permanent or temporary relocation of the Encroachments in whole or part, **NASHUA** shall provide at least one (1) year’s prior written notice to **LIBERTY** and such relocation shall be done by **LIBERTY** or its agents or subcontractors at the sole cost and expense of **LIBERTY**. Notwithstanding the foregoing, if an emergency situation precipitates the need for such relocation, then **NASHUA** shall notify **LIBERTY** immediately and the parties shall

cooperate in good faith to agree upon a timeline for LIBERTY to complete such relocation, which shall in all events be as soon as is reasonably possible under the circumstances. If any relocation of the Encroachments shall be necessary, NASHUA shall provide an alternative location for the Encroachments within the Gas Easement Area, subject to LIBERTY's approval, not to be unreasonably withheld, conditioned or delayed. All notices sent to LIBERTY pursuant to this Agreement shall be directed to the following address:

Liberty Utilities (EnergyNorth Natural Gas) Corp.
ATTN: Gas Engineering
130 Elm St
Manchester, NH 03101

5. This agreement shall be binding upon and inure to the benefit of the parties and their heirs, successors, legal representatives, and assigns. This agreement shall run with the title to the Property.

6. LIBERTY hereby agrees to indemnify and hold NASHUA harmless from and against any and all liabilities, damages, claims, costs and expenses, including reasonable attorney's fees and court costs, which may be imposed upon or asserted against NASHUA arising from or in any way connected with the Encroachments or arising in any way from this agreement, except to the extent the same arise from the negligence or willful misconduct of NASHUA, its agents, employees or contractors.

7. LIBERTY also hereby agrees to, indemnify and hold NASHUA harmless and accepts all risks of loss associated with respect to the Encroachments, as a result of constructing the Encroachments. NASHUA shall not in any way, be liable or responsible to reimburse LIBERTY for the Encroachments, damage to the Encroachments, replacement cost or otherwise, except to the extent the same arises from the negligence or willful misconduct of NASHUA, its agent, employees or contractors. The construction and use of the Encroachments is at LIBERTY's own risk of loss, which risk is accepted by LIBERTY.

8. This Agreement shall be interpreted in accordance with the laws of the State of New Hampshire. The parties agree that any action arising from or relating to this agreement shall be filed in the Superior Court of Hillsborough County, New Hampshire.

This Agreement and Consent to Joint Use and any amendments thereto shall be recorded at the Hillsborough County Registry of Deeds.

[Remainder of Page Left Intentionally Blank; Signature Page Follows]

EXECUTED by the parties the day and year first above written.

CITY OF NASHUA

Mayor James W. Donchess, duly authorized

Mayor's authority pursuant to R-21-xxxx approved by the Nashua Board of Alderman on
xxxxxxx.

State of New Hampshire
County of Hillsborough } ss.

The foregoing instrument was acknowledged before me on this _____ day of
_____, 2021, by James W. Donchess, Mayor of the City of Nashua, a New
Hampshire municipal corporation, on behalf of the municipality.

Notary Public

Printed Name

My Commission Expires: _____

**LIBERTY UTILITIES
(ENERGYNORTH NATURAL GAS) CORP.**

Neil Proudman, President, duly authorized

State of New Hampshire
County of _____ } ss.

The foregoing instrument was acknowledged before me on this ____ day of _____, 2021, by Neil Proudman, President, Liberty Utilities (EnergyNorth Natural Gas) Corp. on behalf of said corporation.

Notary Public

Printed Name
My Commission Expires: _____

Michael Richard Paradis

Melania Marcu

State of New Hampshire
County of _____ } ss.

The foregoing instrument was acknowledged before me on this _____ day of _____, 2021, by Michael Richard Paradis.

Notary Public

Printed Name

My Commission Expires: _____

State of New Hampshire
County of _____ } ss.

The foregoing instrument was acknowledged before me on this _____ day of _____, 2021, by Melania Marcu.

Notary Public

Printed Name

My Commission Expires: _____

LEGISLATIVE YEAR 2021

RESOLUTION: R-21-169

PURPOSE: Authorizing the City of Nashua to enter an Agreement and Consent to Joint Use with Liberty Utilities and making a supplemental appropriation of \$38,394

ENDORSERS: Alderman Patricia Klee

COMMITTEE ASSIGNMENT: Budget Review Committee
Planning Board
Board of Public Works

FISCAL NOTE: Supplemental appropriation of money received by Liberty Utilities for a specific purpose.

ANALYSIS

This resolution authorizes the City of Nashua to enter into an Agreement and Consent to Joint Use with Liberty Utilities. As this includes a modification to an easement granted to the City, Charter §77 provides that the Planning Board “shall review and make recommendations to the mayor and board of aldermen on all locations for proposed municipal building and facilities, including educational, [and] on the purchase and sale of any land by the city.”

This legislation also appropriates \$38,394 of FY2022 unanticipated revenue from Public Works Administration and Engineering – Miscellaneous Revenue into Public Works Administration and Engineering – Construction Services. This represents a one-time payment from Liberty Utilities to cover the City’s cost to reline the existing drain line in the area of 39 Swart Terrace, where the new gas main will be installed. Charter Sec. 53 permits specific non-budget, supplementary appropriations. There should be notice and a public hearing. A two-thirds vote is required under Charter Sec. 56-b for an item or amount not in the mayor’s budget. A roll call is required under Charter Sec. 49.

This resolution should be referred to the Board of Public Works.

Approved as to account structure, numbers, and amount:

Financial Services Division

By: /s/ David G. Fredette

Approved as to form:

Office of Corporation Counsel

By: /s/ Dory Clarke

Date: September 8, 2021