

A regular meeting of the Board of Aldermen was held Tuesday, May 9, 2023, at 7:30 p.m. in the aldermanic chamber.

President Lori Wilshire presided; City Clerk Dan Healey recorded.

Prayer was offered by City Clerk Dan Healey; Alderman Richard A. Dowd led in the Pledge to the Flag.

Let's start the meeting by taking a roll call attendance.

The roll call was taken with 13 members of the Board of Aldermen present: Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Moran, Alderman Lopez (arrived late), Alderman Jette, Alderman Clemons, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Caron, Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire.

Alderwoman Kelly was recorded absent.

Mayor James W. Donchess, Corporation Counsel Steve Bolton were also in attendance.

RECOGNITION PERIOD

- Gate City Light Award

President Wilshire recognized Mayor Donchess.

NONPUBLIC SESSION

MOTION BY ALDERMAN O'BRIEN THAT THE BOARD OF ALDERMEN GO INTO NON-PUBLIC SESSION BY ROLL CALL PURSUANT TO RSA 91-A:3 II (L) CONSIDERATION OF LEGAL ADVICE PROVIDED BY LEGAL COUNSEL, EITHER IN WRITING OR ORALLY, TO ONE OR MORE MEMBERS OF THE PUBLIC BODY, EVEN WHERE LEGAL COUNSEL IS NOT PRESENT

SECONDED BY ALDERMAN MORAN

A viva voce roll call was taken, which resulted as follows:

Yea:	Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Moran, Alderman Jette, Alderman Clemons, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Caron, Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire	13
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Nay:		0
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MOTION CARRIED

The Board of Aldermen went into non-public session at 7:40 p.m.

The Board of Aldermen came out of non-public session at 8:07 p.m.

MOTION BY ALDERMAN O'BRIEN THAT THE BOARD OF ALDERMEN SEAL THE MINUTES OF THE NON-PUBLIC SESSION BY ROLL CALL UNTIL SUCH TIME AS THE MAJORITY OF THE COMMITTEE VOTES THAT THE PURPOSE OF THE CONFIDENTIALITY WOULD NO LONGER BE SERVED AND AS THE BOARD DETERMINES THAT THE DIVULGENCE OF THE INFORMATION DISCUSSED WOULD LIKELY RENDER PROPOSED ACTIONS INEFFECTIVE

A viva voce roll call was taken, which resulted as follows:

Yea:	Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Moran, Alderman Lopez, Alderman Jette, Alderman Clemons, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Caron, Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire	14
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Nay:		0
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MOTION CARRIED

REMARKS BY THE MAYOR

RESPONSE TO REMARKS OF THE MAYOR

Alderman Klee

READING MINUTES OF PREVIOUS MEETINGS

There being no objection, President Wilshire declared the minutes of the regular and special Board of Aldermen meetings of April 24 and April 25, 2023 be accepted, placed on file, and the readings suspended.

COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS

From: Doria Brown, Energy Manager
Deb Chisholm, Sustainability Manager
Re: Relative to R-23-093 Section #5 (Environment and Energy Committee Recommendations)

From: Sam Durfee, Planning Director
Re: Referral from the Board of Aldermen on proposed amended Ordinance O-23-051, amending the Land Use Code Regarding the Application of the Sign Article to Government Signage and the Approval of Sign Permits through the Site Plan Review Process

There being no objection, President Wilshire accepted the communications and placed them on file

PERIOD FOR PUBLIC COMMENT RELATIVE TO ITEMS EXPECTED TO BE ACTED UPON THIS EVENING - None

COMMUNICATIONS REQUIRING FINAL APPROVAL - None

PETITIONS

L Deerwood Drive – Lot H-103

There being no objection President Wilshire accept the Petition, referred it to the Committee on Infrastructure, Planning Board, and scheduled a Special Board of Aldermen Public Hearing for Wednesday, June 28, 2023, at 7:00 p.m. in the aldermanic chamber.

NOMINATIONS, APPOINTMENTS AND ELECTIONS

The following appointments by the Mayor were read into the record.

Conservation Commission

Richard Widhu (alternate to member) Term to Expire: December 31, 2025
23 Syracuse Road
Nashua, NH 03064

Hunt Memorial Building Board of Trustees

Rosalie M. McQuaid (re-appointment) Term to Expire: December 31, 2026
17 Reservoir Street
Nashua, NH 03064

William J. Dubois, Jr. (re-appointment) Term to Expire: January 31, 2028
3 Stratham Green
Nashua, NH 03063

Mine Falls Park Advisory Committee

Matthew Roscoe (new appointment)
17 Nova Road
Nashua, NH 03064

Term to Expire: May 9, 2026

Nashua Arts Commission

Judith Carlson (re-appointment)
15 Manchester Street
Nashua, NH 03064

Term to Expire: April 1, 2026

Zoning Board of Adjustment

Steve Lionel (re-appointment)
19 Cabot Drive
Nashua, NH 03064

Term to Expire: September 30, 2025

Jonathan ("Jack") M. Currier (re-appointment)
6 New Searles Road
Nashua, NH 03062

Term to Expire: September 11, 2025

There being no objection, President Wilshire accepted the Appointments by the Mayor as read and referred them to the Personnel/Administrative Affairs Committee.

REPORTS OF COMMITTEE

Personnel/Administrative Affairs Committee..... 04/03/2023

There being no objection, President Wilshire declared the report of the April 3, 2023 Personnel/Administrative Affairs Committee be accepted and placed on file.

Finance Committee 04/05/2023, 04/19/2023

There being no objection, President Wilshire declared the reports of the April 5 and April 19, 2023 Finance Committee be accepted and placed on file.

Budget Review Committee 04/24/2023

There being no objection, President Wilshire declared the report of the April 24, 2023 Budget Review Committee be accepted and placed on file.

CONFIRMATION OF MAYOR'S APPOINTMENTS - None

UNFINISHED BUSINESS – RESOLUTIONS

**MOTION BY ALDERMAN LOPEZ TO REMOVE FROM THE TABLE RESOLUTION R-23-102
MOTION CARRIED**

R-23-102, Amended

- Endorsers: Mayor Jim Donchess
- Alderman Patricia Klee
- Alderman-at-Large Melbourne Moran, Jr.
- Alderman Thomas Lopez
- Alderwoman-at-Large Shoshanna Kelly
- Alderman Richard A. Dowd
- Alderman June M. Caron
- Alderwoman-at-Large Gloria Timmons

AUTHORIZING THE MAYOR TO APPLY FOR AND EXPEND THE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") AND HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS FOR FISCAL YEAR 2024

Given its third reading;

MOTION BY ALDERMAN LOPEZ TO AMEND R-23-102 BY REPLACING IT WITH THE GOLDEN ROD COPY MADE AT THE HUMAN AFFAIRS COMMITTEE MEETING

MOTION CARRIED

MOTION BY ALDERMAN LOPEZ FOR FINAL PASSAGE OF R-23-102 AS AMENDED

MOTION CARRIED

Resolution R-23-102 declared duly adopted as amended.

R-23-109

Endorsers: Alderman Patricia Klee
Alderman Richard A. Dowd
Alderman Thomas Lopez
Alderman-at-Large Lori Wilshire

AUTHORIZING PENNICHUCK CORPORATION AND PENNICHUCK WATER WORKS, INC. TO RENEW ITS FIXED ASSET LINE OF CREDIT WITH TD BANK, N.A.

Given its second reading;

MOTION BY ALDERMAN KLEE FOR FINAL PASSAGE OF R-23-109

MOTION CARRIED

Resolution R-23-109 declared duly adopted.

R-23-110

Endorsers: Alderman Patricia Klee
Alderman Richard A. Dowd
Alderman-at-Large Lori Wilshire

AUTHORIZING PENNICHUCK CORPORATION AND PENNICHUCK EAST UTILITY, INC. TO ENTER INTO A TERM LOAN AND RENEW A FIXED ASSET LINE OF CREDIT WITH COBANK, ACB

Given its second reading;

MOTION BY ALDERMAN KLEE FOR FINAL PASSAGE OF R-23-110

MOTION CARRIED

Resolution R-23-110 declared duly adopted.

R-23-111

Endorsers: Mayor Jim Donchess
Alderman Patricia Klee
Alderman-at-Large Melbourne Moran, Jr.
Alderman Thomas Lopez
Alderman-at-Large Ben Clemons
Alderman-at-Large Shoshanna Kelly
Alderman Richard A. Dowd
Alderman Derek Thibeault
Alderman-at-Large Lori Wilshire

RELATIVE TO THE SUPPLEMENTAL APPROPRIATION OF \$365,083.34 OF FY2023 UNANTICIPATED REVENUE INTO FUND #7024 "OPIOID ABATEMENT EXPENDABLE TRUST FUND"

Given its second reading

MOTION BY ALDERMAN CARON FOR FINAL PASSAGE OF R-23-111, BY ROLL CALL PURSUANT TO CHARTER SECTION 49

A viva voce roll call was taken which resulted as follows:

Yea: Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Moran,
Alderman Lopez, Alderman Jette, Alderman Clemons, Alderman Comeau,
Alderman Dowd, Alderman Gouveia, Alderman Caron,

Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire

14

Nay:

0

MOTION CARRIED

Resolution R-23-111 declared duly adopted.

R-23-112

Endorsers: Mayor Jim Donchess
Alderman Patricia Klee
Alderman-at-Large Ben Clemons
Alderman Richard A. Dowd
Alderman June M. Caron
Alderman Derek Thibeault
Alderman-at-Large Lori Wilshire

RELATIVE TO THE SUPPLEMENTAL APPROPRIATION OF \$18,009 OF FY2023 UNANTICIPATED REVENUE INTO FUND #7026 "CAPITAL EQUIPMENT RESERVE FUND"

Given its second reading

MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF R-23-112, BY ROLL CALL PURSUANT TO CHARTER SECTION 49

A viva voce roll call was taken which resulted as follows:

Yea: Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Moran,
Alderman Lopez, Alderman Jette, Alderman Clemons, Alderman Comeau,
Alderman Dowd, Alderman Gouveia, Alderman Caron,
Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire

14

Nay:

0

MOTION CARRIED

Resolution R-23-112 declared duly adopted.

R-23-113

Endorsers: Mayor Jim Donchess
Alderman Patricia Klee
Alderman-at-Large Ben Clemons
Alderman Richard A. Dowd
Alderman June M. Caron
Alderman Derek Thibeault
Alderwoman-at-Large Gloria Timmons
Alderman-at-Large Lori Wilshire

RELATIVE TO THE SUPPLEMENTAL APPROPRIATION OF \$35,360.50 OF FY2023 UNANTICIPATED REVENUE INTO FUND #7026 "CAPITAL EQUIPMENT RESERVE FUND"

Given its second reading

MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF R-23-113, BY ROLL CALL PURSUANT TO CHARTER SECTION 49

A viva voce roll call was taken which resulted as follows:

Yea: Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Moran,
Alderman Lopez, Alderman Jette, Alderman Clemons, Alderman Comeau,
Alderman Dowd, Alderman Gouveia, Alderman Caron,
Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire

14

Nay:

0

MOTION CARRIED

Resolution R-23-113 declared duly adopted.

R-23-114

Endorsers: Mayor Jim Donchess
Alderman Richard A. Dowd
Alderman-at-Large Lori Wilshire

RELATIVE TO THE TRANSFER OF \$5,000 FROM DEPARTMENT 194 "CONTINGENCY", ACCOUNT 70100 "GENERAL CONTINGENCY" TO DEPARTMENT 144 "EDGEWOOD & SUBURBAN CEMETERIES", ACCOUNTING CLASSIFICATION 51 "SALARIES & WAGES"

Given its second reading

**MOTION BY ALDERWOMAN O'BRIEN FOR FINAL PASSAGE OF R-23-114
MOTION CARRIED**

Resolution R-23-114 declared duly adopted.

R-23-115

Endorsers: Alderman Patricia Klee
Alderman-at-Large Melbourne Moran, Jr.
Alderman Thomas Lopez
Alderman-at-Large Ben Clemons
Alderman Alex Comeau
Alderman Richard A. Dowd
Alderman Derek Thibeault
Alderman-at-Large Gloria Timmons
Alderman-at-Large Lori Wilshire

AUTHORIZING THE MAYOR TO ENTER INTO A FEDERAL AID PROJECT AGREEMENT WITH THE STATE OF NEW HAMPSHIRE FOR THE PURPOSE OF CONSTRUCTING AN ACCESSIBLE RAMP TO THE COTTON MILL TRANSFER BRIDGE AND TO ACCEPT AND APPROPRIATE \$300,000 FOR THE PROJECT

Given its second reading;

MOTION BY ALDERMAN KLEE FOR FINAL PASSAGE OF R-23-115, BY ROLL CALL PURSUANT TO CHARTER SECTION 49

A viva voce roll call was taken which resulted as follows:

Yea: Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Moran,
Alderman Lopez, Alderman Jette, Alderman Clemons, Alderman Comeau,
Alderman Dowd, Alderman Gouveia, Alderman Caron,
Alderman Thibeault, Alderman Timmons, Alderman Wilshire 14

Nay: 0

MOTION CARRIED

Resolution R-23-115 declared duly adopted.

UNFINISHED BUSINESS – ORDINANCES

O-23-047, Amended

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

AMENDING THE LAND USE CODE REGARDING MINOR SITE PLAN AMENDMENTS TO PERMIT SEASONAL OUTDOOR DINING APPROVALS

Given its third reading;

MOTION BY ALDERMAN MORAN TO AMEND ORDINANCE O-23-047 BY REPLACING IT WITH THE GOLDEN ROD COPY MADE AT THE PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE MEETING**MOTION CARRIED**

MOTION BY ALDERMAN MORAN TO FURTHER AMEND O-23-047 BY STRIKING THE LAST SENTENCE THEREOF AND REPLACING IT WITH THE FOLLOWING: "THE INITIAL OUTDOOR DINING MINOR SITE PLAN AMENDMENT APPLICATION SHALL BE SUBJECT TO FEES REQUIRED BY §190-267(A)(3) BY A SUBSEQUENT ANNUAL RENEWAL SHALL BE CHARGED A \$100 PERMITTING FEE" BY ROLL CALL

MOTION BY ALDERMEN CLEMONS TO MOVE THE QUESTION BY ROLL CALL

A viva voce roll call was taken which resulted as follows:

Yea: Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Moran,
Alderman Clemons, Alderman Dowd, Alderman Caron,
Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire 10

Nay: Alderman Lopez, Alderman Jette, Alderman Comeau, Alderman Gouveia 4

MOTION CARRIED

MOTION BY ALDERMAN MORAN TO FURTHER AMEND O-23-047 BY STRIKING THE LAST SENTENCE THEREOF AND REPLACING IT WITH THE FOLLOWING: "THE INITIAL OUTDOOR DINING MINOR SITE PLAN AMENDMENT APPLICATION SHALL BE SUBJECT TO FEES REQUIRED BY §190-267(A)(3) BY A SUBSEQUENT ANNUAL RENEWAL SHALL BE CHARGED A \$100 PERMITTING FEE" BY ROLL CALL

A viva voce roll call was taken which resulted as follows:

Yea: Alderman Sullivan, Alderman Moran, Alderman Lopez, Alderman Jette
Alderman Comeau, Alderman Gouveia 6

Nay: Alderman O'Brien, Alderman Klee, Alderman Clemons, Alderman Dowd
Alderman Caron, Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire 8

MOTION FAILED**MOTION BY ALDERMAN MORAN TO AMEND ORDINANCE O-23-047 AS AMENDED BY ROLL CALL**

MOTION BY ALDERMAN COMEAU TO AMEND INSTEAD OF \$100 ANNUAL FEE WOULD BE WAIVED ANNUAL FEE FOR SUBSEQUENT YEARS BUT WOULD STILL INVOLVE THE ORIGINAL FEE FOR YEAR ONE FOR THE INITIAL SITE PLAN AMENDMENT; YEARS TWO AND ON FOR THE FEE TO BE WAIVED FOR THE ANNUAL INSPECTION BY ROLL CALL

A viva voce roll call was taken which resulted as follows:

Yea: Alderman Sullivan, Alderman Moran, Alderman Lopez, Alderman Jette,
Alderman Comeau, Alderman Gouveia 6

Nay: Alderman O'Brien, Alderman Klee, Alderman Clemons, Alderman Dowd
Alderman Caron, Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire 8

MOTION FAILED**MOTION BY ALDERMAN MORAN TO AMEND ORDINANCE O-23-047 BY REPLACING IT WITH THE GOLDEN ROD COPY MADE AT THE PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE MEETING BY ROLL CALL**

A viva voce roll call was taken which resulted as follows:

Yea: Alderman O'Brien, Alderman Klee, Alderman Lopez, Alderman Jette,
Alderman Clemons, Alderman Comeau, Alderman Dowd, Alderman Caron,

Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire

11

Nay: Alderman Sullivan, Alderman Moran, Alderman Gouveia

3

MOTION CARRIED

Ordinance O-23-047 declared duly adopted as amended.

O-23-051

Endorser: Alderman Richard A. Dowd

AMENDING THE LAND USE CODE REGARDING THE APPLICATION OF THE SIGN ARTICLE TO GOVERNMENTAL SIGNAGE AND THE APPROVAL OF SIGN PERMITS THROUGH THE SITE PLAN REVIEW PROCESS

Given its second reading;

MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF O-23-051

MOTION BY ALDERMAN JETTE TO AMEND BY STRIKING THE SECOND PARAGRAPH DEALING WITH THE NEW SECTION 190-110.1

MOTION FAILED

MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF O-23-051

MOTION CARRIED

Ordinance O-23-051 declared duly adopted.

MOTION BY ALDERMAN THIBEAULT TO REMOVE FROM THE TABLE OF THE PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE ORDINANCE O-22-028 REQUIRING NONPUBLIC SESSIONS TO BE ENTIRELY IN PERSON

MOTION CARRIED

O-22-028

Endorsers: Alderman Derek Thibeault
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman-at-Large Melbourne Moran, Jr.
Alderman Thomas Lopez
Alderman-at-Large Ben Clemons
Alderwoman-at-Large Gloria Timmons

REQUIRING NONPUBLIC SESSIONS TO BE ENTIRELY IN-PERSON

Given its second reading;

MOTION BY ALDERMAN THIBEAULT FOR FINAL PASSAGE OF O-22-028

MOTION BY ALDERMAN DOWD TO AMEND TO INCLUDE "UNLESS ADVISED AGAINST IT BY EITHER IT OR LEGAL"

Alderman Dowd withdrew his motion.

MOTION BY ALDERMAN MORAN TO RE-REFER TO COMMITTEE BY ROLL CALL

A viva voce roll call was taken which resulted as follows:

Yea: Alderman Sullivan, Alderman Moran, Alderman Lopez, Alderman Jette,
Alderman Comeau, Alderman Gouveia

6

Nay: Alderman O'Brien, Alderman Klee, Alderman Clemons, Alderman Dowd,
Alderman Caron, Alderman Thibeault, Alderwoman Timmons
Alderman Wilshire

8

MOTION FAILED**MOTION BY ALDERMAN THIBEAULT FOR FINAL PASSAGE OF O-22-028 BY ROLL CALL**

A viva voce roll call was taken which resulted as follows:

Yea:	Alderman O'Brien, Alderman Klee, Alderman Moran, Alderman Clemons, Alderman Dowd, Alderman Caron, Alderman Thibeault, Alderwoman Timmons Alderman Wilshire	9
Nay:	Alderman Sullivan, Alderman Lopez, Alderman Jette, Alderman Comeau, Alderman Gouveia	5

MOTION CARRIEDNEW BUSINESS – RESOLUTIONS**R-23-119**

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman-at-Large Melbourne Moran, Jr.
Alderman Richard A. Dowd
Alderman June M. Caron
Alderman Derek Thibeault

CHANGING THE PURPOSE OF UP TO THREE HUNDRED AND FIFTY-FOUR THOUSAND SIX HUNDRED AND FIFTY-EIGHT DOLLARS (\$354,658) OF UNEXPENDED BOND PROCEEDS FROM THREE WASTEWATER PROJECTS TO THE SEWER INFRASTRUCTURE IMPROVEMENTS PROJECT

Given its first reading; Assigned to the BUDGET REVIEW COMMITTEE and SCHEDULE A SPECIAL BOARD OF ALDERMEN PUBLIC HEARING at 7:00 PM ON WEDNESDAY, MAY 24, 2023 in the aldermanic chamber, by President Wilshire

R-23-120

Endorsers: Mayor Jim Donchess
Alderman Patricia Klee
Alderman-at-Large Melbourne Moran, Jr.
Alderman Thomas Lopez
Alderman-at-Large Ben Clemons
Alderman Richard A. Dowd
Alderman Derek Thibeault
Alderman-at-Large Lori Wilshire

AMENDING THE PURPOSE OF A FISCAL YEAR 2023 UNLIKE ESCROW FOR THE POLICE DEPARTMENT

Given its first reading; Assigned to the BUDGET REVIEW COMMITTEE, by President Wilshire

R-23-121

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman Richard A. Dowd
Alderman June M. Caron
Alderman Derek Thibeault

RELATIVE TO THE SUPPLEMENTAL APPROPRIATION OF \$24,550 OF FY2023 UNANTICIPATED REVENUE INTO FUND #7026 "CAPITAL EQUIPMENT RESERVE FUND"

Given its first reading; Assigned to the BUDGET REVIEW COMMITTEE and SCHEDULE A SPECIAL BOARD OF ALDERMEN PUBLIC HEARING at 7:00 PM ON WEDNESDAY, MAY 24, 2023 in the aldermanic chamber, by President Wilshire

R-23-122

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.

Alderman Patricia Klee
 Alderman-at-Large Melbourne Moran, Jr.
 Alderman-at-Large Ben Clemons
 Alderman Alex Comeau
 Alderman Richard A. Dowd
 Alderman June M. Caron
 Alderman Derek Thibeault
 Alderman-at-Large Lori Wilshire

AUTHORIZING THE MAYOR TO ENTER INTO A FEDERAL AID PROJECT AGREEMENT WITH THE STATE OF NEW HAMPSHIRE AND THE TOWN OF HUDSON FOR THE PURPOSE OF REHABILITATING THE TAYLOR FALLS AND VETERANS BRIDGES AND A RELATED AGREEMENT FOR REIMBURSEMENT WITH THE TOWN OF HUDSON AND TO ACCEPT AND APPROPRIATE \$2,500,000 FOR THE PROJECT

Given its first reading; Assigned to the BUDGET REVIEW COMMITTEE and SCHEDULE A SPECIAL BOARD OF ALDERMEN PUBLIC HEARING at 7:00 PM ON WEDNESDAY, MAY 24, 2023 in the aldermanic chamber, by President Wilshire

R-23-123

Endorsers: Alderman Patricia Klee
 Alderman-at-Large Michael B. O'Brien, Sr.
 Alderman-at-Large Melbourne Moran, Jr.
 Alderman Richard A. Dowd
 Alderwoman-at-Large Gloria Timmons
 Alderman-at-Large Lori Wilshire

AUTHORIZING THE GRANTING OF AN EASEMENT TO PENNICHUCK WATER WORKS, INC. FOR THE CONSTRUCTION AND MAINTENANCE OF A WATER LINE

Given its first reading; Assigned to the PENNICHUCK WATER SPECIAL COMMITTEE, PLANNING BOARD, AND GREELEY PARK ADVISORY COMMITTEE by President Wilshire

R-23-124

Endorsers: Mayor Jim Donchess
 Alderman-at-Large Michael B. O'Brien, Sr.
 Alderman Patricia Klee
 Alderman-at-Large Melbourne Moran, Jr.
 Alderman Thomas Lopez
 Alderman Derek Thibeault

RELATIVE TO THE SUPPLEMENTAL APPROPRIATION OF \$500,000 FROM FY2023 ASSIGNED FUND BALANCE INTO DEPARTMENT 128 "RISK MANAGEMENT", ACCOUNT 89650 "TRANSFER TO PROPERTY & CASUALTY SELF INSURANCE FUND"

Given its first reading; Assigned to the BUDGET REVIEW COMMITTEE and SCHEDULE A SPECIAL BOARD OF ALDERMEN PUBLIC HEARING at 7:00 PM ON WEDNESDAY, MAY 24, 2023 in the aldermanic chamber, by President Wilshire

Without objection, President Wilshire suspended the rules to allow for the first reading of Resolution R-23-125 that was received after the agenda was prepared.

R-23-125

Endorsers: Mayor Jim Donchess
 Alderman-at-Large Michael B. O'Brien, Sr.
 Alderman Richard A. Dowd
 Alderman-at-Large Lori Wilshire

RELATIVE TO THE ADOPTION OF THE FISCAL YEAR 2024 PROPOSED BUDGET FOR THE CITY OF NASHUA GENERAL, ENTERPRISE, SPECIAL REVENUE AND GRANT FUNDS

Given its first reading; Assigned to the BUDGET REVIEW COMMITTEE and SCHEDULE A SPECIAL BOARD OF ALDERMEN PUBLIC HEARING at 7:00 PM ON MONDAY, JUNE 12, 2023 at Nashua High School North Auditorium, by President Wilshire

NEW BUSINESS – ORDINANCES - None

PERIOD FOR GENERAL PUBLIC COMMENT - None

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman Klee
Alderman Moran
Alderman Lopez
Alderman Comeau
Alderman Dowd
Alderman Thibeault
Alderman Wilshire

Committee announcements:

Alderwoman Timmons
Alderman Dowd
Alderman Moran
Alderman O'Brien

ADJOURNMENT

**MOTION BY ALDERMAN O'BRIEN THAT THE MAY 9, 2023, MEETING OF THE BOARD OF ALDERMEN BE
ADJOURNED**

MOTION CARRIED

The meeting was declared adjourned at 10:41 p.m.

Attest: Dan Healey, City Clerk



RESOLUTION

RELATIVE TO THE ADOPTION OF THE FISCAL YEAR 2024 PROPOSED BUDGET FOR THE CITY OF NASHUA GENERAL, ENTERPRISE, SPECIAL REVENUE AND GRANT FUNDS

CITY OF NASHUA

In the Year Two Thousand and Twenty-Three

RESOLVED by the Board of Aldermen of the City of Nashua that the Fiscal Year 2024 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, 2023, and ending June 30, 2024, 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 \$317,503,290 with estimated General Fund Revenues of \$66,639,831 including estimated state funding for education in the amount of \$36,177,736.

That the Fiscal Year 2024 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, 2023 and ending June 30, 2024, 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 \$37,187,106 (inclusive of anticipated Capital Appropriations), with estimated Enterprise Funds Revenues of \$30,621,470 and any additional funding for capital and CSO-related expenditures from retained earnings, bonding and/or State Revolving Fund Loans.

That the Fiscal Year 2024 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, 2023 and ending June 30, 2024. The proposed Special Revenue Funds appropriation amount is \$33,779,016 with estimated Special Revenue Funds Revenues of \$33,779,016 for the City of Nashua. The proposed Special Revenue Funds appropriation amount is \$23,557,029 with estimated Special Revenue Funds Revenues of \$23,557,029 for the Nashua School District.

RESOLUTION

R-23-125

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 FY2024 combined annual municipal budget pursuant to Nashua City Charter §56-c is \$412,026,441. The FY2024 dollar amount under the limit established by City Charter Section 56-c is \$43,727,235. Please find attached the Combined Annual Municipal Budget Calculation for the FY2024 Proposed Budget.

**City of Nashua Combined Budget Analysis to the
FY24 Proposed Budget**

Combined Annual Municipal Budget Calculation

<u>Line</u>	<u>Description</u>	<u>FY2023</u>	<u>FY2024</u>
1	<u>Appropriations</u>		
2	General Fund	\$ 303,358,903	\$ 317,503,290
3	Enterprise Funds	44,082,704	37,187,106
4	Special Revenue Funds (includes Grants)	59,581,977	57,336,045
5	Total Appropriations	\$ 407,023,584	\$ 412,026,441
6			
7			
8	<u>Supplemental Appropriations</u>		
9	General Fund	\$ 1,771,199	\$ -
10	Enterprise Funds	-	-
11	Capital Project Funds	21,567,517	-
12	Total Supplemental Appropriations	\$ 23,338,716	\$ -
13			
14	Total Appropriations	\$ 430,362,300	\$ 412,026,441
15			
16	<u>Spending Cap Calculation</u>		
17	FY2023 Total Appropriations		\$ 407,023,584
18	Add: FY2023 Supplemental Appropriations		23,338,716
19	FY2023 Total Appropriations		\$ 430,362,300
20			
21	Last 3-Years Annual Average S&L IPD		5.9%
22	Allowable Spending Over Prior Year Total Appropriations		\$ 25,391,376
23			
24	Maximum Appropriations Allowed (Line 20 plus Line 23)		\$ 455,753,676
25	Total Proposed Appropriations - FY2023		412,026,441
26	Total Appropriations Under the Spending Cap		\$ (43,727,235)

LEGISLATIVE YEAR 2023

RESOLUTION: R-23-125

PURPOSE: Relative to the adoption of the Fiscal Year 2024 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.

ANALYSIS

This resolution adopts the Fiscal Year 2024 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, 2023. Nashua City Charter § 56-b.

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

Financial Services Division

By: 

Approved as to form:

Office of Corporation Counsel

By: 

Date: 