



## ORDINANCE

### ELIMINATING THE GREEN TEAM AND TWO RELATED EXPENDABLE TRUST FUNDS

### *CITY OF NASHUA*

*In the Year Two Thousand and Fourteen*

*The City of Nashua ordains* that Part I “Administrative Legislation” Chapter 12 “Boards, Committees and Commissions”, Article XIII “Green Team” of the Nashua Revised Ordinances, as amended, be hereby further amended by deleting the struck-through language as follows:

#### ~~“ARTICLE VIII~~

#### ~~Green Team~~

#### ~~§ 12-26. Establishment.~~

~~In continued pursuit of the City's goals to reduce greenhouse gas emissions, increase energy efficiency, decrease air pollution, and reduce energy expenditures as first adopted by the City in Resolution 01-271, the Nashua Green Team for the City of Nashua is hereby established.~~

#### ~~§ 12-27. Duties and goals.~~

~~The Green Team shall advise the Mayor, Board of Aldermen, and division directors as to what methods to adopt to obtain these goals. The Green Team shall work with City departments, officials, businessmen, citizens, and environmental experts to develop an action plan to achieve these goals and a framework by which environmentally responsible decisions should be made. The Green Team shall assist the Mayor, Board of Aldermen and City departments to implement the action plan and to provide continued evaluation and report the progress of the City in meeting these goals to all interested parties. Future goals of the Green Team include, but are not limited to, raising funds to support implementation of the action plan.~~

~~§ 12-28. Membership.~~

~~The Nashua Green Team shall be an advisory committee with appointments made by the Mayor. The committee shall consist of a minimum of nine members and shall have no limit as to the maximum number of members. The committee shall have a quorum when seven members are present. At least one member will be appointed to represent each of the following divisions and departments: Information Technology Division, Public Works Division, Financial Services Division, Community Development Division, Transit, Division of Public Health and Community Services, the Mayor's office, and the Nashua School Department. The Mayor may appoint members from any other interested City division or department. At least one member shall be appointed from the Board of Aldermen by the President of the Board of Aldermen to serve through the duration of their tenure. Additional members may be appointed at large and will serve for two-year terms. Membership is not limited to citizens of Nashua as to encourage the business community to participate in the Nashua Green Team.~~

~~§ 12-29. Chairperson; bylaws; compensation; term.~~

~~The Committee shall elect a Chairperson from among its members. The Committee shall establish its bylaws and establish regular times for meetings and the orderly conduct of business. The members of the committee shall serve without compensation. Each member of the committee shall hold office until his/her successor is appointed and approved, unless sooner removed."~~

And further, be it **RESOLVED** by the Board of Aldermen of the City of Nashua that

**WHEREAS** R-07-193, amended, passed by the Board of Aldermen on June 12, 2007, and amended by R-10-53, passed by the Board of Aldermen on September 15, 2010, established two expendable trust funds pursuant to RSA 31:19-a, one for donations and the other for appropriations, for the purpose of funding projects designed to reduce fossil fuel use and greenhouse gas emissions by the city and appointed the Nashua Green Team as the agent to expend for both;

**WHEREAS** as of December 31, 2013, the expendable trust fund funded by donations contained approximately \$102 and the expendable trust fund funded by appropriations contained approximately \$22,565; and

**WHEREAS** R-12-84, passed by the Board of Aldermen on April 23, 2013, established an expendable trust fund under RSA 31:19-a for energy efficiency expenditures with the Mayor as the agent to expend;

**NOW THEREFORE** the expendable trust fund for accepting donations for reducing fossil fuel use and greenhouse gas emissions by the city established by R-07-193, amended, and amended by R-10-53 is hereby revoked and dissolved, and the remaining funds in this

**ORDINANCE**

**O-14-003**

expendable trust fund shall be spent for the purposes of the fund/donations within sixty (60) days after passage of this legislation; and

***NOW THEREFORE*** the expendable trust fund funded by appropriations for reducing fossil fuel use and greenhouse gas emissions by the city established by R-07-193, amended, and amended by R-10-53 is hereby revoked and dissolved, and the remaining funds in this expendable trust fund shall be transferred to the expendable trust fund for energy efficiency expenditures established by R-12-84.

All legislation or parts of legislation inconsistent herewith are hereby repealed.

This legislation shall take effect following its passage.

**LEGISLATIVE YEAR 2014**

**ORDINANCE:** O-14-003

**PURPOSE:** Eliminating the Green Team and two related expendable trust funds

**ENDORSER(S):** Alderman-at-Large David W. Deane

**COMMITTEE ASSIGNMENT:**

**FISCAL NOTE:** Transfers money remaining in ETF funded by appropriations to a similar existing ETF.

---

**ANALYSIS**

This legislation eliminates the Green Team, which is defunct and is not currently constituted. It also revokes and dissolves two related expendable trust funds which have the Green Team as the agent to expend.

The expendable trust fund funded by donations, which has a small amount of money in it, needs to be spent for the purposes for which the money was donated. This legislation requires the money to be spent on that purpose within 60 days of passage of the legislation. The expendable trust fund funded by appropriations will be transferred into an existing similar, but broader expendable trust fund for energy efficiency expenditures, which has the mayor as the agent to expend.

Charter Sec. 53 permits the Board of Aldermen to transfer any unencumbered appropriation balance or any portion thereof from one department, fund or agency to another. NRO § 5-130, H provides that “when proposed legislation to transfer or reappropriate a particular appropriation or portion 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: 

**Approved as to form:**

**Office of Corporation Counsel**

By: 

Date: 