



## RESOLUTION

### **CHANGING THE PURPOSE OF UP TO \$440,225 OF UNEXPENDED BOND PROCEEDS FROM THE LED STREET LIGHT PROJECT TO INFRASTRUCTURE IMPROVEMENTS - SIDEWALK CONSTRUCTION FOR THE DESIGN, REPAIR, AND CONSTRUCTION OF SIDEWALKS**

**RESOLVED** by the Board of Aldermen of the City of Nashua that the purpose of the remaining unexpended bond proceeds previously reserved and designated under Resolution R-15-191 (“Authorizing the Mayor and City Treasurer to issue bonds not to exceed the amount of two million two hundred thousand dollars (\$2,200,000) for the purchase and installation of light-emitting diode (“LED”) street lights”) is changed as follows:

The original purpose from R-15-191 was for the conversion of existing street lights to light-emitting diode (“LED”) street lights. The purposes for which the funds were originally borrowed is complete and there will be a remaining balance of proceeds that is surplus.

The new purpose will be for up to \$440,225 to be used for the design, repair, and construction of sidewalks.

**LEGISLATIVE YEAR 2021**

**RESOLUTION:** R-21-187

**PURPOSE:** Changing the purpose of up to \$440,225 of unexpended bond proceeds from the LED Street Light Project to Infrastructure Improvements - Sidewalk Construction for the design, repair, and construction of sidewalks

**ENDORSERS:** Mayor Jim Donchess

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

**FISCAL NOTE:** Allows \$440,225 to be spent on a capital project (sidewalk construction) from unspent bond proceeds approved under R-15-191. The approved LED Street Lights Capital Project bond (R-15-191) is complete. If bond funds were not repurposed they could be used to offset a payment within a fiscal year reducing the debt service account within the operating budget.

---

**ANALYSIS**

Resolution R-15-191 authorized bonding for the LED Street Lights project. That project is completed and will have surplus funds. This legislation allows those surplus funds to be used for Infrastructure Improvements – Sidewalk Construction.

The use of bond proceeds is controlled by RSA 33:3-a. They may be spent only for purposes for which the loan is incurred, except as the statute otherwise provides. If no expenditure of the proceeds has been made or a balance remains after “completion” of the project, the funds may be authorized, by a 2/3 vote, for another project eligible for bonding for an equal or longer period, or the funds may be used to pay principal of the project’s loan as it matures. RSA 33:3-a II. No public hearing is needed under bonding requirements because the reallocation is not the authorization of new borrowing.

However, this is a supplemental appropriation. 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 legislation should be referred to the Board of Public Works for its review and approval.

---

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

**Financial Services Division**

**By:** /s/ John Griffin

**Approved as to form:**

**Office of Corporation Counsel**

**By:** *Doreen Clark*

**Date:** 2 November 2021

**RESOLUTION R-21-187**

**Changing the purpose of up to \$440,225 of unexpended bond proceeds from the LED Street Light Project to Infrastructure Improvements - Sidewalk Construction for the design, repair, and construction of sidewalks**

**IN THE BOARD OF ALDERMEN**

1<sup>ST</sup> READING November 9, 2021

Referred to:  
Budget Review Committee  
Board of Public Works

2<sup>nd</sup> Reading December 14, 2021

3<sup>rd</sup> Reading \_\_\_\_\_

4<sup>th</sup> Reading \_\_\_\_\_

Other Action \_\_\_\_\_

Passed December 14, 2021

Indefinitely Postponed \_\_\_\_\_

Defeated \_\_\_\_\_

Attest: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
President

Approved \_\_\_\_\_  
Mayor's Signature

\_\_\_\_\_  
Date

**Endorsed by**

\_\_\_\_\_  
MAYOR  
\_\_\_\_\_  
O'BRIEN  
\_\_\_\_\_  
KLEE  
\_\_\_\_\_  
DOWD  
\_\_\_\_\_  
LOPEZ  
\_\_\_\_\_  
KELLY  
\_\_\_\_\_  
CLEAVER  
\_\_\_\_\_  
CLEMONS  
\_\_\_\_\_  
LU  
\_\_\_\_\_  
LAWS  
\_\_\_\_\_  
TENCZA  
\_\_\_\_\_  
HARRIOTT-GATHRIGHT  
\_\_\_\_\_  
WILSHIRE

Vetoed: \_\_\_\_\_

Veto Sustained: \_\_\_\_\_

Veto Overridden: \_\_\_\_\_

Attest: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
President