

**CURRENT BUDGET PROVISIONS IN CHARTER
FOR DISCUSSION (1/27/2022)**

**ARTICLE X - BUDGET PROCEDURE AND RELATED
MATTERS**

§10.1. Date of annual budget meeting¹.

The RTM shall hold the annual budget meeting on the first Monday in May of each year. (“RTM Annual Budget Meeting^[s1]”).

§10.2. Review and recommendation by Board of Selectmen².

A. Submission of General Fund and Capital budgets to Selectmen³. All Town officers, boards, commissions, authorities, and departments of the Town entrusted with the expenditure of Town funds, including the Board of Education, shall submit to the First Selectman the items and ~~details~~ details of their respective general fund and capital budgets for the next fiscal year. on such forms and in a manner prescribed by the Board of Finance^[s2] (“Budget Estimates”). These Budget Estimates shall be submitted on or prior to a date designated by the First Selectman, which date shall be early enough for the Board of Selectmen to review, revise, compile and submit its recommendations to the Board of Finance as set forth in Section ~~12.2B~~ 10.2.B of this Charter^[s3].

B. Recommendations to Board of Finance⁴. The First Selectman shall review the ~~budgets~~ Budget Estimates of all Town officers, boards, commissions, authorities, and departments of the Town required to submit ~~budgets~~ such information, and shall submit the budgets with recommendations to the Board of ~~Selectmen~~^[s4]. The Selectmen shall make recommendations to the Board of Finance regarding each budget reviewed by them. The recommendations of the Selectmen shall be submitted to the Board of Finance not later than two (2) months before the ~~annual budget meeting~~ RTM Annual Budget Meeting^[s5] (“Proposed Executive Budget^[s6]”).

C. Variation of procedure⁵. The Board of Selectmen, with the approval of the Board of Finance, may modify and vary the budget submission process in the

¹ Recodification, 2022 modification and recodification of current Article XII, §12.1 (2006). Derived from Article XII, §12.1 of the 1997 Charter; and, Chapter III, §6 (second sentence) and Chapter XVII, §4 of the 1947 and 1956 Acts and 1975 Charter.

² Recodification of current Article XII, §12.2 (2006). Derived from Article XII, §12.2 of the 1997 Charter.

³ 2022 modification and recodification of current Article XII, §12.2.A (2006). Derived from Article XII, §12.2 of the 1997 Charter.

⁴ 2022 modification and recodification of current Article XII, §12.2.B (2006). Derived from Article XII, §12.2 of the 1997 Charter.

⁵ Recodification of current Article XII, §12.2.C (2006). Derived from Article XII, §12.2 of the 1997 Charter.

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interest of efficiency or in the event of special circumstances.

§10.3. Review and recommendation by Board of Finance⁶.

A. Submission of budgets to Board of Finance⁷. Each ~~budget~~^[S7] shall be in the form, and shall contain the details, required by the Board of Finance from time to time.

B. Public hearing by Board of Finance⁸. The Board of Finance shall hold a public hearing on the ~~budget~~^{Proposed Executive Budget} during the month of March in each year.

C. Publication of ~~final budget~~Board of Finance Revised Budget^[S8]⁹. After the public hearing referred to in Paragraph B, the Board of Finance shall hold a public meeting not later than one (1) month before the ~~annual budget meeting~~^{RTM Annual Budget Meeting} at which it shall consider all matters relating to the ~~budget~~^{Proposed Executive Budget} and shall ~~publish the final budget~~^{provide public notice by publication as set forth in a newspaper}^{Section 1.4.C() of general circulation in the Town}^{this Charter} not later than five (5) days before the ~~annual budget meeting~~^{RTM Annual Budget Meeting}^[S9].

NOTE: DEFINED TERM “PUBLIC NOTICE” OR “PUBLICATION” IN ARTICLE I, SEC. 1.4.C¹⁰: “Public Notice” or “Publication” means a notice for matters other than public meetings or hearings, including the public inspection or availability of any documents or data, as may be required by this Charter or the General Statutes. In the event the requirement of the Charter is more stringent than the requirements of the General Statutes, the provisions of the Charter shall apply. Said Public Notice shall be specifically set forth in this Charter or may be governed by the requirements of the General Statutes. Public Notice shall be posted (1) in the Office of the Town Clerk and, in the discretion of the Town Clerk, any other public space or location in the Town Hall or any other public building, including the public library, in order to facilitate and assure sufficient disclosure to and access by the public; (2) on the Town web-site or through other electronic media by the Town Clerk; and, (3) only if required

⁶ Recodification of current Article XII, §12.3 (2006). Derived from Article XII, §12.3 of the 1997 Charter.

⁷ Recodification of current Article XII, §12.3.A (2006). Derived from Article XII, §12.3 of the 1997 Charter.

⁸ 2022 modification and recodification of current Article XII, §12.3.B (2006). Derived from Article XII, §12.3 of the 1997 Charter.

⁹ 2022 modification and recodification of current Article XII, §12.3.C (2006). Derived from Article XII, §12.3 of the 1997 Charter.

¹⁰ NEW (2022).

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by Law, by publication in a daily newspaper of general circulation distributed in the Town.

D. Recommendations to RTM¹¹. The Board of Finance shall make its budget recommendations ~~regarding the budget~~ to the RTM for consideration at the ~~annual budget meeting-RTM Annual Budget Meeting~~^[S10] (“Proposed Town Budget”).

E. Determination of property tax rate¹². After the ~~annual budget meeting~~^{RTM Annual Budget Meeting} and receipt of the report on the grand list from the Board of Assessment Appeals, the Board of Finance shall determine the rate of property tax for the next fiscal year.

§10.4. Review and determination by the RTM¹³: Approved Annual Town Budget¹⁴^[S11].

The RTM may hold meetings to review the ~~budget~~^{Proposed Town Budget} as it determines necessary before the ~~annual budget meeting-RTM Annual Budget Meeting~~. At ~~the annual budget~~^{said} meeting, the RTM shall determine and approve the annual appropriations for the next fiscal year: (“Approved Annual Town Budget”).:

§10.5. Effect of referendum on the budget¹⁵.

Any item in the ~~budget~~^{Approved Annual Town Budget} referred to a referendum vote as provided in Article ~~XIII~~^{XI} of this Charter and disapproved shall be amended to accord with such vote. In the event of a referendum affecting any item contained in the annual Town budget, the time within which the Board of Finance shall determine the Town tax for the year following such appropriation shall be extended to five (5) days after the referendum vote.

§10.6. Appeals from the Board of Finance¹⁶.

¹¹ 2022 modification and recodification of current Article XII, §12.3.D (2006). Derived from Article XII, §12.3 of the 1997 Charter.

¹² 2022 modification and recodification of current Article XII, §12.3.E (2006). Derived from Article XII, §12.3 of the 1997 Charter.

¹³ Recodification of current Article XII, §12.4 (2006). Derived from Article XII, §12.4 of the 1997 Charter.

¹⁴ 2022 modification and recodification of current Article XII, §12.4 (2006). Derived from Article XII, §12.4 of the 1997 Charter.

¹⁵ Recodification 2022 modification and recodification of current Article XII, §12.5 (2006). Derived from Article XII, §12.5 of the 1997 Charter.

¹⁶ Recodification of current Article XII, §12.6 (2006). Derived from Article XII, §12.6 of the 1997 Charter.

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A. Appeals to RTM¹⁷. Any Town officer, board, commission, authority, committee or department of the Town may appeal to the RTM from a vote of the Board of Finance to recommend a reduction in the amount of any request by ~~the said~~ Town officer, board, commission, authority, committee, or department for an appropriation of Town funds as part of the annual budget process or at another time in the fiscal year, or for a budget transfer. The Town officer, board, commission, authority, committee, or department may appeal to restore the entire amount originally requested or any part of such amount specified in the appeal.

B. Method of appeal¹⁸. The appeal shall be made in writing and shall be filed with the Town Clerk within ten (10) days after written notice of the vote of the Board of Finance shall have been received by the Town officer, board, commission, authority, committee or department making the appeal.

C. RTM hearing¹⁹. Not later than the annual budget meeting date of the RTM Annual Budget Meeting if the appeal is from a budget request, or the next regular meeting of the RTM after receiving an appeal from a vote of the Board of Finance in any other case, the RTM shall:

(1) Hold a hearing on such appeal, at which both the Board of Finance and the appellant shall be entitled to be heard;

(2) At the conclusion of the hearing, put the question of sustaining the appeal to a vote.

D. Vote necessary to sustain appeal²⁰. If two-thirds or more of the total number of RTM members present and voting at such meeting shall vote to sustain the appeal, the requested appropriation or transfer shall be made without the recommendation of the Board of Finance, subject, with respect to the appropriation, to referendum as provided in this Charter.

§10.7. Expenditure in excess of appropriation forbidden²¹.

¹⁷ 2022 modification and recodification of current Article XII, §12.6.A (2006). Derived from Article XII, §12.6 of the 1997 Charter.

¹⁸ Recodification of current Article XII, §12.6.B (2006). Derived from Article XII, §12.6 of the 1997 Charter.

¹⁹ 2022 modification and recodification of current Article XII, §12.6.C (2006). Derived from Article XII, §12.6 of the 1997 Charter.

²⁰ 2022 modification and recodification of current Article XII, §12.6.C (2006). Derived from Article XII, §12.6 of the 1997 Charter.

²¹ Recodification of current Article XII, §12.7 (2006). Derived from Article XII, §12.7 of the 1997 Charter.

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No Town officer, board, commission, authority, committee, or department shall expend any sum for any purpose in excess of the amount appropriated by the Town for such purpose unless such expenditure shall first be approved, and appropriate transfers in the budget made, by the Board of Finance.

§10.8. Purchasing authority²².

The First Selectman and the Purchasing Agent, acting in conjunction, shall be the general purchasing authority of the Town. All supplies, materials, equipment, other commodities, contracts for public works or services, other than professional services, required by any department, office, agency, board, authority, or commission of the Town, including the Board of Education, shall be purchased by the purchasing authority on a requisition, in such form as the Selectmen may prescribe, signed by the head of the department, office, agency, or chairman of the authority, board, commission or committee. No purchase order shall be issued without the signature of the Purchasing Agent or, in the Purchasing Agent's absence, of the First Selectman.

§10.9. Bidding, requisition, and payment procedures²³.

The Board of Finance shall establish and may amend from time to time procedures and guidelines for bidding on purchases and contracts by the Town as well as procedures for departmental requisition and for payments.

ARTICLE III - LEGISLATIVE BRANCH

§3.6. Appeals from the Board of Finance²⁴.

The RTM shall have the power to hear and determine appeals from decisions of the Board of Finance as provided in Section ~~12~~10.6 of this Charter.

ARTICLE VI - ELECTED BOARDS AND COMMISSIONS

²² Recodification of current Article XII, §12.8 (2006). Derived from Chapter XXI of the 1947 Act; and further amended by §20 of the 1951 Act and affirmed by Chapter XXI of the 1956 Act and Chapter XVIII of the 1975 Charter. Derived from Article XII, §12.8 of the 1997 Charter.

²³ Recodification of current Article XII, §12.9 (2006). Derived from Chapter XVIII, §4 and §5 of the 1975 Charter and Article XII, §12.9 of the 1997 Charter.

²⁴ ~~Recodification~~ 2022 modification and recodification of current Article IV, §4.6 (2006). Modification of Chapter III, §13 of the 1947 and 1956 Acts and Chapter III, §12 of the 1975; see also, Modification of Chapter XVII, §5 of the 1947 and 1956 Acts and 1975 Charter; and Article IV, §4.6 of the 1997 Charter.

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§6.3. Board of Finance.

A. Composition²⁵. The Board of Finance shall consist of nine (9) voting members, no more than six (6) of whom shall be registered with the same political party, and the Board of Selectmen and the Fiscal Officer, ex officio, without vote.

B. Powers and duties²⁶. The Board of Finance shall appoint the outside auditors and shall have all of the powers and duties conferred by this Charter, by ordinance, and upon boards of finance generally by Chapter 106 of the General Statutes.

C. Clerk of the Board of Finance²⁷. The Board of Finance shall appoint a clerk and fix the clerk's salary. The clerk shall hold office at the pleasure of the Board of Finance. The clerk may be part time. The clerk shall:

(1) Keep minutes of Board meetings and be the custodian of its books, papers, and data relating to the conduct of its business;

(2) Be a certified or a licensed public accountant or otherwise have experience in the financial field; and

(3) Have the right to call upon all Town departments, boards, commissions, committees, authorities, and officers for such information as the clerk may reasonably require in connection with the duties of the clerk and responsibilities of the Board of Finance.

D. Assessment system²⁸_[S12]. The Board of Finance shall ~~install~~ monitor and ~~shall modernize from time to time a system by which equitable and just values of taxable property within~~ oversee the ~~Town may be ascertained. The system shall provide, among other things, for~~ administration of and technology associated with the collection of data relating to each parcel of land and to each building within assessment system in the ~~Town and for~~ town, in accordance with the arrangement of

²⁵ Recodification of current Article VIII, §8.3.A (2006). Derived from Chapter XVII, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article VIII, §8.3.A of the 1997 Charter.

²⁶ Recodification of current Article VIII, §8.3.B (2006). Derived from Article VIII, §8.3.B of the 1997 Charter.

²⁷ Recodification of current Article VIII, §8.3.C (2006). Modification of Chapter XVII, §3 of the 1947 and 1956 Acts and the 1975 Charter; and Article VIII, §8.3.C of the 1997 Charter.

²⁸ [2022 Modification and](#) Recodification of current Article VIII, §8.3.D (2006). Modification of Chapter XXII of the 1947 and 1956 Acts and Chapter XXIII of the 1975 Charter, which ratified Special Act No. 511 (1935); Special Act No. 270 (1939); and, Special Act No. 367 (1941); and, Article VIII, §8.3.D of the 1997 Charter.

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such data in convenient and practical form for provisions of the use of General Statutes pertaining to the Assessor method assessment. The system may provide for the preparation and upkeep of tax maps and land maps, in the discretion of the Board of Finance.

E. Approval of budgets²⁹. The Board of Finance shall approve the Town budget in the manner set forth in Article XII of this Charter.

ARTICLE XI - REFERENDA [S13]

§ 11.1. Petition and time for filing³⁰.

A. Effective date of certain RTM votes. Any vote of the RTM: (1) authorizing the expenditure for any specific purpose of \$150,000 or more³¹[S14]; or (2) for the issue of any bonds by the Town³²; or (3) the adoption, amendment, or repeal of an ordinance³³; shall not be effective until the date for filing a referendum petition has passed. If within that time a petition for referendum is filed with the Town Clerk, the vote shall not be effective unless and until it has been approved by referendum.

B. Petition forms. Upon the request of any elector, the Town Clerk shall promptly prepare petition forms, which shall be available to any elector at the office of the Town Clerk, setting forth the questions sought to be presented on a referendum ballot.

C. Required number of signatures on petitions. To be effective, a petition for referendum must be signed by not less than five (5%) percent of the electors of the Town according to the most recent computer printout available at the time of the action or vote on which a referendum is sought, and must contain the names and addresses of the signatories.

²⁹ Recodification of current Article VIII, §8.3.E (2006). Modification of Chapter XVII, §4 of the 1947 and 1956 Acts and the 1975 Charter; and, Derived from Article VIII, §8.3.E of the 1997 Charter.

³⁰ Recodification of current Article XIII, §13.1 (2006).

³¹ Recodification of current Article XIII, §13.1.A(1) (2006). Derived from Chapter III, §9 of the 1947 and 1956 Acts (\$25,000.00) and the 1975 Charter (\$50,000.00); and Article XIII, §13.1.A(i) of the 1997 Charter (\$150,000.00).

³² Recodification of current Article XIII, §13.1.A(2) (2006). Derived from Chapter III, §9 of the 1947 and 1956 Acts and the 1975 Charter; and, Article XIII, §13.1.A(ii) of the 1997 Charter.

³³ Recodification of current Article XIII, §13.1.A(3) (2006). Derived from Chapter III, §10 of the 1947 and 1957 Act and 1975 Charter; further amended by §10 of the 1951 Act; and Article XIII, §13.1.A(iii) of the 1997 Charter.

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D. Time and place of filing petitions. A petition requesting that a referendum be held must be filed at the office of the Town Clerk not later than the close of business on the 14th day after the adjournment of the meeting at which the vote was taken. If the fourteenth (14th) day is a day on which the Town Clerk's office is closed, the petition must be filed by the close of business on the next day that the Town Clerk's office is open.

E. Special requirements for petitions on appropriations and bond issues. All petitions for referendum on any action of the RTM with respect to any bond issue or any appropriation in the amount required for a referendum shall set forth each item as to which a vote is desired, with the amount of the item as approved by the RTM, and the amount to which the petitioners desire it to be decreased or increased. However, no increase shall be proposed in excess of the amount approved for the item in question by the Board of Finance or by the RTM on appeal from the Board of Finance.

§11.2. Manner of holding referendum³⁴.

A. Certification of Town Clerk. Upon the filing of a petition fulfilling the requirements of Section ~~§11.1~~ 11.1 of this Charter, the Town Clerk shall certify that fact promptly to the Board of Selectmen.

B. Date of referendum. The Board of Selectmen shall call a special meeting of all electors of the Town to be held not less than twenty-one (21) days nor more than twenty-eight (28) days after the date of certification by the Town Clerk for the sole purpose of voting approval or disapproval of the question or questions presented in the referendum petition.

C. Voting hours and method. For any referendum, the polls shall be opened at twelve o'clock noon and shall be closed at eight o'clock (8:00 PM) in the evening, but the hours for voting may be increased at the discretion of the Board of Selectmen. Voting shall be by voting machine or printed ballot, at the discretion of the Board of Selectmen.

D. Ballots for referendum on ordinance. The ballot labels or ballots used in referenda concerning ordinances shall state the matter to be voted on in substantially the following form: "Shall the following action of the Representative Town Meeting held on (date of the meeting) be approved?" followed by a statement of the action questioned in substantially the same language and form set forth in the records of the RTM. The

³⁴ Recodification of current Article XIII, §13.2 (2006). Derived from Chapter III, §10 of the 1947 and 1956 Acts and 1975 Charter; further amended by §7 of the 1951 Act and; Article XIII, §13.2 of the 1997 Charter.

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voting machine or printed ballot shall provide means of voting "yes" or "no" on each question soproresented.

E. Ballots for referendum on appropriation and bond issue. Ballot labels or ballots used for referenda brought on appropriations and bond issues shall present separately each appropriation so referred in substantially one (1) of the following forms:

- (1) "Shall a special appropriation, etc. be approved?"; or
- (2) "Shall a special appropriation, etc. be (increased) (decreased) to the sum of \$_____?"; or
- (3) "Shall the following items contained in the annual town budget be approved?";
; or
- (4) "Shall the following items contained in the annual town budget be (increased) (decreased) to the sum of \$_____?"

F. Vote necessary to pass referenda³⁵. In order to reverse or modify the action taken by the RTM, the vote in favor of reversing or modifying the action must both:

- (1) Exceed twenty-five (25%) percent of the total number of electors of the Town eligible to vote as of the close of business on the day before the election; and
- (2) Constitute a majority of votes cast on the question.

³⁵ Recodification of current Article XIII, §13.2.F. Derived from Chapter III, §11 of the 1947 and 1956 Acts; Chapter III, 11 of the 1975 Charter; and Article XIII, §13.2.F of the 1997 Charter.