

**TOWN OF TIVERTON**  
**The Financial Town Meeting (FTM) Changes Advisory Committee**  
**Meeting Minutes for Monday, 21 March 2011**  
**Tiverton Town Hall 343 Highland Road**

The meeting commenced at 7:30PM in Tiverton Town Hall.

Members present included Jeff Caron (Co Chair), Brian Medeiros (Co Chair), Jeff Sroczynski, and Bob Gaw.

The minutes of 13 December 2010 were approved by unanimous consent.

Jeff Caron presented drafted updates to the baseline MEP document which went to public hearing in summer 2010.

Several comments were noted in the word file (attached) which included actions for Jeff C and Brian.

One significant development was the consensus to permit Town Council, Budget Committee, and School Committee to have access to the ballot.

Another discussion centered on the implications of switching from an FTM to a referendum occurred.

Ways to move forward were discussed.

The draft of the charter change working document as it appeared at the end of the meeting is attached.

The next meeting was scheduled for 11 April at 7:30PM.

The meeting adjourned at about 9:00PM.

Respectfully Submitted,

Jeff Caron

# Proposed Charter Amendment

## REPLACE THE FINANCIAL TOWN MEETING WITH A BUDGET REFERENDUM PROCESS

### Ballot Question

Shall the Tiverton Town Charter be amended to replace the current Financial Town Meeting with a budget referendum whereby voters will decide by ballot vote at polling places whether or not to approve the budget and tax levy recommendation presented by the Town Council, or other budget proposals placed on the referendum ballot by citizen petition? This would modify Articles III, IV, V, VI, VII and other related relevant sections of the Charter.

### Reason for Change

This alternative to the Financial Town Meeting will provide a process by which the elected Town Council would recommend a total Town budget (including School, Town Clerk and Treasurer) after considering input and recommendations from the Budget Committee and citizens. This amendment would also allow citizens to place alternative budget proposals on the ballot by petition. Voters will approve or reject each proposal by ballot vote at polling places.

### Improvements Over Financial Town Meeting

- **Accountability:** The Town Council, after considering the Budget Committee's recommendations, recommends an overall financial plan for the town and can be held accountable for it. Under the current process, with different bodies only responsible for certain aspects, it's difficult to hold anyone accountable for the outcome.
- **Democracy:** The people remain the "appropriating body" of the town and retain exclusive authority to decide budgets and taxes. But unlike the FTM, all voters have an equal opportunity to participate, regardless of health issues, child-care issues, work issues, etc.
- **Simplicity:** People can vote for their preferred budget proposal without all the FTM procedural matters, amendments, etc.
- **Certainty:** Using the normal voting process will assure an accurate vote-count. The FTM process of hand-counts is less accurate, and doing paper-ballots at the FTM would add hours to the process.
- **Informed Decision:** All budget/tax options on the ballot and the Budget Committee's recommendations will have been discussed at a hearing two weeks prior. Voters will have ample opportunity to find out all implications of each plan, versus the FTM where new proposals can be introduced and voted upon without being vetted.
- **Confidentiality:** People can vote their conscience on budget and tax matters in privacy as they do in elections, versus a public vote at the FTM.
- **Finality:** The town's budget and tax-levy will be definitively set at a referendum, unlike the FTM which can go multiple days without resolution.
- **Practicality:** In a town with 11,000 voters, the largest turnout that can be accommodated is 1600-2000 (at THS, in multiple rooms). If just 20% of registered voters show up to participate at the FTM, the meeting can not be held. As with any election, all voters can vote at a referendum.

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**Exhibit 1: Summary Flow Chart of Budget Process** *dates as if proposed change in effect this year*

**Comment [JC1]:** Need to update.

January 15th	Town Council budget workshop to establish general goals & objectives (with School Dep't, Budget Committee, Elected/Appointed Officials & General Public).
	Budget Development - 6+ weeks
100 Days prior to Annual Budget Referendum (ABR) <i>February 28, 2010</i>	School Dep't, Clerk & Treasurer submit preliminary budgets to Town Administrator. Town Council approves preliminary Municipal budget.
	Administrator consolidates budgets into preliminary Town Budget Report - 5 days
95 Days prior to ABR <i>March 5, 2010</i>	Town Administrator submits preliminary consolidated Town Budget Report to Town Council & Budget Committee.
	Budget Committee review & prepare budget recommendations - 6+ weeks
52 Days prior to ABR <i>April 17, 2010</i>	Budget Committee presents recommendations to Town Council.
	Council review Budget Comm. recommendations & prepare final rec. - 10 days
42 Days prior to ABR <i>April 27, 2010</i>	Town Council adopts final Town Budget Report and budget recommendation for Annual Budget Referendum.
	Electors gather petition signatures - 2 weeks
28 Days prior to ABR <i>May 11, 2010</i>	Submission of Petitions
	Board of Canvassers certify petitions - 7 days; Clerk prepares for budget hearing - 7 days
14 Days prior to ABR <i>May 25, 2010</i>	Annual Budget Hearing
	Board of Canvassers/Clerk print ballots & final election prep - 2 weeks
10 Days prior to ABR <i>May 29, 2010</i>	Referendum Notice Published
<b>2nd Tuesday in June</b> <b><i>June 8, 2010</i></b>	<b>ANNUAL BUDGET REFERENDUM</b>

**Exhibit 2: Sample Ballot for Referendum**

<b>Explanation to Voter: Town of Tiverton Fiscal Year 2011-2012 Budget and Tax Levy</b>	
<b>Vote For ONE</b>	
<b>←    —</b>	1. The Town shall: Appropriate a sum of \$nn,nnn,nnn for School Department General Operating & Capital Expenses; and, Appropriate a sum of \$nn,nnn,nnn for Municipal Operations & Capital Expenses; and, Levy a Property Tax not to exceed \$nn,nnn,nnn which is an increase to the prior year's certified Net Tax Levy of n.n% and includes a Motor Vehicle Tax Levy not to exceed \$n,nnn,nnn and a Real & Tangible Property Tax Levy not to exceed \$nn,nnn,nnn; as recommended by the Town Council.
<b>←    —</b>	2. The Town Shall: Appropriate a sum of \$nn,nnn,nnn for School Department General Operating & Capital Expenses; and, Appropriate a sum of \$nn,nnn,nnn for Municipal Operations & Capital Expenses; and, Levy a Property Tax not to exceed \$nn,nnn,nnn which is an increase to the prior year's certified Net Tax Levy of n.n% and includes a Motor Vehicle Tax Levy not to exceed \$n,nnn,nnn and a Real & Tangible Property Tax Levy not to exceed \$nn,nnn,nnn; and, Approve an excess levy not to exceed \$nn,nnn; as proposed by Citizen Petition.

## Proposed Changes to Charter

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### ARTICLE II ELECTIONS

#### Section 204 Transfer of Town Land

The transfer of any property rights in and/or ownership of any parcel/lot or tract of land owned by the Town of Tiverton as of November 5, 2008, except for parcels in the Industrial Park and transfers pursuant to RI General Law 44-9-18.3, must be approved by a vote of the electors of the Town of Tiverton either at a ~~Financial Town Meeting, the Annual Budget Referendum, Special Meeting~~ or a Special Referendum. Any such approval shall expire within five (5) years. Leasing of Town property for a period of ten (10) years or less shall not constitute a transfer of property, provided that at the end of the leasing period the Town retains sole right to renew, continue, or terminate the lease. This section shall not prohibit the Town Council from transferring property rights for the purpose of restricting use of any parcel/lot of land, for conservation or preservation purposes, or in connection with the provision of public utilities or similar services.

### ARTICLE III ~~FINANCIAL TOWN MEETING~~ BUDGET AND TAXATION

#### Section 301 ~~Time and Purpose~~ Budget Adoption Process (Summarized in Appendix A)

~~The electors of the Town shall assemble each year in Financial Town Meeting on the second Saturday in May at 9:00 o'clock A.M. to 1:00 o'clock P.M.. for the purpose of hearing official reports, ordering any tax which lawfully may be ordered, making appropriations, and transacting any other business pertaining to the affairs of the Town which may legally come before such meeting. Should said meeting need to be reconvened, it shall be scheduled to the next following Saturday at the aforementioned time. Said Financial Town Meeting shall be called and warned and the list of electors qualified to vote therein shall be made out and canvassed in the same manner as provided by law in respect to elections.~~

#### ~~(a) Notice~~

~~Prior to the Financial Town Meeting, the Council President shall cause to be published in a newspaper of general circulation in the Town a budget summary which shall set out proposed expenditures by department or function and receipts by source for the proposed budget year together with comparisons of these with estimated expenditures and receipts for the current budget year, in the form provided in Section 44-35-7 of the General Laws; and shall also cause to be published the "proposed property tax rate" and the "adjusted current property tax rate" for the Town as defined in Section 44-35-3 of the General Laws. A public hearing or hearings shall be scheduled to take place no less than ten (10) days following the date of such publication on the proposed budget expenditures and property tax rate. Such hearings shall be completed no less than ten (10) days prior to the date of the Financial Town Meeting.~~

**(a) Initial Budget Hearing To Discuss Goals and Objectives**

The Town Council shall schedule for a date no later than January 15 a meeting to solicit and discuss comments related to the general goals and objectives of the budget for the ensuing year. All Town elected bodies and officials, or representatives thereof, should attend and participate in this meeting. It is recognized that a proposed budget will not be completed at this time. The purpose of the meeting is for the Town Council to receive public input, consider preliminary information, and establish general budget goals and objectives prior to the preparation of proposed budgets. Without limiting the discussion, such matters as proposed new projects and/or capital expenses, contractual obligations, mandates, debt obligations, projected school population and other items affecting the budget should be discussed.

**~~(b) Subjects Requiring Special Notice~~**

~~No vote shall be taken in a Financial Town Meeting to levy a tax or to dispose of real property of the Town unless special notice thereof has been given in the warrant issued for the warning of such meeting.~~

**(b) Submission and Review of Budgets**

- 1.) Town Treasurer: Prepare and submit preliminary department budget to the Town Administrator no less than 100 days prior to the Annual Budget Referendum in accordance with Section 602(a)9 of this Charter.
- 2.) Town Clerk: Prepare and submit preliminary department budget to the Town Administrator no less than 100 days prior to the Annual Budget Referendum in accordance with Section 801(a) of this Charter.
- 3.) School Department: Prepare and submit preliminary School budget to the Town Administrator no less than 100 days prior to the Annual Budget Referendum in accordance with Section 1101(a) of this Charter.
- 4.) Town Council: Prepare and approve preliminary Municipal budget submitted by the Town Administrator no less than 100 days prior to the Annual Budget Referendum in accordance with Sections 407(3) and 503(1) of this Charter.
- 5.) Town Administrator: Prepare a preliminary consolidated Town Budget Report in accordance with Section 503(1) of this Charter and submit said report to the Town Council and Budget Committee no less than 95 days prior to the Annual Budget Referendum.

6.) Budget Committee: Review the preliminary Town Budget Report, develop budget report and recommendations and present said report and recommendations to the Town Council no less than 52 days prior to the Annual Budget Referendum in accordance with Section 703(3) of this Charter.

**(c) Adoption of Recommended Budget and Town Budget Report**

The Town Council, after consideration of the Budget Committee’s report and recommendations, shall determine their recommended consolidated Town budget (including School and Municipal budgets) and revise the Town Budget Report as necessary. No less than forty two (42) days prior to the Annual Budget Referendum, the Town Council shall adopt a final Town Budget Report including their recommended consolidated Town budget as it will appear on the ballot for the Annual Budget Referendum. To inform the public prior to the Annual Budget Hearing, the Town Clerk shall cause sufficient copies of the Town Budget Report to be prepared for public distribution and post copies in the Town Hall and on the Town Web Site, and as otherwise directed by the Town Council.

**(d) Petitions**

**1.) Alternate Budget Proposals**

After the adoption of the Town Budget Report as per subsection (c) herein, any qualified elector of the town may circulate a petition requesting that an alternate budget proposal be included on the ballot for the Annual Budget Referendum. The originator of a petition shall be limited to one petition. Petition(s) must include the following information:

- A.) name of petition originator,
- B.) total dollar amounts to appropriate for both the School Department and Municipal budgets,
- C.) total dollar amount to raise by taxation including maximum dollar amounts for the Motor Vehicle, Real & Tangible Property and resulting Total Property tax levies,
- D.) the percentage increase or decrease to the prior year’s certified Net Tax Levy, and,
- E.) if necessary, the dollar amount of the Total Property Tax Levy that is in excess of the maximum levy as calculated in accordance with R.I.G.L. 44-5-2 (b).

No petition shall be accepted that proposes an appropriation of an amount that is in violation of the RI General Laws. The day following adoption of the Town Budget Report as per subsection (c) herein, the Town Clerk shall make available petition forms printed with standard language and spaces for the insertion of the required information. The content of the petition(s) shall be verified by the Town Clerk within one (1) business day of receipt before circulation. All petition forms must be returned to the Town Clerk no later than fourteen (14) days after the adoption of

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the Town Budget Report. Any language added to a petition, or any alteration of the language thereof subsequent to its verification by the Town Clerk, shall be of no force or effect. There shall be no limit to the number of separate petitions which an elector may sign. Nothing in this charter shall prevent an elected official or any appointed member of a Board, Committee or Commission from being an originator of a petition or being a signatory to a petition. Nothing in this Charter shall prevent an elector, a majority of an elected body or Board, Committee or Commission from signing any single petition.

### **2.) Non Budget Proposals**

No later than 28 days before the Annual Budget Referendum the Town Council or an elector may submit to the Town Clerk a resolution or ballot question for inclusion on said ballot, provided that said resolution or ballot question shall not alter the ballot entries of Section 301 (d) 1.) Ballot.

### **3.) Qualification of Petitions**

Upon receipt of said petition(s), the Town Clerk shall cause the signatures thereon to be verified by the Board of Canvassers, such verification to be completed no less than seven (7) days after the return date for the petitions. All petitions for proposals shall be included on the ballot for the Annual Budget Referendum and presented to the citizens at the Annual Budget Hearing provided that Alternate Budget Proposals are accompanied by 301 qualified elector signatures and Non Budget Proposals are accompanied by 50 qualified elector signatures. Non Budget Proposals submitted by the Town Council shall have no signature requirement.

### **(e) Annual Budget Hearing**

**1.) Time and Purpose:** The Town Council shall schedule a budget hearing for a date no later than fourteen (14) days prior to the Annual Budget Referendum for the citizens of the town to receive and debate the Town Budget Report from the Town Council, the Budget Committee's report, the Town Council's recommended consolidated Town budget, recommendations from the Budget Committee, School Committee, Town Treasurer and Town Clerk, and alternate budget proposals submitted and qualified pursuant to subsection (d) contained herein.

**2.) Notice:** The agenda for the Annual Budget Hearing shall be noticed consistent with a regular Town Council meeting and shall include the Town Council's recommended consolidated Town budget and other qualified budget proposals as they will appear on the ballot for the Annual Budget Referendum. The Town Budget Report and the Budget Committee's report shall also be included on the agenda. The originators of petitions

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shall be responsible for providing sufficient copies of information that they deem necessary.

**(f) Annual Budget Referendum**

On the second Tuesday in June, the Town Clerk shall cause a referendum by ballot to be held on the budget as recommended by the Town Council in the Town Budget Report and alternate budget proposals submitted and qualified in accordance with subsection (d) contained herein. The Annual Budget Referendum shall be considered a special election and the Board of Canvassers shall determine the hours, number and locations of the polling places.

- 1.) **Ballot:** The ballot used at such referendum shall be prepared by the Board of Canvassers in such manner as to include for the budget as recommended by the Town Council and for each alternate budget proposal called for by duly approved petition(s):
  - A.) the total dollar amount to appropriate for the School Department budget,
  - B.) the total dollar amount to appropriate for the Municipal budget,
  - C.) the total dollar amount to raise by taxation including maximum dollar amounts for the Motor Vehicle, Real & Tangible Property and resulting Total Property tax levies,
  - D.) the percentage increase or decrease to the prior year's certified Net Tax Levy, and
  - E.) if necessary, the dollar amount of the Total Property Tax Levy that is in excess of the maximum levy as calculated in accordance with R.I.G.L. 44-5-2 (b).

Qualified alternate budget proposals shall appear on the ballot in the order received following the Town Council recommendation. All budget proposals shall appear as separate ballot questions. Electors shall be instructed to "Vote For One".

- 2.) **Adoption of Budget & Taxation:** The budget proposal and tax levy receiving the most votes shall be adopted.
- 3.) **Notice:** No less than ten (10) days prior to the Annual Budget Referendum, the Council President shall cause the referendum to be noticed pursuant to RI General Laws.

**Section 302 Special Meetings-Referenda**

Special ~~Meetings~~ Referenda shall be called by the Town Clerk upon a resolution of no less than two thirds of the Town Council or whenever five (5%) percent of the electors of the Town shall make a request in writing for the calling of a ~~Town Meeting~~ Special Referendum and direct the same to the Town Clerk; provided, that said five (5%) percent shall be computed on the total number of electors appearing on the last canvassed voting lists of the Town as having a right to vote in the transaction of any business that may be duly presented at such ~~meeting~~-referendum. The date of such Special ~~Meeting~~ Referendum shall not exceed forty five (45) days following certification of the petition.

**(a) Restriction of Special Meetings Referenda**

No Special ~~Meeting~~ Referendum shall be called without the consent of the Town Council if the subject proposed to be considered has been acted upon by a ~~Financial Town Meeting~~ the Annual Budget Referendum within six (6) months previous to the time of such proposed call.

**(b) Subjects Requiring Special Notice**

No vote shall be taken at a Special Referendum to levy a tax or to dispose of real property of the Town unless special notice thereof has been given in the warrant issued for the warning of such referendum.

**Section 303 Additional Financial Proposals**

~~Any proposal for the expenditure of money, other than for items contained in the budget presented by the Budget Committee, may be acted upon at the Financial Town Meeting in the same manner as those presented by the Budget Committee, only if such proposals shall have been presented by the Town Council or by a petition signed by at least fifty (50) electors qualified to vote in Financial Town Meeting and filed with the Town Clerk not less than thirty-five (35) days prior to the date of such meeting. The warrant issued for the notice of such meeting shall include such proposals and the recommendations of the Budget Committee, if any.~~

**Section 304 303 Powers of the Electors**

The electors in a Special ~~Meeting~~ Referendum or ~~Financial Town Meeting~~ Annual Budget Referendum shall have and exercise all powers granted Financial Town Meetings by the laws of the state not inconsistent with this Charter.

**Section 305 Moderator**

~~There shall be a Moderator elected biennially by paper ballot, concurrent with the Financial Town Meeting to serve at such Special Meetings and Financial Town Meetings as occur during his/her term of office. The Moderator shall serve for a term of two (2) years commencing with the start of the fiscal year and until a successor is elected and qualified. The Moderator shall be an elector of the Town qualified to vote in Financial Town Meetings. If the Moderator is absent, the Town Council shall appoint a Moderator to serve for the duration of such absence, provided the absence does not exceed six (6) months, in which case the position will be deemed to be vacant.~~

**(a) Duties and Powers of Moderator**

1.) ~~The Moderator shall preside at all Special Meetings and Financial Town Meetings and shall have power to regulate and manage the business of each meeting, conforming to law, and to maintain peace and good order therein. The Moderator shall have all powers as provided by the laws of the State not inconsistent with this Charter. The Moderator shall submit the Rules of the meeting, if any, to the Town Clerk for printing, at least fifteen (15) days prior to the meeting date. Any matter not covered by these Rules shall be governed by Robert's Rules of~~

~~Order. The Rules of the Meeting shall be adopted by a vote of the electors at the meeting. The Moderator, in accordance with Robert's Rules of Order, may stop debate on any business at a meeting and move to a vote on said business.~~

~~2.) The Moderator shall, prior to each Special Meeting or Financial Town Meeting, provide a written agenda for all interested electors of those items of business to be considered at such meeting, and the order in which they will be considered. The docket, as provided by the Budget Committee, shall be included as one line item on the agenda for the Financial Town Meeting. The Moderator shall not alter the order of the items within the Budget Committee's docket.~~

~~3.) The following items shall be included in the agenda of a Financial Town Meeting as prepared by the Moderator; notwithstanding that additional items may also be present:~~

- ~~• Vote to adopt the Rules of the Meeting, if any special rules were provided by the Moderator.~~
- ~~• Budget Committee's docket.~~
- ~~• If this is the end of the Moderator's current term of office, election of a Moderator for the next term of office.~~

### **Section 306 Quorum**

~~At least three hundred one (301) electors shall be necessary to constitute a quorum at any Special Meeting or Financial Town Meeting. All questions shall be decided by a majority vote of the qualified electors present and voting.~~

### **Section 307 Voting**

~~The Moderator on a motion duly made and seconded relative to any business regularly before the meeting and having heard all qualified electors desirous of being heard, shall cause the votes of the qualified electors present to be taken thereon.~~

#### **(a) Vote by Ballot**

~~The vote shall be taken by ballot upon the request of a majority of the qualified electors present, on any pending question involving the expenditure of money, the incurring of liability or disposition of Town property.~~

### **Section 308 Record of Proceedings**

~~A copy of the record of the proceedings of any Special Meeting or Financial Town Meeting, duly certified by the Town Clerk, shall be evidence of any act or vote of the electors of the Town in Special Meeting or Financial Town Meeting.~~

### **Section 309 Recessed Meetings**

~~The Moderator may recess for a period not to exceed one (1) hour, any duly called Special Meeting or Financial Town Meeting. Every Special Meeting or Financial Town Meeting shall~~

~~be recessed by the Moderator no later than 11:00 o'clock P.M, if not otherwise set forth herein. Any unfinished business from the Financial Town Meeting shall be referred to a recessed meeting to be held on the next following Saturday at 9:00 o'clock AM, and may be recessed from time to time thereafter upon vote of the meeting.~~

**Section 310 304 Unreserved General Fund**

No moneys shall be taken, withdrawn or obligated from the Unreserved General Fund if such withdrawal would cause said fund to fall below three percent (3%) of the current operating budget. This restriction may be suspended on a case basis by an affirmative vote of four-fifths of the Town Council in order to address a declared state of emergency as enacted by the Town Council.

**Section 311 Compensation**

~~Compensation for all municipal employees, full or part time, elected or appointed, other than contracted and unionized employees shall be approved at the Financial Town Meeting.~~

**ARTICLE IV TOWN COUNCIL**

**Section 407 Powers and Duties**

3) Develop and publish such policies, plans and objectives consistent with the long-range plan to provide a basis for planning the ~~m~~Municipal (non-school) budget by the Town Administrator and its review by the Budget Committee and to provide whatever interpretive consultation is appropriate for generating a budget within these general guidelines. Review and approve the preliminary Municipal budget submitted by the Town Administrator ~~within 10 days~~ and, after review and consideration of the Budget Committee's report and recommendations, recommend a consolidated Town budget (including a total School Department budget) and adopt the final Town Budget Report in accordance with Section 301 of this Charter.

14.) Order such budget reductions or transfers of funds within the Municipal budget as may become necessary to meet unanticipated requirements or shortfalls during the fiscal year, as recommended by the Administrator ~~and within any constraints imposed by the Financial Town Meeting.~~

**ARTICLE V TOWN ADMINISTRATOR**

**Section 503 Duties and Powers of the Town Administrator**

The Town Administrator shall:

1.) Submit to the Town Council, ~~not later than 150 days prior to the Financial Town Meeting,~~ a proposed ~~m~~Municipal (non school) budget of receipts and expenditures and an

explanatory budget message in accordance with Section 301(b) of this Charter. ~~Submit to the Budget Committee, not later than 120 days prior to the Financial Town Meeting, the proposed budget as reviewed and approved by the Town Council.~~ For such purpose the head of each office, department and agency shall submit to the Town Administrator estimates of their anticipated revenues and expenditures with such supporting data as he/she may request. In preparing the proposed budget, the Town Administrator shall review the estimates, and with the exception of the School Department budget, may revise them as he/she deem appropriate. The Municipal budget, as proposed by the Town Administrator shall include all anticipated revenues and expenditures, except those for the school purposes, and the total of such expenditures shall not be greater than the total of the anticipated revenue. He/She shall incorporate the total of these expenditures and revenues with the total he/she has arrived at for general town purposes. The Town Administrator shall receive from the School Committee, Town Clerk, and Town Treasurer their budgets of estimated expenditures and revenues and shall combine these budgets with the Municipal budget in order to prepare a preliminary consolidated Town Budget Report for submission to the Town Council and Budget Committee in accordance with Section 301(b) of this Charter. The Town Administrator shall not alter the budgets presented by the Town Treasurer, Town Clerk or School Department. Without limiting the content, the Town Budget Report shall present; the total dollar amounts to appropriate for the School Department and Municipal (inclusive of Town Treasurer and Town Clerk) budgets, the total dollar amount to raise by taxation including maximum dollar amounts for the Motor Vehicle, Real & Tangible Property and resulting Total Property tax levies, the percentage increase or decrease to the prior year's certified Net Tax Levy, and the maximum levy allowed by RI General Laws with an estimate of any emergency waivers or exceptions that the Town may qualify for separately identified.

## ARTICLE VI FINANCIAL SERVICES

### Section 602 Town Treasurer

#### (a) Duties and Responsibilities

- 2.) Monitoring the spending by all departments, boards and commissions of the Town to insure that the budget ~~approved at the Financial Town Meeting~~ is not exceeded.
- 9.) Preparing an annual department budget to be submitted to the ~~Budget Committee~~ Town Administrator in accordance with Section 301(b) of this Charter.
- 10.) Utilizing appropriate resources including outside professional expertise in serving as a financial advisor to the Town Council, Town Administrator, School Committee or any other department, board or commission, including the Waste Water Commission and Housing Authority, of Town government when they are considering an expenditure or financial transaction exceeding \$500,000.00. Collective bargaining agreements ~~and requests submitted to the Budget Committee~~ are excluded from this provision
- 12.) Releasing to the parties legally entitled to redeem the same, real estate conveyed to the Town by the Collector of Taxes, upon payment to the Town of taxes, penalties and expenses thereto, and selling other parcels on which the period of redemption has expired.
- 13.) Borrowing, if necessary, in the name and on the credit of the Town, such sums of money as may be required for transacting the obligations incurred by duly approved appropriations, such sums of money not to exceed, in the aggregate, the sum of \$500,000.00, provided that Town Council approval is granted prior to said borrowing.

## ARTICLE VII BUDGET COMMITTEE

### Section 701 Composition

The Budget Committee shall consist of eleven (11) members elected for a term of four (4) years, so staggered, that no more than six (6) terms expire at any one time. The Budget Committee shall elect annually, from among its membership, a Chairperson, Vice Chairperson, Secretary, Treasurer and other such officers as they deem appropriate. Budget Committee members shall hold no other town position.

### Section 702 Elections and Vacancies

Biennial elections to fill vacancies on the non-partisan Budget Committee shall be held at general elections.

#### **(a) Transitional Election**

The first Budget Committee membership terms to expire after the adoption of this amendment shall be extended to the next general election, at which time a like number of candidates shall be elected.

### Section 703 Duties and Responsibilities

The Budget Committee has the following responsibilities:

1.) ~~To r~~Review the budgets-preliminary Town Budget Report submitted by the Town Administrator ~~and the School Department~~, in which review the Committee shall consider both the supporting evidence for each requested budget expenditure (Municipal and School Department) and the ability of the Town to support the level of service recommended.

2.) ~~To provide the electorate with~~ Provide budget recommendations which balance the value of the proposed goods and services with their cost in taxes to the Town Council and citizens.

3.) ~~To develop a docket including both (a) resolutions of its own, those of the Town Council, the Town Administrator and those submitted by others and (b) the preceding year's approved budget, the budget requests of the Town Administrator and the School Department for the coming year, and the Budget Committee's recommendations.~~Develop a budget report including the Committee's budget recommendations, and other budget information that the Committee deems necessary.

4.) ~~To prepare and submit the docket for publication to the Town Administrator at least thirty (30) days before the Financial Town Meeting.~~ Schedule a joint meeting with the Town Council for the purpose of presenting the Committee's budget report and recommendations to the Town Council in accordance with Section 301(b) of this Charter.

5.) ~~To present the docket to the electorate at a public hearing and at the Financial Town Meeting.~~ Present budget report and recommendations to the citizens of the Town in accordance with Section 301(e) of this Charter.

## ARTICLE VIII TOWN OFFICIALS AND OFFICES

### Section 801 Town Clerk

There shall be a non-partisan Town Clerk who shall be elected at the general election for a two (2) year term pursuant to the provisions of State Law and this Charter. The Town Clerk shall be the ~~Clerk of the Financial Town Meeting~~, Clerk of the Town Council, Clerk of the Probate Court, Clerk of the Board of Canvassers, Clerk of the Municipal Court and the Recorder of Deeds.

#### (a) Duties and Responsibilities

It shall be the responsibility of the Town Clerk to make permanent record of all proceedings and certify by signature all actions of the aforesaid bodies, be custodian of the Town Seal and of official documents, contracts, and records of the town. In addition, the Town Clerk shall direct and supervise the recordings of deeds, mortgages, surveys, vital statistics, licenses, permits and other such records as shall by ordinance and law be required to be kept. The Town Clerk shall issue birth certificates, marriage licenses and such other licenses and permits as required by ordinance or law. ~~The Town Clerk shall be responsible for receiving resolutions for the Financial Town Meeting. Additionally, the Town Clerk shall print, advertise and distribute the docket at least twenty (20) days prior to the Financial Town Meeting.~~ The Town Clerk shall submit his or her budget ~~directly to the Budget Committee~~ to the Town Administrator in accordance with Section 301(b) of this Charter. The Town Clerk shall perform all other such duties as may be prescribed by this Charter or by law.

### Section 802 Town Sergeant

There shall be a non-partisan Town Sergeant elected at the general election for a two (2) year term pursuant to the provisions of State Law and this Charter. The duties of the Town Sergeant shall be to attend all Town Council meetings, post Town Council agendas to designated bulletin boards in compliance with the Open Meeting Law, transport and post voter list to each district, transport ballots to the State Board of Elections, and assist the Board of Canvassers at all ~~Financial and Special Town Meetings~~ Referenda.

## ARTICLE IX DEPARTMENTS AND AGENCIES

### Section 902 Police Department

#### (a) Organization

There shall be a Police Department, the head of which shall be the Chief of Police, who shall have served at least five (5) years in the rank of Lieutenant or higher in any organized police department and shall during those years have gained command experience in several areas of responsibility. He/she shall possess a bachelor's degree in either criminal justice or sociology. The Chief of Police shall be employed for an initial contract period, not to exceed three (3)



years, by the Town Administrator with the approval of the Town Council. Renewal contracts shall not exceed three (3) years. There shall be such other subordinate officers, patrolmen, special police officers and employees as shall be determined from time to time by the Town Administrator, upon the recommendation of the Chief of Police and the approval of the Town Council, ~~subject to appropriation by the Financial Town Meeting~~. The organization of the department into divisions, offices or grades shall be made by the Town Council on recommendation of the Town Administrator, in consultation with the Chief of Police.

### **Section 903 Fire and Rescue Department**

#### **(a) Organization**

There shall be a Fire and Rescue Department, the head of which shall be the Fire Chief, who shall have at least ten (10) years experience with progressively greater responsibility in fire department management, firefighting, fire prevention, and Emergency Medical Services. He/she shall possess at minimum an Associates degree in fire science, public administration, or a related field, and five (5) years experience in a command position, as well as two (2) years of administrative experience. In addition the Fire Chief shall be a qualified Emergency Medical Technician (EMT). The Fire Chief shall be appointed for an initial contract period not to exceed three (3) years, by the Town Administrator with the advice and consent of the Town Council. Renewal contracts shall not exceed three (3) years. There shall be such other subordinate officers, firefighters, EMTs and employees as shall be determined from time to time by the Town Administrator, upon the recommendation of the Fire Chief and the approval of the Town Council, ~~subject to appropriation by the Financial Town Meeting~~. The organization of the department into divisions, offices or grades shall be made by the Town Council on recommendation of the Town Administrator, in consultation with the Fire Chief.

## **ARTICLE XI SCHOOL DEPARTMENT**

### **Section 1101 School Committee**

#### **(a) Powers and Duties**

The School Committee shall be responsible for the general care and management of the Tiverton Public School System, including the selection of the Superintendent of Schools. The School Committee shall prepare and submit its budget requests to the ~~Budget Committee and~~ Town Administrator ~~as required in accordance with Section 301(b) of this Charter~~. Additionally, the School Committee shall have all other duties, responsibilities and powers as provided for in State Law. For all labor or collective bargaining agreements requiring approval of the School Committee, the details of any tentative agreement shall be made public at least three days prior to the meeting at which the final approval vote is to be taken.

#### ~~**(b) Compensation**~~

*Charter Amendment Proposal: Replace FTM with Referendum*

~~The School Committee annually, shall provide to the Budget Committee, in addition to its budget request, recommendations for compensation of its members. Actual compensation will be as determined at the Financial Town Meeting.~~

## **ARTICLE XII MISCELLANEOUS**

### **Section 1217 Health Benefits for Elected Officials**

Health benefits for elected officials, including the School Committee, shall be limited to the position of Town Clerk or such other position(s) approved by ~~a Financial Town Meeting~~ the Annual Budget Referendum or Special Referendum. This section does not preclude town officials from obtaining health benefits at their own expense.

### **Section 1218 – Use of Town Resources to Influence a Voting Contest**

No officer or employee of the Town, including the school Department, shall use, or cause to be used, Town property, goods, money, grants, or labor to influence the outcome of an election, ballot question, ~~Financial Town Meeting~~, or referendum; the foregoing shall not prohibit the distribution or publication of election, ballot question, ~~Financial Town Meeting~~, or referendum information by the Town Clerk, the Board of Canvassers, or a Charter Review Commission.

### **~~Section 1309 Compensation~~**

~~Compensation for the Electrical, Plumbing and Mechanical Inspectors as well as the Harbormaster shall be set by the Financial Town Meeting in accordance with Section 311 of this Charter.~~

**APPENDIX A: Summary flow chart of Article III, Section 301**

