

AGENDA
Town Council
Town of East Greenwich
Special Session
June 8, 2017 at 7:00 PM
Town Hall, 125 Main Street, East Greenwich, RI 02818

(Any matter listed on this agenda is subject to a vote by the Town Council.)

- (1) Call to Order and Pledge of Allegiance to the American Flag
- (2) Public Hearing
 - (a) An ORDINANCE to amend the Charter and the Code of the Town of East Greenwich to strike and revise language throughout referring to the Financial Town Meeting which voters approved to eliminate at the November 2016 election (SECOND READING).
- (3) Unfinished Business
 - (a) FY 2018 Operating Budget
- (4) Executive Session RIGL 42-46-5 (a) per the following sections:
 - (a) (1) discussions concerning the job performance, character, or physical or mental health of a person in the employ of the Town of East Greenwich, provided that such person affected shall have been notified in advance in writing and advised that they may require that the discussion be held at an open meeting.

Posted June 6, 2017 in accordance with RIGL 42-46-6 at EG Town Hall, EG Library, Swift Community Center, EG Town Website and Secretary of State website. Individuals requesting interpreter services for the hearing impaired must notify the Town Clerk's office at (401) 886-8604 via RI Relay #711 (800-745-5555 TTY) or in writing, at least forty-eight (48) hours in advance of the hearing date.

TOWN COUNCIL AGENDA TRANSMITTAL FORM

Town Council Meeting Date: **6/8/2017**

1. Agenda item (List as it should appear on the agenda)
An ORDINANCE to amend the Charter and the Code of the Town of East Greenwich to strike and revise language throughout referring to the Financial Town Meeting which voters approved to eliminate at the November 2016 election (SECOND READING).
2. Submitted by (List department and individual, if necessary)
Town Clerk
3. Provide a brief description of the item and why it is on the agenda
4. Contact person and phone number for questions
Leigh Carney 401-886-8604

ATTACHMENTS:

Description	Type
<input type="checkbox"/> DRAFT Ordinance	Ordinance
<input type="checkbox"/> Advertisement	Backup Material
<input type="checkbox"/> Advertisement 2	Backup Material

AN ORDINANCE TO AMEND THE CHARTER AND THE CODE OF THE TOWN OF EAST GREENWICH TO STRIKE AND REVISE LANGUAGE THROUGHOUT REFERRING TO THE 'FINANCIAL TOWN MEETING' WHICH VOTERS APPROVED TO ELIMINATE AT THE NOVEMBER 2016 ELECTION.

The Town Council of the Town of East Greenwich hereby ordains:

Section 1. The Charter of the Town of East Greenwich is hereby amended as follows:

~~§ C-26. Borrowing in anticipation of taxes.~~

~~Borrowing in anticipation of taxes shall require the approval of the Financial Town Meeting in accordance with existing state law.~~

~~§ C-27. Issuance of bonds.~~

~~The qualified electors of the Town may at an annual or special Financial Town Meeting authorize the borrowing of money and the issuance of bonds or notes pursuant to the statutes now or hereafter in effect.~~

§ C-33. Public hearing on recommended budget. [Amended 11-3-1992; 11-2-2004]

The School Committee shall hold a public hearing on its proposed budget on or before ~~March~~ **April** 1 of each year, and shall submit its budget to the Town Manager on or before ~~March~~ **April** 15 of each year. All other Town departments shall submit their proposed budgets to the Town Manager on or before ~~February~~ **March** 15 of each year. On or before ~~February~~ **March** 15 of each year, the Town will notify residents by newspaper of general circulation, and by the Town website or other electronic means, that a copy of the proposed Town budget will be available for review at the Town Hall and on the Town website by ~~April-15~~ **May 1** of each year. The Town Manager shall transmit the Town budget to the Town Council on or before ~~April~~ **May** 1 of each year. The Town Council shall hold a public hearing on the recommended budget on or before ~~April~~ **May** 15 of each year. The Town Clerk shall prepare sufficient copies of the budget to be available for public distribution prior to the hearing.

§ C-34. Recommended Budget. [Amended 11-3-1992; 11-2-2004]

The Town Council may revise the budget as submitted by the Town Manager and shall adopt a ~~recommended~~ budget ~~for presentation to the Financial Town Meeting~~ on or before ~~May-15~~ **June 10** of each year. Any changes following the public hearing on the recommended budget will be highlighted in the adopted budget. A copy of the adopted budget will be available for review at the Town Hall and on the Town website ~~no later than 15 days prior to the Financial Town Meeting~~. If the Town Council recommends an increase in the total expenditures as proposed by the Town Manager, it shall also provide for increasing the total anticipated revenues and shall indicate the

revenues necessary to maintain a balance between revenues and expenditures. No revenue from any source other than the tax levy shall be included in the budget as recommended by the Town Council unless the facts clearly warrant the expectation that such amount actually will be realized in cash during the budget year.

~~§ C-35. Electors not restricted.~~

~~The preparation of a proposed budget by the Town Manager and of a recommended budget by the Town Council shall not be construed to impair or restrict the powers of the electors in the Financial Town Meeting to impose a tax or for the expenditure of money in the Town, or as otherwise provided in this Charter.~~

§ C-36. Publication of budget.

A copy of the budget, as finally adopted ~~by the Town Council by Financial Town Meeting~~, shall be certified by the Town Clerk and filed in the office of the Town Treasurer. Sufficient copies of the budget shall be made available by the Town Clerk for the use of all offices, departments and agencies and for the use of interested persons.

~~ARTICLE VI~~

~~Financial Town Meeting~~

~~§ C-41. Time and purpose. [Amended 11-3-1992; 11-7-2000; 11-2-2004]~~

~~§ C-42. Notice.~~

~~§ C-43. Subjects requiring special notice.~~

~~§ C-44. Special meetings~~

~~§ C-45. Restriction of special meetings~~

~~§ C-46. Financial proposals. [Amended 11-7-2000; 11-2-2004]~~

~~§ C-47. Powers of electors.~~

~~§ C-48. Moderator.~~

~~§ C-49. Duties and powers of Moderator.~~

~~ARTICLE VII~~

~~Financial Town Meeting Procedures~~

~~§ C-50. Quorum. [Amended 11-7-2000; 11-2-2004]~~

~~§ C-51. Voting. [Amended 11-3-1992; 11-2004]~~

~~§ C-52. Vote by ballot.~~

~~§ C-53. Balloting on appropriation for the construction of schools, on the issuance of bonds for
——— school purposes and on appropriation for purchase of land for school purpose.~~

~~§ C-54. Adjourned meetings.~~

~~§ C-55. Notice of adjourned meeting.~~

~~§ C-56. Procedure of adjourned meetings.~~

~~§ C-57. Record of proceedings.~~

~~§ C-58. Recessed meetings [Amended 11-3-1992; 11-2-2004]~~

~~§ C-59. Procedure if budget is rejected. [Added 11-2-2004]~~

ARTICLE VIII

Town Council

§ C-65 Compensation.

Each member of the Town Council shall receive such individual compensation for the performance of his or her duties or for the expenses of his or her office as may be fixed from time to time by the ~~Financial Town Meeting~~ Town Council and in accordance with the Charter.

§ C-67. Powers and duties. [Amended 11-4-1986; 11-7-2000]

All legislative powers of the Town shall be vested in the Town Council except those delegated with this Charter. The Town Council may enact, repeal or amend ordinances relating to the Town's property, affairs and government subject to provisions of the State Constitution and laws enacted by the General Assembly in conformity with the powers reserved to the General Assembly. The Town Council may exercise all additional powers and authority that are consistent with this Charter, and have been granted to it by this Charter, **or by** the Constitution or laws of the state ~~or by the Financial Town Meeting~~. Without limiting the generality of the foregoing, the Town Council has and exercises the following specific powers:

- M. To take any action necessary ~~to give effect to any vote of the Financial Town Meeting~~ authorizing the issuance of bonds for any purpose, including borrowing in anticipation of taxes, and to complete all the details of the bond transaction in accordance with the laws of the state.

ARTICLE XIV

Town Clerk**§ C-89. Powers and duties of the Town Clerk.**

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 and the Recorder of Deeds.

ARTICLE XXIII

Public Schools**§ C-123. School Committee.**

C. Compensation. The School Committee may receive such annual compensation as may from time to time be fixed by the Town Council and by the Financial Town Meeting in accordance with the Charter.

Section 2. The Code of the Town of East Greenwich is hereby amended as follows:

CHAPTER 34: BOARDS, COMMITTEES AND COMMISSIONS

ARTICLE VIII AFFORDABLE HOUSING COMMISSION

§ 34-30 Operation; powers and duties.

- A. The Town Manager or designee shall be responsible for the carrying out of the functions, duties and purposes of the Affordable Housing Commission and shall perform these and such additional duties as assigned by the Town Council.
- B. Budget. The budget of the Commission shall be approved at Financial Town Meeting by the Town Council and subject to all Town policies and procedures.

CHAPTER 143: LAND TRUST

§ 143-4 Rules and regulations; budget; release of funds.

- A. The Trustees shall adopt reasonable rules and regulations governing the conduct of Trust affairs, including the acquisition and management of its holdings, not inconsistent with the provisions of this chapter. All rules and regulations of the Trust are subject to the approval of the Town Council. Decisions of the Trustees shall be by a majority of those present and voting, excepting in decisions on the acquisition of land, easements, rights-of-way, and other uses referred to in § 143-1, which must be by a majority vote of all

ORDINANCE NO.

ADOPTED:

Trustees. The Trustees shall prepare a budget that must be sent to the Town Manager for review and, after his/her review, ~~be reviewed by the Town Council and then~~ be presented to the ~~Financial Town Meeting~~ Town Council for final approval.

Section 3. The passage of this ordinance is subject to approval of enabling legislation pending at the General Assembly.

DRAFT

NOTICE OF PUBLIC HEARING
TOWN OF EAST GREENWICH • TOWN COUNCIL
PROPOSED ORDINANCE AMENDMENT
TOWN CHARTER AND CODE OF ORDINANCES

JUNE 8, 2017 • 7:00PM

TOWN HALL, 125 MAIN STREET, COUNCIL CHAMBERS

AN ORDINANCE TO AMEND THE CHARTER AND THE CODE OF THE TOWN OF EAST GREENWICH TO STRIKE AND REVISE LANGUAGE THROUGHOUT REFERRING TO THE 'FINANCIAL TOWN MEETING' WHICH VOTERS APPROVED TO ELIMINATE AT THE NOVEMBER 2016 ELECTION.

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§ C-33. Public hearing on recommended budget. [Amended 11-3-1992; 11-2-2004]

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§ C-34. Recommended Budget. [Amended 11-3-1992; 11-2-2004]

The Town Council may revise the budget as submitted by the Town Manager and shall adopt a ~~recommended budget for presentation to the Financial Town Meeting~~ on or before ~~May~~ **June** 10 of each year. Any changes following the public hearing on the recommended budget will be highlighted in the adopted budget. A copy of the adopted budget will be available for review at the Town Hall and on the Town website ~~no later than 15 days prior to the Financial Town Meeting~~. If the Town Council recommends an increase in the total expenditures as proposed by the Town Manager, it shall also provide for increasing the total anticipated revenues and shall indicate the revenues necessary to maintain a balance between revenues and expenditures. No revenue from any source other than the tax levy shall be included in the budget as recommended by the Town Council unless the facts clearly warrant the expectation that such amount actually will be realized in cash during the budget year.

§ C-35. Electors not restricted.

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§ C-36. Publication of budget.

A copy of the budget, as finally adopted by the Town Council ~~by Financial Town Meeting~~, shall be certified by the Town Clerk and filed in the office of the Town Treasurer. Sufficient copies of the budget shall be made available by the Town Clerk for the use of all offices, departments and agencies and for the use of interested persons.

ARTICLE VI
Financial Town Meeting

§ C-41. Time and purpose. [Amended 11-3-1992; 11-7-2000; 11-2-2004]

§ C-42. Notice.

§ C-43. Subjects requiring special notice.

§ C-44. Special meetings

§ C-45. Restriction of special meetings

§ C-46. Financial proposals. [Amended 11-7-2000; 11-2-2004]

§ C-47. Powers of electors.

§ C-48. Moderator.

§ C-49. Duties and powers of Moderator.

ARTICLE VII
Financial Town Meeting Procedures

§ C-50. Quorum. [Amended 11-7-2000; 11-2-2004]

§ C-51. Voting. [Amended 11-3-1992; 11-2-2004]

§ C-52. Vote by ballot.

§ C-53. Balloting on appropriation for the construction of schools, on the issuance of bonds for school purposes and on appropriation for purchase of land for school purpose.

§ C-54. Adjourned meetings.

§ C-55. Notice of adjourned meeting.

§ C-56. Procedure of adjourned meetings.

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§ C-59. Procedure if budget is rejected. [Added 11-2-2004]

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Town Council

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- M. To take any action necessary to give effect to any vote of the Financial Town Meeting authorizing the issuance of bonds for any purpose, including borrowing in anticipation of taxes, and to complete all the details of the bond transaction in accordance with the laws of the state.

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- C. Compensation. The School Committee may receive such annual compensation as may from time to time be fixed by the Town Council and by the Financial Town Meeting in accordance with the Charter.

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§ 143-4 Rules and regulations; budget; release of funds.

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Section 3. The passage of this ordinance is subject to approval of enabling legislation pending at the General Assembly.

BY ORDER OF THE TOWN COUNCIL
LEIGH A. CARNEY, CMC
TOWN CLERK

NOTICE OF PUBLIC HEARING
TOWN OF EAST GREENWICH • TOWN COUNCIL
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BY ORDER OF THE TOWN COUNCIL
LEIGH A. CARNEY, CMC
TOWN CLERK

TOWN COUNCIL AGENDA TRANSMITTAL FORM

Town Council Meeting Date: **6/8/2017**

1. Agenda item (List as it should appear on the agenda)
(1) discussions concerning the job performance, character, or physical or mental health of a person in the employ of the Town of East Greenwich, provided that such person affected shall have been notified in advance in writing and advised that they may require that the discussion be held at an open meeting.
2. Submitted by (List department and individual, if necessary)
Legal
3. Provide a brief description of the item and why it is on the agenda
Failure to provide such notification shall render any action taken against the person or persons affected null and void. Before going into a closed meeting pursuant to this subsection, the public body shall state for the record that any persons to be discussed have been so notified and this statement shall be noted in the minutes of the meeting.
4. Contact person and phone number for questions
David M. D'Agostino, Esq. 401-647-1400