

## Reference for March 12, 2019 Board of Finance Special Meeting.

- I. The Charter generally prevails over State statutes.
- II. If the Charter does not address, then you turn to State statutes.
- III. If there are no State statutes that apply, then the authority rests with a town's governing body.
  - A. For the school budget, the statutes have some specificity and refer to a Town's fiscal authority.
  - B. For the Town budget, the statutes grant no specific authority. The statutes grant Board of Finance general powers, but not specific powers for the role in the budget process.
    1. With the word "developing" removed, the Charter no longer gives the Board of Finance a role in the process of creating the budget except to present the two budgets at two public hearings and to set the mill rate.
    2. As the Charter does not lay out the budget process, then the Board of Selectmen, as the governing body, has this role under their general powers
      - a. The Selectmen can decide that they want to step into the role that the Board of Finance has held in the budget process.
      - b. They can just state that the budget process is to continue as we did last year and many years before that.
      - c. They can decide to create a policy or a memorandum of understanding that maintains the budget process as it has been. This can do for the long term or until a longer term solution, such as amending the charter through the process required to do this has been completed. This should be able to be accomplished in time for next year's budget season (these are two of the three options presented by the attorney, which Art will share with us at the meeting).

