

Town Meeting Agenda for May 31st, 2023

First Selectman

1. Call meeting to order.
2. Call to motion for a moderator.
3. Ask for any other nominations (3 times)
4. If more than 1 nomination, ask for vote for 1st nominee (count votes)
ask for vote for 2nd nominee (count votes)
5. Announce moderator

Moderator

1. Ask the Town Clerk to read the warning.
2. Ask if there are any questions related to the Town Budget
3. Ask for possible action on the Town Budget in accordance with Article 1105 in the Charter.
4. If there is no action on the proposed budget, the budget stands.
5. Vote, if possible, action occurs.
6. Ask if there are any questions related to the BOE Budget
7. Ask for possible action on the Education Budget in accordance with Article 1105 in the Charter.
8. If there is no action on the proposed budget, the budget stands.
9. Vote, if possible, action occurs.
10. Determine if there will be a 2nd Annual Budget Meeting for Friday, June 2nd.
11. Resign as Moderator.

Adjournment

1. Adjourn Meeting

RECEIVED
COLCHESTER, CT
2023 MAY 26 AM 11:32
Gayle Furman
GAYLE FURMAN
TOWN CLERK

CHARTER

Recounts of the votes cast at special referenda and special budget referenda shall be pursuant to provisions in any applicable General Statutes. During the pendency of such recount, the Town shall not take any action in reliance upon the outcome of the initial vote count.

ARTICLE 1105 Annual Budget Meeting

§ C-1105a. Annual Budget Meeting.

- A. The Board of Selectmen shall convene a special Town Meeting (the "Annual Budget Meeting") for the purpose of considering the annual Combined Budget at such hour and at such place as the Board of Selectmen may determine or as the General Statutes may require. The Town's Chief Financial Officer, or his or her designee, as well as at least two representatives from each of the Boards of Education, Selectmen (one being the First Selectman, or his or her designee in extenuating circumstances) and Finance, shall be present at the Annual Budget Meeting and shall be available to respond to questions of the Town Voters.
- B. At the Annual Budget Meeting, the members of the Boards of Selectmen and Education shall, with respect to their respective budgets:
- (1) provide their proposed budget to the Town Voters;
 - (2) have available for review by the Town Voters a summary of each department's proposed budget with a comparison to the amount budgeted in the current fiscal year;
 - (3) if feasible, have available for review by the Town Voters a summary of each department's proposed budget and the amount estimated to be actually expended in the current fiscal year.
- C. At the Annual Budget Meeting, the Town Voters in attendance may reduce, but not increase, the Board of Selectmen Budget and/or the Board of Education Budget upon the passage of a proper motion(s) (as hereafter defined). A proper motion shall:
- (1) stipulate a specific dollar amount for reduction;
 - (2) stipulate the budget to which such reduction shall be charged (either the Board of Selectmen or the Board of Education budget);
 - (3) in the case of the Board of Selectmen Budget, the specific department's budget to be reduced must be stipulated. Reductions may not be made to the capital expenditures or debt service line items of the budget.
 - (4) in the case of the Board of Education Budget, only the bottom line may be reduced.
- D. If the Board of Selectmen's Budget excluding capital expenditures and debt service, or the Board of Education Budget differs from that first presented by an amount equal to or in

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excess of one percent (1.0%), the Annual Budget Meeting shall be continued to a second meeting held no less than two business days following the first meeting. At this second meeting, the proper motion(s) shall again be introduced to and acted upon by the Town Voters in attendance. Should the proper motion(s) pass at this second meeting, the proper motion(s) shall become effective and shall be incorporated into the proposed Combined Budget.

- E. The Annual Budget Meeting shall be automatically continued to the Annual Budget Referendum, at which the budgets of the Board of Selectmen and the Board of Education as recommended by the Annual Budget Meeting, shall be presented to the Town Voters for final approval or disapproval.

ARTICLE 1106 The Annual Budget Referendum

§ C-1106a. The Annual Budget Referendum.

The Annual Budget Referendum shall be held on such date as determined by the Annual Budget Meeting. A minimum of two questions shall appear on the ballot for the Annual Budget Referendum. The first question shall require a vote of "Yes" or "No" on whether to approve the Board of Selectmen Budget (Including debt service and capital expenditure budgets) as recommended by the Annual Budget Meeting. The second question shall require a vote of "Yes" or "No" on whether to approve the Board of Education Budget as recommended by the Annual Budget Meeting. The Board of Finance may, at its discretion, also direct that an advisory question appear on the ballot for either or both budgets. Such advisory question(s) shall require a response of either "Too High" or "Too Low" to describe the proposed level of spending.

Any action taken at the Annual Budget Meeting that is approved at the Annual Budget Referendum shall be considered conclusively approved, and no further Town Meetings or referenda regarding the specific action may be called.

§ C-1106b. Recount of Annual Budget Referendum

Recounts of the votes cast at the Annual Budget Referendum shall be pursuant to any applicable provisions in the General Statutes.

ARTICLE 1107 Real Estate Purchases, Sales and Transfers

§ C-1107a. Real Estate Purchases, Sales and Transfers.

- A. Notwithstanding any other provision of this Charter, the Board of Selectmen shall call a Town Meeting for consideration of the following actions:

First Selectman

From: Ritter, Matthew D. <MRitter@goodwin.com>
Sent: Thursday, May 25, 2023 9:57 AM
To: Denise Turner
Cc: First Selectman; Rosemary Coyle; Jason LaChapelle; Deborah Bates
Subject: RE: Town Meeting

Good morning everyone –

In summary, there is no option in the Town Charter for the Town Voters to reject the budget at the Annual Budget Meeting and send the budget back to the Board of Finance. The Town Charter does allow the Town Voters to reduce (but not increase) the Board of Selectmen and/or Board of Education budget (see C-1105a. C.) but it does not allow the Town Voters to “reject” the budget. (Note: there is a two vote requirement “if the Board of Selectmen’s Budget excluding capital expenditures and debt service, or the Board of Education Budget differs from that first presented by an amount equal to or in excess of one percent (1.0%).”)

C-1105a. E. provides that: “The Annual Budget Meeting shall be **automatically continued to the Annual Budget Referendum**, at which the budgets of the Board of Selectmen and the Board of Education as recommended by the Annual Budget Meeting, shall be presented to the Town Voters for final approval or disapproval.”

Please let me know if you have any further questions. Thanks, Matt



Matthew D. Ritter
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Disclaimer: Privileged and confidential. If received in error, please notify me by e-mail and delete the message.

From: Denise Turner <dturner@colchesterct.gov>
Sent: Wednesday, May 24, 2023 10:42 PM
To: Ritter, Matthew D. <MRitter@goodwin.com>
Cc: First Selectman <selectman@colchesterct.gov>; Rosemary Coyle <rcoyles@colchesterct.gov>; Jason LaChapelle <jLaChapelle@colchesterct.gov>; Deborah Bates <dBates@colchesterct.gov>; Denise Turner <dturner@colchesterct.gov>
Subject: Town Meeting

EXTERNAL EMAIL

Matt,

The BOS has voted to send our 2 budgets on to a town meeting scheduled for next Wednesday, 5/31. There seems to be some confusion as to what the voters are able to do based on our town charter. I have included the paragraph below that is in question. Is the only option for the voters to send the budgets straight to referendum as some are saying? Or do they have the following options: send them to referendum, reduce

them further at the meeting, or reject and send back to the board of finance. And, if they are sent back to the BOF, can the BOF then increase them if they wish?

(C-1105)E. The Annual Budget Meeting shall be automatically continued to the Annual Budget Referendum, at which the budgets of the Board of Selectmen and the Board of Education as recommended by the Annual Budget Meeting, shall be presented to the Town Voters for final approval or disapproval.

Thank you,
Denise

Denise Turner
Board of Selectmen

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