

Tiverton Charter Review Commission
Proposal Request and Comment Form

ID #121

Date: April 11, 2018	Name: John Edwards/Town Council
Connection to Tiverton:	<input type="checkbox"/> Registered Voter (Elector) <input type="checkbox"/> Resident <input type="checkbox"/> Property Owner <input type="checkbox"/> Business Owner and/or Work in Tiverton <input type="checkbox"/> Other:
Proposal and/or Comment:	<input type="checkbox"/> Comment <input type="checkbox"/> Proposal
Short Title for Proposal:	Eliminate Article III, Financial Town Referendum and Article VII, Budget Committee
Contact Information:*	<p>May we contact you for questions or clarification? Yes: _____ No _____</p> <p>Note: this proposal came on a document dtd 1/23/18 with several changes and not on the CRC form.</p> <p>Address:</p> <p>Phone number:</p> <p>Email:</p>

Please return form to Richard Rom, Secretary by e-mail to TivertonCRC@cox.net

Submitted forms will be considered a matter of public record and subject to public inspection.

Tiverton Charter Review Commission Proposal Request

Upon review of the current Tiverton Town Charter, I request that the Commission consider the following proposal to change the Town Charter:

Change Requested	Entire Article III replaced with a New Article III titled "Budget Process" (Back-up enclosed)
Describe why the Requested Change is needed	
Describe the effect of the Requested Change	
(optional) List Charter sections effected by Requested Change or New Section	

Pursuant to Article XIII, section 8, of the Constitution of the State of Rhode Island and Providence Plantations, the Tiverton Town Council hereby proposes the following amendment to the Tiverton Town Charter, to be submitted for approval of the electors of the Town of Tiverton

**ARTICLE II
ELECTIONS
SECTION 204 – Transfer of Town Lands**

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 Referendum, or a Referendum~~ at either a special or general election. 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 REFERENDUM BUDGET PROCESS~~**

[The current provisions of Article III are removed in their entirety and replaced with the following]

Sec. 301. – Budget Process

(a) Submission of Preliminary Budget Requests

- 1) Initial Budget Workshop: The School Committee and the Town Council shall hold an initial budget workshop no later than January 15.
- 2) Town Administrator shall prepare and submit a preliminary municipal budget request to the Town Council no later than January 15.
- 3) Town Clerk shall prepare and submit a preliminary Town Clerk budget request to the Town Council no later than January 15.
- 4) Town Treasurer shall prepare and submit a preliminary Town Treasurer budget request to the Town Council no later than January 15.

- 5) School Committee shall prepare and submit a preliminary School Department budget request to the Town Council no later than January 15.

Sec. 302. Budget Approval.

Upon holding an initial budget workshop and the receipt of the preliminary budget requests outlined in section 301, the Town Council shall:

1. Review the preliminary budget requests and within thirty (30) days adopt a provisional budget. The Council may only alter the total amount of the school department budget. A copy of the provisional budget shall be filed with the Town Clerk.
2. Immediately following the adoption of the provisional budget, it shall be published in a newspaper having general circulation in the Town, showing the initial requested total amount of each department and the recommended total amount of the Town Council.
3. Within thirty (30) days of the approval and publication of the provisional budget, public hearings shall take place. The Council shall have printed and available copies of the provisional budget for public distribution at least five (5) days prior to public hearings. The time and place for holding of these hearings shall be included with the publication of the provisional budget.
4. Upon completion of the public hearing on the provisional budget, take the results thereof under consideration and make such additional changes as the Council may deem appropriate.
5. Within one (1) month following the completion of the public hearings on the provisional budget at a regular Town Council meeting in June, adopt the final Town budget by ordinance, forwarding one (1) copy to the Town Clerk for public inspection and, as soon as possible, have the final budget (departmental total amounts) published in a newspaper having general circulation in the Town.
6. Referendum Petitions. Within two (2) weeks of the adoption of the final Town Budget, any qualified elector of the town may circulate a petition requesting that a referendum be held on the final budget as approved by the Town Council. Such petition may propose an increase or decrease in the total amount of either the School Department Budget, or the Town Budget, or both, although neither budget may be increased or decreased in an amount greater than two hundred thousand dollars (\$200,000.00). The Board of Canvassers shall cause petition forms to be printed with standard language and spaces for the insertion of dollar amounts, budget designations, whether an increase or decrease of expenditure is called for, and other necessary information. All petition forms shall be approved by the Board of Canvassers before circulation, and must be returned to the Town Clerk on or before a return date, which shall be two (2) weeks after the adoption of the final Town Budget. Any language added to a petition, or any alteration of the language thereof: subsequent to its approval by the Board of Canvassers, shall be of no force or effect. The Town Clerk, upon return of the petitions, shall cause the signatures

thereon to be verified by the Board of Canvassers, such verification to be completed not later than two (2) weeks of the return date for the petitions. There shall be no limit to the number of separate petitions which an elector may sign.

7. Budget Referendum. The Town Clerk shall cause a referendum by ballot to be held on a Tuesday, not less than thirty-five (35) nor more than forty-five (45) days from the certification of the signatures on the petitions, on all budget changes requested on petitions submitted pursuant to subsection 6 hereof: provided that each such petition shall contain signatures of not less than ten percent (10%) of the duly qualified electors of the Town. The ballot used at such referendum shall be prepared by the Board of Canvassers in such manner as to include each of the separate petitions for increases and/or decreases in the appropriation for a particular budget together with the original approved budget amount. The qualified electors shall be instructed to vote either for the original total or for one (1) of the proposed increases or decreases thereof. The appropriation receiving the most votes shall be declared to have been adopted. In the event that certified petitions are received by the Board of Canvassers that include changes to both the School Department Budget and the Town Budget, there shall be two (2) separate ballot questions, one for the School Department Budget and one for the Town Budget, each of which shall follow the ballot format set forth herein. The polls at such referendum shall be open at 7:00 a.m. and shall remain open until 8:00 p.m.

8. In the event that an increase or a decrease in the School Department Budget and/or the Town Budget is approved by the electors at such referendum, the Town Council shall cause the total amount of said budgets to be adjusted upward or downward accordingly and shall adopt an amended Town Budget at its next regular Town Council meeting. The Town Council and/or the School Committee, whichever has jurisdiction over the budget affected by such action, shall make reductions or increases within said budget to match the new appropriation total.

Sec. 303. 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.

ARTICLE IV TOWN COUNCIL SECTION 407 – Powers and Duties

All powers of the Town shall be vested in the Town Council except as otherwise provided by the Charter or by the Constitution and laws of the State. The Town Council shall provide for the exercise thereof and for the performance of all duties and obligations

Tiverton Charter Review Commission

Proposal Request and Comment Form

Date: 3/26/18	Name: Tiverton Town Council
Connection to Tiverton:	<input type="checkbox"/> Registered Voter (Elector) <input type="checkbox"/> Resident <input type="checkbox"/> Property Owner <input type="checkbox"/> Business Owner and/or Work in Tiverton <input type="checkbox"/> Other:
Proposal and/or Comment:	<input type="checkbox"/> Comment <input checked="" type="checkbox"/> Proposal
Short Title for Proposal:	Amend FIR process- signatures
Contact Information:* Nancy Mello Town Clerk	May we contact you for questions or clarification? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/> Address: Phone number: Email:

Note:

Please return form to Richard Rom, Secretary by e-mail to TivertonCRC@cox.net or by mail or other delivery to:

Tiverton Charter Review Commission
 Attention: Richard Rom, Secretary
 c/o Tiverton Town Clerk
 343 Highland Road
 Tiverton, Rhode Island 02878

***Submitted forms will be considered a matter of public record and subject to public inspection.**

Tiverton Charter Review Commission

Proposal Request

Upon review of the current Tiverton Town Charter, I request that the Commission consider the following proposal to change the Town Charter:

<p>Change Requested</p>	<p>Amend FTR ballot option to an increase signature requirement to 200 (two hundred) signatures for elector petition</p>
<p>Describe why the Requested Change is needed</p>	<p>Electors should have option to submit petition but should be done with more serious consideration. In a town with over 15,000 registered voters, requiring 200 to endorse an elector petition helps ensure serious consideration.</p>
<p>Describe the effect of the Requested Change</p>	<p>Lessens likelihood of ill-conceived or frivolous submissions</p>
<p>(optional) List Charter sections effected by Requested Change or New Section</p>	

Submitted forms will be considered a matter of public record and subject to public inspection.

Section 301 (B) 1. (Ballot, Budget Proposals) - amend to reflect changes to Section 301 (D) 1.

Section 301 (D) 1.

Eliminate the remand option.

Elector petitioner must present town clerk with a complete line item budget and made available to the public.

Ballot and petitions must also contain a summarized amount of increase or decrease for each fiscal department so affected.

Add language to prevent increases or decrease to contractually obligated line items.

Section 301 (D) 3.

Increase signature requirement to 200 signatures

Section 908

Replace with Office of Community Development
Functions to include building, zoning and planning. Department structure shall be at the discretion of the Town Administrator with Town Council approval.
Minimum staff to include (as noted in current language)

Building Official

Zoning Official (function may be combined with another job)

Administrative Officer for Planning

Plumbing, Mechanical, and Electric Inspectors)

Section 1007 Personnel Board

Replace with language that directs personnel board to develop hiring procedures for staff and department head positions with input from hiring managers, town administrator and town council. Town Council shall approve procedures. Proocol shall include timeframes and provisions re: quorums.

Section 1011

Remove the word employees. Substitute language that allows employees to serve on volunteer boards and commissions provided there is no conflict of interest.

Proposal Request and Comment Form

Date: 3/20/18	Name: Tiverton Town Council
Connection to Tiverton:	<input type="checkbox"/> Registered Voter (Elector) <input type="checkbox"/> Resident <input type="checkbox"/> Property Owner <input type="checkbox"/> Business Owner and/or Work in Tiverton <input type="checkbox"/> Other:
Proposal and/or Comment:	<input type="checkbox"/> Comment <input checked="" type="checkbox"/> Proposal
Short Title for Proposal:	FIR Process Improvements
Contact Information:* Town Clerk Nancy Mello	May we contact you for questions or clarification? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/> Address: Phone number: Email:

Note:

Please return form to Richard Rom, Secretary by e-mail to TivertonCRC@cox.net or by mail or other delivery to:

Tiverton Charter Review Commission
 Attention: Richard Rom, Secretary
 c/o Tiverton Town Clerk
 343 Highland Road
 Tiverton, Rhode Island 02878

***Submitted forms will be considered a matter of public record and subject to public inspection.**

Tiverton Charter Review Commission

Proposal Request

Upon review of the current Tiverton Town Charter, I request that the Commission consider the following proposal to change the Town Charter:

<p>Change Requested</p>	<p>Amend FTR to remove demand option Elector petition shall include line item increases/decreases. Ballot question to state ^{summarized} increases by or decreases by "Department" heading in budget</p>
<p>Describe why the Requested Change is needed</p>	<p>Ensures elector petition has same level of transparency as budget committee option. Allows voters to know exactly what items they are opting to increase or decrease.</p>
<p>Describe the effect of the Requested Change</p>	<p>More transparency Better informed voters</p>
<p>(optional) List Charter sections effected by Requested Change or New Section</p>	

Submitted forms will be considered a matter of public record and subject to public inspection.

Section 301 (B) 1. (Ballot, Budget Proposals) – amend to reflect changes to Section 301 (D) 1.

Section 301 (D) 1.

Eliminate the remand option.

Elector petitioner must present town clerk with a complete line item budget and made available to the public.

Ballot and petitions must also contain a summarized amount of increase or decrease for each fiscal department so affected.

Add language to prevent increases or decrease to contractually obligated line items.

Section 301 (D) 3.

Increase signature requirement to 200 signatures

Section 908

Replace with Office of Community Development

Functions to include building, zoning and planning. Department structure shall be at the discretion of the Town Administrator with Town Council approval.

Minimum staff to include (as noted in current language)

Building Official

Zoning Official (function may be combined with another job)

Administrative Officer for Planning

Plumbing, Mechanical, and Electric Inspectors)

Section 1007 Personnel Board

Replace with language that directs personnel board to develop hiring procedures for staff and department head positions with input from hiring managers, town administrator and town council. Town Council shall approve procedures. Proocol shall include timeframes and provisions re: quorums.

Section 1011

Remove the word employees. Substitute language that allows employees to serve on volunteer boards and commissions provided there is no conflict of interest.

Tiverton Charter Review Commission

ID #124

Proposal Request and Comment Form

Date: 3/26/18	Name: Tiverton Town Council
Connection to Tiverton:	<input type="checkbox"/> Registered Voter (Elector) <input type="checkbox"/> Resident <input type="checkbox"/> Property Owner <input type="checkbox"/> Business Owner and/or Work in Tiverton <input type="checkbox"/> Other:
Proposal and/or Comment:	<input type="checkbox"/> Comment <input checked="" type="checkbox"/> Proposal
Short Title for Proposal:	FTR process improvement
Contact Information: Nancy Mello Town Clerk	May we contact you for questions or clarification? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/> Address: Phone number: Email:

Note:

Please return form to Richard Rom, Secretary by e-mail to TivertonCRC@cox.net or by mail or other delivery to:

Tiverton Charter Review Commission
 Attention: Richard Rom, Secretary
 c/o Tiverton Town Clerk
 343 Highland Road
 Tiverton, Rhode Island 02878

***Submitted forms will be considered a matter of public record and subject to public inspection.**

Proposal Request

Upon review of the current Tiverton Town Charter, I request that the Commission consider the following proposal to change the Town Charter:

<p>Change Requested</p>	<p>Amend FTR Process to prohibit elector petition from increases or decreases to currently contractually obligated line items.</p>
<p>Describe why the Requested Change is needed</p>	<p>Petitions affecting current contract obligations likely result in the litigation.</p>
<p>Describe the effect of the Requested Change</p>	<p>Reduced risk of liability/litigation</p>
<p>(optional) List Charter sections effected by Requested Change or New Section</p>	

Submitted forms will be considered a matter of public record and subject to public inspection.

Section 301 (B) 1. (Ballot, Budget Proposals) - amend to reflect changes to Section 301 (D) 1.

Section 301 (D) 1.

Eliminate the remand option.

Elector petitioner must present town clerk with a complete line item budget and made available to the public.

Ballot and petitions must also contain a summarized amount of increase or decrease for each fiscal department so affected.

→ Add language to prevent increases or decrease to contractually obligated line items.

Section 301 (D) 3.

Increase signature requirement to 200 signatures

Section 908

Replace with Office of Community Development

Functions to include building, zoning and planning. Department structure shall be at the discretion of the Town Administrator with Town Council approval.

Minimum staff to include (as noted in current language)

Building Official

Zoning Official (function may be combined with another job)

Administrative Officer for Planning

Plumbing, Mechanical, and Electric Inspectors)

Section 1007 Personnel Board

Replace with language that directs personnel board to develop hiring procedures for staff and department head positions with input from hiring managers, town administrator and town council. Town Council shall approve procedures. Proocol shall include timeframes and provisions re: quorums.

Section 1011

Remove the word employees. Substitute language that allows employees to serve on volunteer boards and commissions provided there is no conflict of interest.

Tiverton Charter Review Commission

Proposal Request and Comment Form

Date: 3/26/18	Name: Tiverton Town Council
Connection to Tiverton:	<input type="checkbox"/> Registered Voter (Elector) <input type="checkbox"/> Resident <input type="checkbox"/> Property Owner <input type="checkbox"/> Business Owner and/or Work in Tiverton <input type="checkbox"/> Other:
Proposal and/or Comment:	<input type="checkbox"/> Comment <input checked="" type="checkbox"/> Proposal
Short Title for Proposal:	Volunteer Boards + Commissions
Contact Information:* Nancy Mello Town Clerk	May we contact you for questions or clarification? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/> Address: Phone number: Email:

Note:

Please return form to Richard Rom, Secretary by e-mail to TivertonCRC@cox.net or by mail or other delivery to:

Tiverton Charter Review Commission
 Attention: Richard Rom, Secretary
 c/o Tiverton Town Clerk
 343 Highland Road
 Tiverton, Rhode Island 02878

***Submitted forms will be considered a matter of public record and subject to public inspection.**

Proposal Request

Upon review of the current Tiverton Town Charter, I request that the Commission consider the following proposal to change the Town Charter:

<p>Change Requested</p>	<p>Amend section 1011 to allow employess who meet other criteria (i.e. electors) to serve on volunteer boards and commissions. Will be subject to ethics requirements like all volunteers. Town administrator and town council approval as safeguards.</p>
<p>Describe why the Requested Change is needed</p>	<p>Allows more Tivertonians to be volunteer in town government, especially as more volunteers are always better than less.</p>
<p>Describe the effect of the Requested Change</p>	
<p>(optional) List Charter sections effected by Requested Change or New Section</p>	

Submitted forms will be considered a matter of public record and subject to public inspection.

Section 301 (B) 1. (Ballot, Budget Proposals) - amend to reflect changes to Section 301 (D) 1.

Section 301 (D) 1.

Eliminate the remand option.

Elector petitioner must present town clerk with a complete line item budget and made available to the public.

Ballot and petitions must also contain a summarized amount of increase or decrease for each fiscal department so affected.

Add language to prevent increases or decrease to contractually obligated line items.

Section 301 (D) 3.

Increase signature requirement to 200 signatures

Section 908

Replace with Office of Community Development

Functions to include building, zoning and planning. Department structure shall be at the discretion of the Town Administrator with Town Council approval.

Minimum staff to include (as noted in current language)

Building Official

Zoning Official (function may be combined with another job)

Administrative Officer for Planning

Plumbing, Mechanical, and Electric Inspectors)

Section 1007 Personnel Board

Replace with language that directs personnel board to develop hiring procedures for staff and department head positions with input from hiring managers, town administrator and town council. Town Council shall approve procedures. Proocol shall include timeframes and provisions re: quorums.

Section 1011

Remove the word employees. Substitute language that allows employees to serve on volunteer boards and commissions provided there is no conflict of interest.

Tiverton Charter Review Commission

Proposal Request and Comment Form

Date: 3/26/18	Name: Tiverton Town Council
Connection to Tiverton:	<input type="checkbox"/> Registered Voter (Elector) <input type="checkbox"/> Resident <input type="checkbox"/> Property Owner <input type="checkbox"/> Business Owner and/or Work in Tiverton <input type="checkbox"/> Other:
Proposal and/or Comment:	<input type="checkbox"/> Comment <input checked="" type="checkbox"/> Proposal
Short Title for Proposal:	Reorganization of Planning/Zoning/ Building Functions
Contact Information:* Nancy Mello Town Clerk	May we contact you for questions or clarification? Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/> Address: Phone number: Email:

Note:

Please return form to Richard Rom, Secretary by e-mail to TivertonCRC@cox.net or by mail or other delivery to:

Tiverton Charter Review Commission
 Attention: Richard Rom, Secretary
 c/o Tiverton Town Clerk
 343 Highland Road
 Tiverton, Rhode Island 02878

***Submitted forms will be considered a matter of public record and subject to public inspection.**

Proposal Request

Upon review of the current Tiverton Town Charter, I request that the Commission consider the following proposal to change the Town Charter:

Change Requested	Amend charter to amend combine planning, zoning, building into one department.
Describe why the Requested Change is needed	Combined office would increase efficiency, reduce costs by sharing resources, allow for cross training of staff.
Describe the effect of the Requested Change	Increased efficiency, less costs, improved customer service and reduce time for project approval.
(optional) List Charter sections effected by Requested Change or New Section	

Submitted forms will be considered a matter of public record and subject to public inspection.

ARTICLE IX
DEPARTMENTS AND AGENCIES
SECTION 909 - Land Use and Development Department

There shall be a Land Use and Development Department consisting of the Town Planner, Building Official, Zoning Official, Planning Board Administrative Officer, Mechanical Inspector, Electrical Inspector, and Plumbing Inspector. These offices shall be filled by the Town Administrator with the approval of the Town Council. The Land Use and Development Department shall oversee all land use and development projects in the Town and shall be responsible for enforcement of the zoning ordinance, building code, planning regulations, and any other land use regulations either developed by the Town or established by state law. ~~The Town Planner shall act as the supervisor for the department, although~~ the Planning Board Administrative Officer shall also report to the Planning Board as required by state law.

The Building Official shall meet all requirements established under state law for holding that office. The Building Official shall supervise the Plumbing, Mechanical, and Electrical inspectors, all of whom shall also meet state law qualification requirements.

At the discretion of the Town Administrator and Town Council, the same person may fill one or more of the offices in the Land Use and Development Department.

The Supervisor shall be designated by the Town Administrator with approval of the Town Council.

**Tiverton Charter Review Commission
Proposal Request and Comment Form**

ID #127

Date: April 11 2018	Name:Town Council
	<input type="checkbox"/> Registered Voter (Elector) <input type="checkbox"/> Resident <input type="checkbox"/> Property Owner <input type="checkbox"/> Business Owner and/or Work in Tiverton <input type="checkbox"/> Other:
Proposal and/or Comment:	<input type="checkbox"/> Comment <input type="checkbox"/> Proposal
Short Title for Proposal:	Suggested changes to Section 806: Senior Citizens Director
Contact Information:*	<p>May we contact you for questions or clarification? Yes:_____ No_____</p> <p>Note: these proposals came in a document dated 12/6/17 that had several approved changes and not on the CRC form.</p> <p>Address:</p> <p>Phone number:</p> <p>Email:</p>

Please return form to Richard Rom, Secretary by e-mail to TivertonCRC@cox.net

Submitted forms will be considered a matter of public record and subject to public inspection.

Tiverton Charter Review Commission Proposal Request

Upon review of the current Tiverton Town Charter, I request that the Commission consider the following proposal to change the Town Charter:

Change Requested	Delete Section 806 and add a new Section 910.
Describe why the Requested Change is needed	Organizationally, the Senior Center is better placed in Article IX (Departments and Agencies) rather than Article VIII (Town Officials and Offices).
Describe the effect of the Requested Change	
(optional) List Charter sections effected by Requested Change or New Section	

**Tiverton Charter Review Commission
Proposal Request and Comment Form**

ID #128

Date: April 11 2018	Name:Town Council
	<input type="checkbox"/> Registered Voter (Elector) <input type="checkbox"/> Resident <input type="checkbox"/> Property Owner <input type="checkbox"/> Business Owner and/or Work in Tiverton <input type="checkbox"/> Other:
Proposal and/or Comment:	<input type="checkbox"/> Comment <input type="checkbox"/> Proposal
Short Title for Proposal:	Suggested changes to Section 904: Emergency Management Agency
Contact Information:*	<p>May we contact you for questions or clarification? Yes:_____ No_____</p> <p>Note: these proposals came in a document dated 12/6/17 that had several approved changes and not on the CRC form.</p> <p>Address:</p> <p>Phone number:</p> <p>Email:</p>

Please return form to Richard Rom, Secretary by e-mail to TivertonCRC@cox.net
 Submitted forms will be considered a matter of public record and subject to public inspection.

Tiverton Charter Review Commission Proposal Request

Upon review of the current Tiverton Town Charter, I request that the Commission consider the following proposal to change the Town Charter:

Change Requested	Delete Section 904 and replace with: There shall be a Tiverton Emergency Management Agency with powers and duties similar to those of RI Emergency Management Agency. The Tiverton Emergency Management Agency shall have a director who shall be appointed by the Town Administrator. The Tiverton Emergency Management Agency shall cooperate with and assist the Rhode Island Emergency Management Agency and shall perform such services as may be requested by it. The Tiverton Emergency Management Agency may act jointly or with other local emergency management agencies.
Describe why the Requested Change is needed	These changes bring the section into better conformance with RI Gen. Laws 30-15-12(a).
Describe the effect of the Requested Change	
(optional) List Charter sections effected by Requested Change or New Section	

**Tiverton Charter Review Commission
Proposal Request and Comment Form**

ID #129

Date: April 11 2018	Name:Town Council
	<input type="checkbox"/> Registered Voter (Elector) <input type="checkbox"/> Resident <input type="checkbox"/> Property Owner <input type="checkbox"/> Business Owner and/or Work in Tiverton <input type="checkbox"/> Other:
Proposal and/or Comment:	<input type="checkbox"/> Comment <input type="checkbox"/> Proposal
Short Title for Proposal:	Section 1205: Amendments to Charter
Contact Information:*	<p>May we contact you for questions or clarification? Yes:_____ No_____</p> <p>Note: these proposals came in a document dated 12/6/17 that had several approved changes and not on the CRC form.</p> <p>Address:</p> <p>Phone number:</p> <p>Email:</p>

Please return form to Richard Rom, Secretary by e-mail to TivertonCRC@cox.net
 Submitted forms will be considered a matter of public record and subject to public inspection.

Tiverton Charter Review Commission Proposal Request

Upon review of the current Tiverton Town Charter, I request that the Commission consider the following proposal to change the Town Charter:

Change Requested	Delete the last sentence of Section 1205 which states “This Charter shall not be replaced or amended for a period of at least two (2) years following adoption”.
Describe why the Requested Change is needed	This change brings Charter into alignment with the Rhode Island Constitution.
Describe the effect of the Requested Change	
(optional) List Charter sections effected by Requested Change or New Section	

Tiverton Charter Review Commission
Proposal Request and Comment Form

ID #130

Date: April 11, 2018	Name: Town Council
Connection to Tiverton:	<input type="checkbox"/> Registered Voter (Elector) <input type="checkbox"/> Resident <input type="checkbox"/> Property Owner <input type="checkbox"/> Business Owner and/or Work in Tiverton <input type="checkbox"/> Other:
Proposal and/or Comment:	<input type="checkbox"/> Comment <input type="checkbox"/> Proposal
Short Title for Proposal:	Town Council amendments to Sections 501, 603, 604, 901, 902, 903, 1007, 204, 407, 503, 602, 801,1101, 1217
Contact Information:*	<p>May we contact you for questions or clarification? Yes: _____ No _____</p> <p>Note: this proposal came on a document dtd 1/23/18 with many changes and not on the CRC form.</p> <p>Address:</p> <p>Phone number:</p> <p>Email:</p>

Please return form to Richard Rom, Secretary by e-mail to TivertonCRC@cox.net

Submitted forms will be considered a matter of public record and subject to public inspection.

Tiverton Charter Review Commission Proposal Request

Upon review of the current Tiverton Town Charter, I request that the Commission consider the following proposal to change the Town Charter:

Change Requested	Eliminating all references to the Budget Committee and FTR within the Department Duties, Powers, Roles and Responsibilities, Health Benefits and School Department and other amendments as noted in enclosed back-up.
Describe why the Requested Change is needed	
Describe the effect of the Requested Change	
(optional) List Charter sections effected by Requested Change or New Section	

Proposed amendments for
1/23/18 Council Mtg

(1)

Pursuant to Article XIII, section 8, of the Constitution of the State of Rhode Island and Providence Plantations, the Tiverton Town Council hereby proposes the following amendment to the Tiverton Town Charter, to be submitted for approval of the electors of the Town of Tiverton

**ARTICLE V
TOWN ADMINISTRATOR
SECTION 501 - Appointment**

The Town Administrator shall be appointed ~~for an initial contract period not to exceed three (3) years~~, by no less than four (4) affirmative votes of the Town Council. ~~Renewal contracts shall not exceed three (3) years.~~

**ARTICLE VI
FINANCIAL SERVICES
SECTION 603 - Tax Collector**

The Tax Collector shall be appointed by the Town Administrator with the approval of the Town Council. ~~for an initial contract period not to exceed three (3) years. Renewal contracts shall not exceed three (3) years.~~ The Tax Collector shall collect all taxes and special assessments for the collection of which the town is responsible and shall fulfill all other duties of a tax collector as provided by contract, ordinance, state and federal law, or as directed by the Town Administrator.

~~(a) Duties and Responsibilities. The Tax Collector shall collect all taxes and special assessments for the collection of which the town is responsible. (b) Delinquent Installments. No amounts received for taxes shall be applied to any current installment until all previous installments of taxes have been paid. (c) Annual Tax Sale. In accordance with the General Laws, the Tax Collector annually shall conduct a sale of all properties upon which taxes remain unpaid for a period of two (2) years from the date the taxes first become due.~~

~~Exceptions of certain properties may be granted by the Town Council upon written recommendation of the Tax Collector.~~

**ARTICLE VI
FINANCIAL SERVICES
SECTION 604 – Tax Assessor**

The Tax Assessor shall be appointed by the Town Administrator with the approval of the Town Council, ~~for an initial contract period not to exceed three (3) years. Renewal contracts shall not exceed three (3) years.~~ The Tax Assessor shall meet the minimum qualification of state certification as a tax assessor. The Assessor shall be responsible for fixing all assessed valuations in the Town, preparing an assessor and tax roll, conducting period revaluations, responsible and shall fulfill all other duties of a tax collector as provided by contract, ordinance, state and federal law, or as directed by the Town Administrator.

~~(a) Duties and Responsibilities. The Assessor shall be responsible for: 1.) The fixing of an assessed valuation for the purposes of taxation on all taxable real estate and personal property. 2.) The preparation of an assessment and tax roll for the Town in the manner provided by law and ordinance. 3.) Conducting a periodic revaluation of the Town as required by law, and shall be responsible for the discharge of all the duties and responsibilities prescribed for tax assessors by State Law.~~

**ARTICLE IX
DEPARTMENTS AND AGENCIES
SECTION 901 - Department of Public Works**

(a) Organization. There shall be a Department of Public Works, the head of which shall be the Director of Public Works, who shall be appointed by the Town Administrator with the approval of the Town Council, ~~for an initial contract period not to exceed three (3) years. Renewal contracts shall not exceed three (3) years.~~ The Director of Public Works shall have had training and/or experience in administration, engineering, construction or other professional fields which pertain to the responsibilities of the department, and preferably with a Bachelor's Degree from an accredited college or university. He/She shall be responsible for the efficient operation of all the activities of the Department of Public Works. 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 Director of Public Works.

(b) Powers and Responsibilities. The Department of Public Works shall be responsible for the functions and services of the town relating to streets, highways, sidewalks, bridges, water courses, street lighting, waste disposal, recycling, sanitary sewerage and sewerage systems, storm drainage, collection and disposal of garbage and other refuse, the operation of the landfill; for the maintenance, repair and operation of all public buildings and properties, excepting those used by the School Department, belonging to or used by the town; and for such other functions as may be delegated to said department by the Town Administrator. The Director of Public Works shall be in

direct control of the Public Works Department and shall report to the Town Administrator.

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. 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.
- (b) Powers and Responsibilities. The Police Department shall be responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, protection of the rights of persons and property, regulation of traffic, and the enforcement of the laws of the State and the ordinances of the Town, and rules and regulations in accordance therewith. The Chief of Police and other members of the Department shall have all the powers and duties as are now and hereafter vested in such police officers by the laws of the State and the ordinances of the Town. The Chief of Police shall be in direct command of the police force and shall report to the Town Administrator. Subject to the approval of the Town Administrator and the Town Council, the Chief of Police shall make rules and regulations concerning the conduct of all officers and subordinates in the Police Department, including appropriate penalties for their violation which, when approved by the Council by resolution, shall have the force of law and shall be the basis for removals and other disciplinary action as provided therein consistent with the Policeman's Bill of Rights. Changes in such rules and regulations shall be made from time to time in the same manner.
- (c) Interference with Chief of Police. No member of the Council and no member of the Administrator's Office shall interfere or attempt to interfere directly or indirectly with the performance of duties by the Chief of Police, provided nevertheless, that nothing herein shall be construed to prevent the Town Administrator from exercising general supervision over the Police Department and its affairs or to

prevent the Council from making any investigation of said department authorized by the provisions of this Charter.

ARTICLE IX
DEPARTMENTS AND AGENCIES
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 Associate's 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. 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.
- (b) Powers and Responsibilities. The Fire and Rescue Department shall be responsible for the local enforcement of Rhode Island State Fire Code, all applicable Town Fire Codes, and Command and Control of fires, rescues and other emergencies. In addition, the Fire Chief shall be responsible for the Emergency Medical Service. The Fire Chief shall be in direct command of the Fire and Rescue Department and shall report to the Town Administrator. Subject to the approval of the Town Administrator and the Town Council, the Fire Chief shall make rules and regulations concerning the conduct of all officers and subordinates in the Fire and Rescue Department, including appropriate penalties for their violation which, when approved by the Council by resolution, shall have the force of law and shall be the basis for removals and other disciplinary action as provided therein. Changes in such rules and regulations shall be made from time to time in the same manner.
- (c) Volunteer Firefighters. Upon recommendation of the Fire Chief, the Personnel Board shall give special consideration to members of the Tiverton Volunteer Firefighters when filling vacancies on the permanent force. The Fire Chief shall establish a point system to assist in this recommendation.

ARTICLE IX
DEPARTMENTS AND AGENCIES
SECTION 908 - Building Department

~~There shall be a Building Department headed by the Building Official who meets qualifications defined by State Law. The Building Official shall be appointed by the Town Administrator with the approval of the Town Council for an initial contract period, not to exceed three (3) years, and shall be responsible for the supervision of the Building, Electrical, Plumbing and Mechanical Inspectors, the enforcement of ordinances, zoning and other matters assigned to the position pursuant to law. Renewal contracts shall not exceed three (3) years.~~

~~(a) Zoning Officer. There shall be a Zoning Officer appointed by the Town Administrator with the approval of the Town Council for an initial period not to exceed three (3) years. Renewal contracts shall not exceed three (3) years. The Zoning Officer may hold both the office of Zoning Officer and Building Official. It shall be the duty of the Zoning Officer to administer and enforce the provisions of the Town Zoning Ordinance.~~

~~(b) Electrical Inspector. There shall be an Electrical Inspector appointed by the Town Administrator for a two year term. The Electrical Inspector shall be responsible for conducting electrical inspections in accordance with applicable Building and Electrical Codes. An Inspection Fee Schedule shall be established by the Town Council and revised periodically.~~

~~(c) Plumbing Inspector. There shall be a Plumbing Inspector appointed by the Town Administrator for a two year term. The Plumbing Inspector shall be responsible for conducting plumbing inspections in accordance with applicable Building and Plumbing Codes. An Inspection Fee Schedule shall be established by the Town Council and revised periodically.~~

~~(d) Mechanical Inspector. There shall be a Mechanical Inspector appointed by the Town Administrator for a two year term. The Mechanical Inspector shall be responsible for conducting mechanical inspections in accordance with applicable Building and Mechanical Codes. An Inspection Fee Schedule shall be established by the Town Council and revised periodically.~~

ARTICLE IX
DEPARTMENTS AND AGENCIES
SECTION 909 - Land Use and Development Department

There shall be a Land Use and Development Department consisting of the Town Planner, Building Official, Zoning Official, Planning Board Administrative Officer, Mechanical Inspector, Electrical Inspector, and Plumbing Inspector. These offices shall be filled by the Town Administrator with the approval of the Town Council. The Land Use and Development Department shall oversee all land use and development projects in the Town and shall be responsible for enforcement of the zoning ordinance, building code, planning regulations, and any other land use regulations either developed by the Town or established by state law. The Town Planner shall act as the supervisor for the department, although the Planning Board Administrative Officer shall also report to the Planning Board as required by state law.

The Building Official shall meet all requirements established under state law for holding that office. The Building Official shall supervise the Plumbing, Mechanical, and Electrical inspectors, all of whom shall also meet state law qualification requirements.

At the discretion of the Town Administrator and Town Council, the same person may fill one or more of the offices in the Land Use and Development Department.

2

Pursuant to Article XIII, section 8, of the Constitution of the State of Rhode Island and Providence Plantations, the Tiverton Town Council hereby proposes the following amendment to the Tiverton Town Charter, to be submitted for approval of the electors of the Town of Tiverton

ARTICLE X
BOARDS AND COMMISSIONS
SECTION 1007 - Personnel Board

The Personnel Board shall consist of five (5) electors appointed by the Town Council for four (4) year terms. Terms shall be staggered so that no more than two (2) terms expire in any year. Vacancies shall be filled by the Town Council for the remainder of the unexpired term. The Commission shall annually elect a Chairperson, Vice Chairperson, and such other officers as they deem appropriate.

- (a) Duties and Responsibilities. The Personnel Board shall accept and review applications for all job vacancies for town employment and recommend the top three (3) applicants to the Town Administrator. The Town Council shall develop a personnel policy which shall be implemented by the Personnel Board in performing its function. At a minimum, the personnel policy shall specify the required manner of advertising vacancies, the general review process to be implemented by the Personnel Board, and general selection criteria to be utilized by the Board. Vacancies in municipal positions shall be advertised in at least two (2) newspapers available locally. Specific application procedures shall be listed in the advertisement.

~~The Personnel Board shall:~~

- ~~1.) Review all applications.~~
- ~~2.) Determine those applicants to be interviewed.~~
- ~~3.) For those applicants to be interviewed, be responsible for verifying the accuracy of information on applications and checking references, including former or current employers.~~

~~(b) General Provisions. Hiring of all personnel, including full time, part time, acting, temporary or seasonal employees shall be done through the Personnel Board. The applicable Department Head shall be invited to attend interviews, assist the Board in questioning applicants, and make recommendations. Employment shall be based on merit and competitive exams (when applicable), and shall be free of personal or political considerations. The Town is an equal opportunity employer and shall not discriminate on the basis of sex, race, creed or national origin.~~

26 (2)

Pursuant to Article XIII, section 8, of the Constitution of the State of Rhode Island and Providence Plantations, the Tiverton Town Council hereby proposes the following amendment to the Tiverton Town Charter, to be submitted for approval of the electors of the Town of Tiverton

**ARTICLE II
ELECTIONS
SECTION 204 – Transfer of Town Lands**

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 Referendum, or a Referendum~~ at either a special or general election. 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 REFERENDUM BUDGET PROCESS~~**

[The current provisions of Article III are removed in their entirety and replaced with the following]

Sec. 301. – Budget Process

(a) Submission of Preliminary Budget Requests

- 1) Initial Budget Workshop: The School Committee and the Town Council shall hold an initial budget workshop no later than January 15.
- 2) Town Administrator shall prepare and submit a preliminary municipal budget request to the Town Council no later than January 15.
- 3) Town Clerk shall prepare and submit a preliminary Town Clerk budget request to the Town Council no later than January 15.
- 4) Town Treasurer shall prepare and submit a preliminary Town Treasurer budget request to the Town Council no later than January 15.

- 5) School Committee shall prepare and submit a preliminary School Department budget request to the Town Council no later than January 15.

Sec. 302. Budget Approval.

Upon holding an initial budget workshop and the receipt of the preliminary budget requests outlined in section 301, the Town Council shall:

1. Review the preliminary budget requests and within thirty (30) days adopt a provisional budget. The Council may only alter the total amount of the school department budget. A copy of the provisional budget shall be filed with the Town Clerk.
2. Immediately following the adoption of the provisional budget, it shall be published in a newspaper having general circulation in the Town, showing the initial requested total amount of each department and the recommended total amount of the Town Council.
3. Within thirty (30) days of the approval and publication of the provisional budget, public hearings shall take place. The Council shall have printed and available copies of the provisional budget for public distribution at least five (5) days prior to public hearings. The time and place for holding of these hearings shall be included with the publication of the provisional budget.
4. Upon completion of the public hearing on the provisional budget, take the results thereof under consideration and make such additional changes as the Council may deem appropriate.
5. Within one (1) month following the completion of the public hearings on the provisional budget at a regular Town Council meeting in June, adopt the final Town budget by ordinance, forwarding one (1) copy to the Town Clerk for public inspection and, as soon as possible, have the final budget (departmental total amounts) published in a newspaper having general circulation in the Town.
6. Referendum Petitions. Within two (2) weeks of the adoption of the final Town Budget, any qualified elector of the town may circulate a petition requesting that a referendum be held on the final budget as approved by the Town Council. Such petition may propose an increase or decrease in the total amount of either the School Department Budget, or the Town Budget, or both, although neither budget may be increased or decreased in an amount greater than two hundred thousand dollars (\$200,000.00). The Board of Canvassers shall cause petition forms to be printed with standard language and spaces for the insertion of dollar amounts, budget designations, whether an increase or decrease of expenditure is called for, and other necessary information. All petition forms shall be approved by the Board of Canvassers before circulation, and must be returned to the Town Clerk on or before a return date, which shall be two (2) weeks after the adoption of the final Town Budget. Any language added to a petition, or any alteration of the language thereof: subsequent to its approval by the Board of Canvassers, shall be of no force or effect. The Town Clerk, upon return of the petitions, shall cause the signatures

thereon to be verified by the Board of Canvassers, such verification to be completed not later than two (2) weeks of the return date for the petitions. There shall be no limit to the number of separate petitions which an elector may sign.

7. Budget Referendum. The Town Clerk shall cause a referendum by ballot to be held on a Tuesday, not less than thirty-five (35) nor more than forty-five (45) days from the certification of the signatures on the petitions, on all budget changes requested on petitions submitted pursuant to subsection 6 hereof: provided that each such petition shall contain signatures of not less than ten percent (10%) of the duly qualified electors of the Town. The ballot used at such referendum shall be prepared by the Board of Canvassers in such manner as to include each of the separate petitions for increases and/or decreases in the appropriation for a particular budget together with the original approved budget amount. The qualified electors shall be instructed to vote either for the original total or for one (1) of the proposed increases or decreases thereof. The appropriation receiving the most votes shall be declared to have been adopted. In the event that certified petitions are received by the Board of Canvassers that include changes to both the School Department Budget and the Town Budget, there shall be two (2) separate ballot questions, one for the School Department Budget and one for the Town Budget, each of which shall follow the ballot format set forth herein. The polls at such referendum shall be open at 7:00 a.m. and shall remain open until 8:00 p.m.

8. In the event that an increase or a decrease in the School Department Budget and/or the Town Budget is approved by the electors at such referendum, the Town Council shall cause the total amount of said budgets to be adjusted upward or downward accordingly and shall adopt an amended Town Budget at its next regular Town Council meeting. The Town Council and/or the School Committee, whichever has jurisdiction over the budget affected by such action, shall make reductions or increases within said budget to match the new appropriation total.

Sec. 303. 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.

ARTICLE IV TOWN COUNCIL SECTION 407 – Powers and Duties

All powers of the Town shall be vested in the Town Council except as otherwise provided by the Charter or by the Constitution and laws of the State. The Town Council shall provide for the exercise thereof and for the performance of all duties and obligations

imposed on the Town by law, provided however, that the administration and management of the government of the Town shall be the responsibility of the Town Administrator. Among its powers and duties the Council shall:

- 1.) Serve as the policy making body of the Town.
- 2.) Develop, publish and annually review and revise long-range goals, objectives and strategies including but not limited to town services, capital improvement and maintenance, equipment and personnel and staffing.
- 3.) Develop and publish such policies, plans and objectives consistent with the long-range plan to provide a basis for planning the 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 budget submitted by the Town Administrator within 30 days.~~
- 4.) Determine its own rules and order of business and keep a record of its proceedings which shall be open to public inspection in the office of the Town Clerk.
- 5.) Appoint a Town Administrator and annually review the performance of the Town Administrator.
- 6.) Create, change, and abolish Town offices, departments and committees not established by this Charter or by the Constitution and laws of the State. Any office, department, or committee so established shall conform to the provisions of this Charter.
- 7.) Make investigations into the affairs of the Town and the conduct of any Town department, office or committee when it deems such investigation necessary, and for this purpose may subpoena witnesses, administer oaths, take testimony and require the production of evidence.
- 8.) Enact, amend, or repeal rules, ordinances and resolutions for the government of the Town which shall have to do with the preservation of the public peace, health, safety and welfare of the inhabitants and the protection of persons and property, and other municipal functions not in conflict with this Charter, the Constitution and laws of the State.
- 9.) Adopt by ordinance and amend from time to time, in consultation with the Town Administrator, such personnel policies and provide such rules, regulations and arrangements for the implementation thereof, as it may deem appropriate, for the better governance of the Town and Management of its affairs.
- 10.) Grant, suspend or revoke licenses in accordance with State law.
- 11.) Enact and amend, after notice as prescribed by State law and public hearing such zoning ordinances as it deem appropriate, providing such ordinances are in accordance with State law.

- 12.) Provide for an independent audit at any time, of the accounts of the Town or any of its departments and to provide for an annual audit.
- 13.) Review and ratify all tentative agreements negotiated for the Town by the Town Administrator, except those under School Committee jurisdiction. Unratified agreements shall be returned to the Town Administrator, with the reason(s) explained, for further negotiations. For all labor or collective bargaining agreements requiring approval of the Town Council, 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.
- 14.) Order such budget reductions or transfers of funds within the 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 Referendum.~~
- 15.) Sit as a Charter Monitoring and Complaint Review Board.

ARTICLE V
TOWN ADMINISTRATOR
SECTION 503 – Duties and Powers of the Town Administrator

The Town Administrator shall be responsible to the Town Council for the administration and management of the Town government.

The Town Administrator shall devote his/her entire time and attention to his/her duties as Administrator and shall not, during his/her appointment, be actively engaged in any employment, or business, or in the practice of any profession, or hold any public office other than the office of Town Administrator of the Town of Tiverton without prior Town Council approval.

The Town Administrator shall:

- 1.) Submit to the Town Council, ~~not later than 150 days prior to the Financial Town Referendum,~~ a proposed municipal (non-school) budget of receipts and expenditures and an explanatory budget message. ~~Submit to the Budget Committee, not later than 120 days prior to the Town Financial Referendum, 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, Town Clerk's and Treasurer's budgets, may revise them as he/she deem appropriate. The 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.

- 2.) Direct and supervise the administration of all departments, commissions, offices and agencies of the town, except as otherwise provided by this charter or by law.
- 3.) To see that all laws, provisions of this charter and acts of the council, subject to his/her direction and supervision, are faithfully executed.
- 4.) Attend council meetings and shall participate in the proceedings as requested by the Council.
- 5.) To appoint, from the candidates recommended by the Personnel Board all personnel provided for in this charter, applicable state law, or established by ordinance. The appointment of department heads are subject to approval by the Town Council.
- 6.) Recommend to the Town Council compensation of all personnel under his/her jurisdiction. This recommendation shall be based upon a written annual performance evaluation of the personnel in question and this written evaluation shall be submitted to the Town Council.
- 7.) Submit annual evaluations of Department Heads to the Town Council.
- 8.) Recommend to the Town Council, adoption of measures as he/she may deem necessary or expedient for the health, safety or welfare of the community and/or employees, or for the improvement of administrative services.
- 9.) Negotiate contracts as the Chief Negotiator and have the right to sign tentative agreements on behalf of the town subject to ratification by the Town Council.
- 10.) Supervise and monitor the implementation of the budget and prepare for the Council, as it shall require, periodic reports on expenditures and unexpended balance totals for each department, office and agency, and report to the Council any unanticipated budget requirements or shortfalls, along with recommendations for resolution.
- 11.) Ensure compliance with contractual terms and conditions favorable to the town.
- 12.) Coordinate the activities of all boards, commissions and committees and as may be required by the Town Council.
- 13.) Perform such other duties as may be required by the Town Council, within accepted practice in respect to the duties of this office.
- 14.) Update and maintain custody of personnel files for all municipal employees with the exception of those employees under the jurisdiction of the School Department

- 15.) Prepare and submit grant requests as appropriate.
- 16.) Evaluate requests and make recommendations for the Capital Improvements Program.

ARTICLE VI
FINANCIAL SERVICES
SECTION 602 – Town Treasurer
Subsection (a)(10) – Duties and Responsibilities

The Town Treasurer shall have all the powers, rights, and duties prescribed under the General Laws of the State of Rhode Island for Town Treasurers including but not limited to . . . 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.

ARTICLE VII
BUDGET COMMITTEE

~~Sec. 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.~~

~~Sec. 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.~~

~~Sec. 703. Duties and responsibilities.~~

~~The Budget Committee has the following responsibilities:~~

- ~~1.) To review the budgets 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 and the ability of the Town to support the level of service recommended.~~

- ~~2.) To provide the electorate with budget recommendations which balance the value of the proposed goods and services with their cost in taxes.~~
- ~~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.~~
- ~~4.) To prepare and submit the docket for publication to the Town Administrator at least thirty (30) days before the Financial Town Referendum.~~
- ~~5.) To present the docket to the electorate at a public hearing and at the Financial Town Referendum.~~

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 and making available to the public on receipt resolutions and Budget Proposals for the Financial Town Referendum. Additionally, the Town Clerk shall print, advertise and distribute the docket and any qualified budget proposals or resolutions at least twenty (20) days prior to the Financial Town Referendum.~~ The Town Clerk shall submit his or her budget directly to the Budget Committee Town Council. The Town Clerk shall perform all other such duties as may be prescribed by this Charter or by law.

(b) Deputy Town Clerk.

There shall be a Deputy Town Clerk assigned in accordance with contractual agreements (if applicable) and approved by the Town Council. When the Town Clerk is not available, the Deputy Town Clerk shall perform all the duties of the office of Town Clerk.

ARTICLE XI
SCHOOL DEPARTMENT
SECTION 1101 – School Committee

There shall be a non-partisan School Committee consisting of five (5) members, elected "at-large" for four (4) year terms. Terms shall be staggered so that no more than three (3) expire every two (2) years. School Committee members shall be elected at the General Election in even numbered years. School Committee members shall be electors of the Town and shall not hold other elected town offices or be employees of the Town. Should a Committee member fail to meet the above qualifications, or become disqualified from continuing in office under the provisions of the State Constitution, State Law or this Charter, his/her office shall be deemed to have become vacant. The Town Council shall appoint a person to fill the vacated position for a period not to exceed six (6) months or the next Town Election, whichever comes first. The School Committee shall annually elect a Chairperson, Vice Chairperson, and such other officers as they deem appropriate. Copies of the minutes of School Committee meetings shall be on file in the office of the Town Clerk.

(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~~ Town Council in accordance with section 301(a) 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.

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 Referendum~~ or Referendum at a special or general election. This section does not preclude town officials from obtaining health benefits at their own expense.

20-
2 b (3)

Pursuant to Article XIII, section 8, of the Constitution of the State of Rhode Island and Providence Plantations, the Tiverton Town Council hereby proposes the following amendment to the Tiverton Town Charter, to be submitted for approval of the electors of the Town of Tiverton

**ARTICLE X
BOARDS AND COMMISSIONS
SECTION 1007 - Personnel Board**

The Personnel Board shall consist of five (5) electors appointed by the Town Council for four (4) year terms. Terms shall be staggered so that no more than two (2) terms expire in any year. Vacancies shall be filled by the Town Council for the remainder of the unexpired term. The Commission shall annually elect a Chairperson, Vice Chairperson, and such other officers as they deem appropriate.

- (a) Duties and Responsibilities. The Personnel Board shall accept and review applications for all job vacancies for town employment and recommend the top three (3) applicants to the Town Administrator. The Town Council shall develop a personnel policy which shall be implemented by the Personnel Board in performing its function. At a minimum, the personnel policy shall specify the required manner of advertising vacancies, the general review process to be implemented by the Personnel Board, and general selection criteria to be utilized by the Board. ~~Vacancies in municipal positions shall be advertised in at least two (2) newspapers available locally. Specific application procedures shall be listed in the advertisement.~~

~~The Personnel Board shall:~~

- ~~1.) Review all applications.~~
- ~~2.) Determine those applicants to be interviewed.~~
- ~~3.) For those applicants to be interviewed, be responsible for verifying the accuracy of information on applications and checking references, including former or current employers.~~

~~(b) General Provisions. Hiring of all personnel, including full time, part time, acting, temporary or seasonal employees shall be done through the Personnel Board. The applicable Department Head shall be invited to attend interviews, assist the Board in questioning applicants, and make recommendations. Employment shall be based on merit and competitive exams (when applicable), and shall be free of personal or political considerations. The Town is an equal opportunity employer and shall not discriminate on the basis of sex, race, creed or national origin.~~

Pursuant to Article XIII, section 8, of the Constitution of the State of Rhode Island and Providence Plantations, the Tiverton Town Council hereby proposes the following amendment to the Tiverton Town Charter, to be submitted for approval of the electors of the Town of Tiverton

**ARTICLE II
ELECTIONS
SECTION 204 – Transfer of Town Lands**

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 Referendum~~, or a Referendum at either a special or general election. 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 REFERENDUM~~ BUDGET PROCESS**

[The current provisions of Article III are removed in their entirety and replaced with the following]

Sec. 301. – Budget Process

(a) Submission of Preliminary Budget Requests

- 1) Initial Budget Workshop: The School Committee and the Town Council shall hold an initial budget workshop no later than January 15.
- 2) Town Administrator shall prepare and submit a preliminary municipal budget request to the Town Council no later than January 15.
- 3) Town Clerk shall prepare and submit a preliminary Town Clerk budget request to the Town Council no later than January 15.
- 4) Town Treasurer shall prepare and submit a preliminary Town Treasurer budget request to the Town Council no later than January 15.

- 5) School Committee shall prepare and submit a preliminary School Department budget request to the Town Council no later than January 15.

Sec. 302. Budget Approval.

Upon holding an initial budget workshop and the receipt of the preliminary budget requests outlined in section 301, the Town Council shall:

1. Review the preliminary budget requests and within thirty (30) days adopt a provisional budget. The Council may only alter the total amount of the school department budget. A copy of the provisional budget shall be filed with the Town Clerk.
2. Immediately following the adoption of the provisional budget, it shall be published in a newspaper having general circulation in the Town, showing the initial requested total amount of each department and the recommended total amount of the Town Council.
3. Within thirty (30) days of the approval and publication of the provisional budget, public hearings shall take place. The Council shall have printed and available copies of the provisional budget for public distribution at least five (5) days prior to public hearings. The time and place for holding of these hearings shall be included with the publication of the provisional budget.
4. Upon completion of the public hearing on the provisional budget, take the results thereof under consideration and make such additional changes as the Council may deem appropriate.
5. Within one (1) month following the completion of the public hearings on the provisional budget at a regular Town Council meeting in June, adopt the final Town budget by ordinance, forwarding one (1) copy to the Town Clerk for public inspection and, as soon as possible, have the final budget (departmental total amounts) published in a newspaper having general circulation in the Town.
6. Referendum Petitions. Within two (2) weeks of the adoption of the final Town Budget, any qualified elector of the town may circulate a petition requesting that a referendum be held on the final budget as approved by the Town Council. Such petition may propose an increase or decrease in the total amount of either the School Department Budget, or the Town Budget, or both, although neither budget may be increased or decreased in an amount greater than two hundred thousand dollars (\$200,000.00). The Board of Canvassers shall cause petition forms to be printed with standard language and spaces for the insertion of dollar amounts, budget designations, whether an increase or decrease of expenditure is called for, and other necessary information. All petition forms shall be approved by the Board of Canvassers before circulation, and must be returned to the Town Clerk on or before a return date, which shall be two (2) weeks after the adoption of the final Town Budget. Any language added to a petition, or any alteration of the language thereof: subsequent to its approval by the Board of Canvassers, shall be of no force or effect. The Town Clerk, upon return of the petitions, shall cause the signatures

thereon to be verified by the Board of Canvassers, such verification to be completed not later than two (2) weeks of the return date for the petitions. There shall be no limit to the number of separate petitions which an elector may sign.

7. Budget Referendum. The Town Clerk shall cause a referendum by ballot to be held on a Tuesday, not less than thirty-five (35) nor more than forty-five (45) days from the certification of the signatures on the petitions, on all budget changes requested on petitions submitted pursuant to subsection 6 hereof: provided that each such petition shall contain signatures of not less than ten percent (10%) of the duly qualified electors of the Town. The ballot used at such referendum shall be prepared by the Board of Canvassers in such manner as to include each of the separate petitions for increases and/or decreases in the appropriation for a particular budget together with the original approved budget amount. The qualified electors shall be instructed to vote either for the original total or for one (1) of the proposed increases or decreases thereof. The appropriation receiving the most votes shall be declared to have been adopted. In the event that certified petitions are received by the Board of Canvassers that include changes to both the School Department Budget and the Town Budget, there shall be two (2) separate ballot questions, one for the School Department Budget and one for the Town Budget, each of which shall follow the ballot format set forth herein. The polls at such referendum shall be open at 7:00 a.m. and shall remain open until 8:00 p.m.
8. In the event that an increase or a decrease in the School Department Budget and/or the Town Budget is approved by the electors at such referendum, the Town Council shall cause the total amount of said budgets to be adjusted upward or downward accordingly and shall adopt an amended Town Budget at its next regular Town Council meeting. The Town Council and/or the School Committee, whichever has jurisdiction over the budget affected by such action, shall make reductions or increases within said budget to match the new appropriation total.

Sec. 303. 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.

ARTICLE IV TOWN COUNCIL SECTION 407 – Powers and Duties

All powers of the Town shall be vested in the Town Council except as otherwise provided by the Charter or by the Constitution and laws of the State. The Town Council shall provide for the exercise thereof and for the performance of all duties and obligations

imposed on the Town by law, provided however, that the administration and management of the government of the Town shall be the responsibility of the Town Administrator. Among its powers and duties the Council shall:

- 1.) Serve as the policy making body of the Town.
- 2.) Develop, publish and annually review and revise long-range goals, objectives and strategies including but not limited to town services, capital improvement and maintenance, equipment and personnel and staffing.
- 3.) Develop and publish such policies, plans and objectives consistent with the long-range plan to provide a basis for planning the 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 budget submitted by the Town Administrator within 30 days.~~
- 4.) Determine its own rules and order of business and keep a record of its proceedings which shall be open to public inspection in the office of the Town Clerk.
- 5.) Appoint a Town Administrator and annually review the performance of the Town Administrator.
- 6.) Create, change, and abolish Town offices, departments and committees not established by this Charter or by the Constitution and laws of the State. Any office, department, or committee so established shall conform to the provisions of this Charter.
- 7.) Make investigations into the affairs of the Town and the conduct of any Town department, office or committee when it deems such investigation necessary, and for this purpose may subpoena witnesses, administer oaths, take testimony and require the production of evidence.
- 8.) Enact, amend, or repeal rules, ordinances and resolutions for the government of the Town which shall have to do with the preservation of the public peace, health, safety and welfare of the inhabitants and the protection of persons and property, and other municipal functions not in conflict with this Charter, the Constitution and laws of the State.
- 9.) Adopt by ordinance and amend from time to time, in consultation with the Town Administrator, such personnel policies and provide such rules, regulations and arrangements for the implementation thereof, as it may deem appropriate, for the better governance of the Town and Management of its affairs.
- 10.) Grant, suspend or revoke licenses in accordance with State law.
- 11.) Enact and amend, after notice as prescribed by State law and public hearing such zoning ordinances as it deem appropriate, providing such ordinances are in accordance with State law.

- 12.) Provide for an independent audit at any time, of the accounts of the Town or any of its departments and to provide for an annual audit.
- 13.) Review and ratify all tentative agreements negotiated for the Town by the Town Administrator, except those under School Committee jurisdiction. Unratified agreements shall be returned to the Town Administrator, with the reason(s) explained, for further negotiations. For all labor or collective bargaining agreements requiring approval of the Town Council, 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.
- 14.) Order such budget reductions or transfers of funds within the 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 Referendum.~~
- 15.) Sit as a Charter Monitoring and Complaint Review Board.

ARTICLE V
TOWN ADMINISTRATOR
SECTION 503 – Duties and Powers of the Town Administrator

The Town Administrator shall be responsible to the Town Council for the administration and management of the Town government.

The Town Administrator shall devote his/her entire time and attention to his/her duties as Administrator and shall not, during his/her appointment, be actively engaged in any employment, or business, or in the practice of any profession, or hold any public office other than the office of Town Administrator of the Town of Tiverton without prior Town Council approval.

The Town Administrator shall:

- 1.) Submit to the Town Council, ~~not later than 150 days prior to the Financial Town Referendum,~~ a proposed municipal (non-school) budget of receipts and expenditures and an explanatory budget message. ~~Submit to the Budget Committee, not later than 120 days prior to the Town Financial Referendum, 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, Town Clerk's and Treasurer's budgets, may revise them as he/she deem appropriate. The 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.

- 2.) Direct and supervise the administration of all departments, commissions, offices and agencies of the town, except as otherwise provided by this charter or by law.
- 3.) To see that all laws, provisions of this charter and acts of the council, subject to his/her direction and supervision, are faithfully executed.
- 4.) Attend council meetings and shall participate in the proceedings as requested by the Council.
- 5.) To appoint, from the candidates recommended by the Personnel Board all personnel provided for in this charter, applicable state law, or established by ordinance. The appointment of department heads are subject to approval by the Town Council.
- 6.) Recommend to the Town Council compensation of all personnel under his/her jurisdiction. This recommendation shall be based upon a written annual performance evaluation of the personnel in question and this written evaluation shall be submitted to the Town Council.
- 7.) Submit annual evaluations of Department Heads to the Town Council.
- 8.) Recommend to the Town Council, adoption of measures as he/she may deem necessary or expedient for the health, safety or welfare of the community and/or employees, or for the improvement of administrative services.
- 9.) Negotiate contracts as the Chief Negotiator and have the right to sign tentative agreements on behalf of the town subject to ratification by the Town Council.
- 10.) Supervise and monitor the implementation of the budget and prepare for the Council, as it shall require, periodic reports on expenditures and unexpended balance totals for each department, office and agency, and report to the Council any unanticipated budget requirements or shortfalls, along with recommendations for resolution.
- 11.) Ensure compliance with contractual terms and conditions favorable to the town.
- 12.) Coordinate the activities of all boards, commissions and committees and as may be required by the Town Council.
- 13.) Perform such other duties as may be required by the Town Council, within accepted practice in respect to the duties of this office.
- 14.) Update and maintain custody of personnel files for all municipal employees with the exception of those employees under the jurisdiction of the School Department

- 15.) Prepare and submit grant requests as appropriate.
- 16.) Evaluate requests and make recommendations for the Capital Improvements Program.

**ARTICLE VI
FINANCIAL SERVICES
SECTION 602 – Town Treasurer
Subsection (a)(10) – Duties and Responsibilities**

The Town Treasurer shall have all the powers, rights, and duties prescribed under the General Laws of the State of Rhode Island for Town Treasurers including but not limited to . . . 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.

**ARTICLE VII
BUDGET COMMITTEE**

~~Sec. 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.~~

~~Sec. 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.~~

~~Sec. 703. – Duties and responsibilities.~~

~~The Budget Committee has the following responsibilities:~~

- ~~1.) To review the budgets 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 and the ability of the Town to support the level of service recommended.~~

- ~~2.) To provide the electorate with budget recommendations which balance the value of the proposed goods and services with their cost in taxes.~~
- ~~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.~~
- ~~4.) To prepare and submit the docket for publication to the Town Administrator at least thirty (30) days before the Financial Town Referendum.~~
- ~~5.) To present the docket to the electorate at a public hearing and at the Financial Town Referendum.~~

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 and making available to the public on receipt resolutions and Budget Proposals for the Financial Town Referendum. Additionally, the Town Clerk shall print, advertise and distribute the docket and any qualified budget proposals or resolutions at least twenty (20) days prior to the Financial Town Referendum.~~ The Town Clerk shall submit his or her budget directly to the ~~Budget Committee~~ Town Council. The Town Clerk shall perform all other such duties as may be prescribed by this Charter or by law.

(b) Deputy Town Clerk.

There shall be a Deputy Town Clerk assigned in accordance with contractual agreements (if applicable) and approved by the Town Council. When the Town Clerk is not available, the Deputy Town Clerk shall perform all the duties of the office of Town Clerk.

ARTICLE XI
SCHOOL DEPARTMENT
SECTION 1101 – School Committee

There shall be a non-partisan School Committee consisting of five (5) members, elected "at-large" for four (4) year terms. Terms shall be staggered so that no more than three (3) expire every two (2) years. School Committee members shall be elected at the General Election in even numbered years. School Committee members shall be electors of the Town and shall not hold other elected town offices or be employees of the Town. Should a Committee member fail to meet the above qualifications, or become disqualified from continuing in office under the provisions of the State Constitution, State Law or this Charter, his/her office shall be deemed to have become vacant. The Town Council shall appoint a person to fill the vacated position for a period not to exceed six (6) months or the next Town Election, whichever comes first. The School Committee shall annually elect a Chairperson, Vice Chairperson, and such other officers as they deem appropriate. Copies of the minutes of School Committee meetings shall be on file in the office of the Town Clerk.

(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~~ Town Council in accordance with section 301(a) 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.

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 Referendum~~ or Referendum at a special or general election. This section does not preclude town officials from obtaining health benefits at their own expense.