

Chapter VI. Finance and Taxation

Sec. 6.1 General Form of Budget Presentation.

The town shall continue to operate on the Uniform Fiscal Year. The Mayor shall require each department, office or agency of the town supported wholly or in part by, town funds, or for which a specific town appropriation is made, including the Board of Education, to set forth, in narrative or such other form as the Mayor may prescribe, a program or programs showing services, activities and work accomplished during the current year and to be accomplished during the ensuing year.

Sec. 6.2 Departmental Estimates.

The Mayor shall compile preliminary estimates for the annual budget. The head of each department, office or agency of the town as described in section 6.1 of this Chapter, including the Board of Education, shall, no later than January 5th of each year, file with the Mayor on forms prescribed and provided by him or her a detailed estimate of the expenditures to be made by the department, office or agency and the revenue other than tax revenues, to be collected thereby in the ensuing fiscal year and such other information as may be required by the Council or the Mayor.

Sec. 6.3 Duties of the Mayor on the Budget.

Not later than February 23rd of each year the Mayor shall present to the Council the next fiscal year's budget consisting of:

(a) A budget message outlining the financial policy of the town government and describing in connection therewith the important features of the budget proposal indicating any major changes from the current year in financial policies, expenditures and revenues together with the reasons for such changes, and containing a clear general summary of its contents;

(b) Estimates of revenue, presenting in parallel columns the itemized receipts collected in the last completed fiscal year, the receipts collected during the current fiscal year prior to the time of preparing the estimates, total receipts estimated to be collected during the current fiscal year, estimates of the receipts, other than from the property tax, to be collected in the ensuing fiscal year, and an estimate of available surplus;

(c) Itemized estimates of expenditures, presenting in parallel columns the actual expenditures for each department, office, agency or activity of the last completed fiscal year and for the current fiscal year prior to the time of preparing the estimates, total expenditures as estimated for the current fiscal year, and the Mayor's recommendations of the amounts, to be appropriated for the ensuing fiscal year for all items, and such other information as may be required by the Council. The Mayor shall present reasons for the recommendations. The Board of Education shall have the same duties and follow the same form and procedure with respect to the budget of the Board of Education as required by the Mayor in Section 2 of this Chapter for other departmental estimates. Estimates of the costs of capital programs shall be submitted by each department, office or agency annually in the form and manner prescribed by the Mayor. The Mayor shall recommend to the Council those capital projects to be undertaken during the ensuing fiscal year and the method financing the same. Those financed from certified unappropriated surplus and

current revenue shall be unlimited in amount.

Sec. 6.4 Duties of the Council on the Budget.

(a) The Council shall hold one or more public hearings not later than March 11th at which any elector or taxpayer may have an opportunity to be heard regarding appropriations for the ensuing fiscal year. Following receipt of the estimates from the Mayor and the Board of Education, the Council shall cause sufficient copies of said estimates to be made available for general distribution in the office of the Town Clerk and, at least five days prior to the aforementioned public hearing, the Council shall cause to be published in a newspaper having circulation in the town a notice of such public hearing and a summary of said proposed budget estimates showing anticipated revenues by major sources, and proposed expenditures by functions or departments in the same columnar form as prescribed for budget estimates in section 3 of this Chapter, and shall also show the amount to be raised by taxation.

(b) Subject to the provisions of Section 10, Chapter III of this Charter, within ten days after holding the final such public hearing the Council shall adopt a budget and file the same with the Town Clerk. At the time when the Council shall finally adopt the budget, it shall also fix the tax rate in mills which shall be levied on the taxable property in the town for the ensuing fiscal year.

(c) Should the Council fail to adopt a budget within the specified ten days, the budget as presented by the Mayor in accordance with the provisions of Section 3 of this Chapter shall be deemed to have been finally adopted by said Council. The tax rate shall forthwith be fixed by the Mayor and thereafter expenditures shall be made in accordance with the budget so adopted. For the purposes of the General Statutes, as amended, the Council shall be deemed to be the budget-making authority and the legislative body of the town and shall have all the powers and duties contained in said General Statutes for the creation of a "Reserve Fund for Capital and Nonrecurring Expenditures."

(d) Within five days following the adoption of the budget by the Town Council, the Mayor may veto or reduce any item or items in the budget, whereupon the approved and/or reduced portion of the budget shall become effective unless the Town Council, by an affirmative vote of no less than six members, shall override the vetoed or reduced portion of the budget within five days after the Mayor's veto. In the event of an override, the budget shall be effective as adopted by the Town Council. If the override fails, then the budget as presented by the Mayor in accordance with Section 6.3 shall be the adopted budget for the next fiscal year.

(e) Notwithstanding any other provision of this Charter, the Town Council may, subsequent to the adoption of the budget but prior to the beginning of the next fiscal year, amend the tax rate downward if additional revenues are committed to the town's budget for the next fiscal year. Such amended budget shall not be subject to budget referendum.

Sec. 6.5 Budget Referendum

(a) A referendum on the annual town budget shall be called by the Town Council if the Town Clerk certifies that a petition requesting such referendum is: (1) on a form as prescribed by the Town Clerk that is in accordance with State law and as required in subsection (c) of this section; (2) filed with the Town Clerk within fifteen days of the final approval of the town budget; and (3) signed by qualified electors in a number of not less than fifteen percent of the total number of

electors in the town determined by the registrars of voters to be eligible to vote in the state or municipal election immediately preceding the vote on the annual town budget. The Town Clerk shall issue such certification or a determination that the petition does not comply with the provisions of this section within five days of the submission of such petition to the Town Clerk.

If the Town Clerk issues such certification, the Town Council shall hold a meeting within four days of the issuance of the certification and call for a referendum on the annual town budget to be held not less than twenty days nor more than twenty-seven days from the date of such Town Council meeting.

(b) If the majority of the votes at the referendum are in the affirmative and the total number of votes cast at the referendum are equal to at least twenty percent of the total number of electors in the town determined by the registrars of voters to be eligible to vote in the state or municipal election immediately preceding the vote on the annual town budget, the Town Council shall adopt a new budget in accordance with the results of such referendum and such budget shall be the annual town budget for the next fiscal year. No further referendum shall be permitted after the adoption of a new budget by the Town Council. If the referendum fails, the budget adopted pursuant to Section 6.4 of this Charter shall become the budget for the next fiscal year.

(c) The petition for referendum on the annual town budget shall be of the following form and shall be approved by the Town Clerk in accordance with state law prior to circulation:

WARNING: ALL SIGNATURES SHALL BE IN INK

We, the undersigned electors of the Town of East Hartford, hereby present this petition requesting that the following question be referred to the voters at a referendum: "Shall the town council adopt a new annual town budget that is (insert the word "less" or "more") than the annual town budget adopted in accordance with Section 6.4 of the Town Charter on (date)." We certify that we are electors of the Town of East Hartford, residing at the addresses set opposite our names and that we have not signed this petition more than once.

SIGNATURE	PRINTED NAME	STREET ADDRESS
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(d) Each petition page shall be signed by the circulator of such page and such circulator shall attest and state under penalties of false statement that each person whose name appears on the petition page has signed the same in the circulator's presence and is known to the circulator or has satisfactorily identified himself or herself to the circulator.

Sec. 6.6 Emergency Appropriations.

For the purpose of meeting a public emergency threatening the lives, health or property of citizens, emergency appropriations may be made upon the recommendation of the Mayor and by a vote of not less than two-thirds of the entire membership of the Council, provided a public hearing, at which any elector or taxpayer of the town shall have an opportunity to be heard, shall be held prior to making such appropriation, notice of which hearing shall be given in a newspaper having circulation in the town not more than ten nor less than five days prior to such hearing. Such hearing and notice of hearing may be waived if the Council, by at least two-thirds of its entire membership, shall decide that a delay in making the emergency appropriation would

jeopardize the lives, health or property of its citizens. In the absence of an available unappropriated and unencumbered general fund cash balance to meet such appropriation, additional means of financing shall be provided in such manner, consistent with the provisions of the General Statutes and of this Charter, as may be determined by the Council.

Sec. 6.7 Tax Bills.

It shall be the duty of the Tax Collector to mail to each taxpayer, at least seven days before the date when taxes are due and payable, a tax bill prepared and signed by the Director of Finance as rate maker from rate bills signed by the Chairman of the Council in accord with the General Statutes.

Sec. 6.8 Assessment and Collection of Taxes.

Except as specifically provided in this Charter, the assessment of property for taxation and the collection of taxes shall be carried on as provided in the General Statutes of the state.

Sec. 6.9 Expenditures and Accounting.

(a) No purchase shall be made by any department, board, commission, or officer of the town other than the Board of Education, the libraries, and the Probate Court, except through the Purchasing Agent, provided that petty cash funds may be established and maintained by the Director of Finance with the approval of the Mayor, from which funds purchases or contractual service payments in modest amounts may be made, with records kept of the amount, purpose, and payee of each item as a basis for restoration of the funds. The Director of Finance shall record the amount of authorized purchases and contracts for future purchases as encumbrances against the appropriation from which they are to be paid.

(b) No voucher, claim or charge against the town shall be paid until the same has been audited by the Director of Finance or his or her agent and approved by him or her for the correctness and validity. Checks shall be drawn by the Director of Finance for the payment of approved claims which shall be valid only when countersigned by the Treasurer. In the absence or inability to act of either the Director of Finance or Treasurer with respect to the above duty, the Mayor shall be authorized to substitute temporarily for either but not both of them.

(c) The Director of Finance shall prescribe the time at which and the manner in which persons receiving money on account of the town shall pay the same to the Town Treasurer.

(d) The several departments, commissions, officers and boards of the town shall not involve the town in any obligation to spend money for any purpose in excess of the amount appropriated therefore until the matter has been approved by the Council and each order drawn upon the Treasurer shall state the department, commission, board or officer and the appropriation against which it is to be charged. When any department, commission, board or officer shall desire to secure a transfer of funds in its or his or her appropriation from funds set apart for one specific purpose to another, before incurring any expenditure therefore, such department, commission, board or officer, with the approval of the Director of Finance, shall make application to the Mayor whose duty it shall be to examine into the matter, and upon approval of the Mayor such transfer may be made and shall be reported to the Council.

(e) Upon the request of the Mayor, but only within the last three months of the fiscal year, the Council may by resolution transfer any unencumbered appropriation, balance or portion thereof from one department, commission, board or office to another. No transfer shall be made from any appropriations for debt service and other statutory charges.

(f) Additional appropriations over and above the total budget may be made from time to time by resolution of the Council, upon recommendation of the Mayor and certification from the Director of Finance that there is available an unappropriated and unencumbered general fund cash balance to meet such appropriations.

(g) Appropriations for construction or for other permanent improvement, from whatever source derived, shall not lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned, provided any such project shall be deemed to have been abandoned if three fiscal years shall elapse without any expenditure from or encumbrance of the appropriation therefore. Any portion of an annual appropriation remaining unexpended and unencumbered at the close of the budget year shall lapse.

(h) Every payment made in violation of the provisions of this Charter shall be deemed illegal and every official authorizing or making such payment or taking part therein and every person receiving such payment of any thereof shall be jointly and severally liable to the town for the full amount so paid or received. If any officer or employee of the town shall knowingly incur any obligation or shall authorize or make any expenditure in violation of the provisions of this Charter or take any part therein, such action shall be cause for removal.

Sec. 6.10 Borrowing.

The town shall have the power to incur indebtedness by issuing its bonds or notes as provided by General Statutes subject to the limitations thereof and the provisions of this section. The issuance of bonds and notes shall be authorized by resolution of the Council adopted in the same manner as provided in this Charter for the adoption of ordinances and shall include a referendum.