

Amendment to Resolution 05-18a
A RESOLUTION OF THE TOWN
COUNCIL OF LINCOLN, RHODE ISLAND
IS HEREBY ENACTED

THE TOWN COUNCIL OF THE TOWN OF LINCOLN HEREBY RESOLVES:

WHEREAS, § C17-1 of the Town Charter provides the mechanism for amendment of the Charter; and

WHEREAS, pursuant to the provisions of ARTICLE XIII, Section 8 of the Constitution of the State of Rhode Island (“Home Rule for Cities and Towns”) and § C17-1 of the Town Charter, the Town Charter may be amended by a proposal of the Town Council to be submitted to the electors of the Town qualified to vote for general state officers at the general election next or at special election to be held for said purposes; and

WHEREAS, the Town Council deems it appropriate and desirable to submit to the qualified electors of the Town of Lincoln the question as to whether the Financial Town Meeting as provided in ARTICLE III of the Charter shall be abolished and the existing powers and authority of the Financial Town Meeting be vested in the Town Council; and

WHEREAS, proposals for Town Charter amendments are to be submitted to the electors qualified to vote for general state officers in a the same manner as the adoption of a Charter;

NOW THEREFORE, the Lincoln Town Council hereby RESOLVES that the Rhode Island General Assembly is requested, in its January 2006 session, to enact a Public Law authorizing the submission, in substantially the following form, the following question for approval by qualified electors of the Town of Lincoln:

“Shall the Town of Lincoln Financial Town Meeting be abolished?”

The Town Council hereby directs the Town Clerk to take any and all acts necessary or required to transmit this Resolution to the Rhode Island General Assembly for consideration.

This Resolution shall take effect upon passage.

The particulars of an affirmative, majority vote on the question submitted to the electors shall result in the following changes to the Town Charter.

- A. **§ C 1-2** The phrase “except those vested in the Financial Town Meeting” shall be deleted.
- B. **§§ C3-1 through C3-12 and § C3-14** shall be deleted.
- C. **§ C3-13** shall be deleted and replaced with the following:

“There shall be a Budget Board consisting of eleven (11) members, ten (10) of whom shall be appointed by the Town Council, each Town Councilor having two (2) appointments. There shall be two (2) members of the Board from each of the five (5) districts of the Town. One member shall be appointed by the Town Administrator. The Town Council shall, upon adoption of this section, identify the member whose successor shall be appointed by the Town Administrator. Members shall be appointed for five (5) year terms. The current members of the Budget Board shall continue to serve their respective unexpired terms of office. Upon the expiration of any member’s term of office, new appointments shall be made by the Town Councilor representing the district within which the member whose term is expiring resides or by the Town Administrator. In the event of a vacancy on the Board after an appointment, such vacancy, or vacancies, shall be filled by the Town Councilor(s) representing the district from in which the vacancy occurred, or by the Town Administrator. The Budget Board members shall serve without salary, but an appropriation for their actual expenses shall be made. The term of each member shall commence after the adjournment of the meeting at which the member was elected.”

- D. **§ C4-3** The term “Financial Town Meeting” shall be deleted wherever it appears and be replaced with the term “the Town Council”
- E. **§ C4-4** The phrase “not later than 30 days prior to the date of the Financial Town Meeting in each year***” shall be deleted and replaced with “not later than 30 days prior to the date established for the adoption of the budget by the Town Council in each year***”
- F. **§ C4-6** The terms “Financial Town Meeting” shall be deleted and replaced by the term “the Town Council”.
- G. **C4-7** This section shall be deleted.
- H. **§ C4-10 [New] Public hearings on the annual budget.**

“The Town Council shall convene two (2) public hearings on the proposed budget prepared and submitted pursuant to § C 4-3. The first public hearing shall be held on the last Tuesday in April and the second public hearing shall be held on the first Tuesday in May in each year. Public comment on the proposed budget or

any portion thereof shall be taken by the Town Council. The Town Council shall convene on the second Tuesday in May of each year to adopt the annual budget. No public comment shall be taken at this meeting.

I. **§ C5-8 (12) (14)** These sections shall be deleted. **§ C 5-8 (13)** shall read:

“To raise by a tax upon real and personal estate such sums of money as may be required for the payment of the Town’s debts and interest thereon; for the support of the various departments, offices, agencies and boards of the Town; for the maintenance and improvement of the Town’s property and for all necessary charges and expenses whatsoever arising within said Town, whether incidental or not to the above; to lease or authorize the leasing of the Town property; to grant and vote such sums of money as it shall deem necessary for all expenses of the Town for the ensuing year; and to authorize the borrowing of money and the issuance of bonds pursuant to the statutes now or hereafter in force and effect.”

J. **§ C6-7 (2)** The phrase “clerk of the Financial Town Meeting” shall be deleted.

K. **§ C12-5- (7)** The term “Financial Town Meeting” shall be deleted and replaced by the term “the Town Council”.

L. **§ C 13-5 (5)** The phrase “as may be legally voted at any Financial Town Meeting” shall be deleted and replaced by the phrase “ by the Town Council in its adoption of the annual budget”.

N. **C 15-5- (9)** The phrase “and to the Financial Town Meeting” shall be deleted.

O. **§ C 16-5** The last five (5) words [“at any Financial Town Meeting”] of this section shall be deleted.

P. **§ C 16-6- (1)** The terms “Financial Town Meeting” shall be deleted and shall be replaced by the term “Town Council”.

Q. **§ C 16-6- (2)** This section shall be deleted in its entirety and replaced with the following:

“Organization. The Industrial Development Commission shall be composed of five members appointed by the Town Council. Each Town Councilor shall have one appointment to the Commission for terms of one (1) year. The appointments hereunder shall be made within 30 days of the adoption of the annual budget in each year.”

R. **§ C 16-6- (3) (c)** The terms “Financial Town Meeting” shall be deleted and replaced with the term “Town Council”.

S. Any such other revisions to the Town Charter that are not specifically enumerated but shall be necessary to effect the intent of this Resolution.

Filed with Town Clerk: March 8,2006
Introduced by: Councilor Ronald McKenna
Referred to: Ordinance Committee
Passed On: December 20, 2005
Amendment Passed On: March 21, 2006