

Indexing/cap

§ 310. Emergency Ordinances.

An emergency ordinance shall be only for the immediate preservation of the public peace, health and safety, shall contain an explicit statement of the nature of the emergency and shall be adopted by not less than six (6) affirmative votes in the Council, and in no event, shall the annual budget or any appropriation, except as hereinafter provided, constitute an emergency ordinance. For the purpose of meeting an emergency, as herein defined, or to prevent the breakdown of any essential service rendered by a department, board, commission or agency of the town, the Council, by an affirmative vote of not less than six (6) of its members, may appropriate, notwithstanding any other provision of this Charter, a sum not to exceed 0.15% of the appropriated expenditures for the current fiscal year one hundred thousand dollars (\$100,000). No more than two emergency ordinances may be adopted during a single fiscal year.

§ 311. Obligatory referendum on bond issues and special appropriations in excess of two hundred thousand dollars.

No resolution authorizing the issuance of bonds or making a special appropriation in excess of 0.30% of the appropriated expenditures for the current fiscal year two hundred thousand dollars (\$200,000) shall become effective until the same has been approved by a majority of the qualified electors voting thereon at a regular election or a special election or referendum called by the Council for the purpose. To the extent any appropriation is to be funded from the proceeds of grants, gifts, insurance or other off-setting reimbursements, the amount of the appropriation to be funded from such sources may be approved by the Council in the manner provided in Section 711 of the Charter and such amount shall not be included in determining whether the approval of a majority of qualified electors is required by this section. No more than two bond issuances or special appropriations may be authorized pursuant to this section during a single fiscal year.

§713. Purchasing Procedure.

Purchases shall be made under such rules and regulations as may be established, by ordinance, provided that if any purchase or contract for purchasing, including a continuing order or contract for the purchase of the same commodity or service over a period of time, involves the expenditure of 0.03% of the appropriated expenditures for the current fiscal year twenty thousand dollars (\$20,000) or more, the Purchasing Agent shall invite sealed bids or proposals, giving at least ten (10) days' public notice thereof, by at least one (1) publication in a newspaper which has a general circulation in the town, and the Council shall let the purchase or contract to the lowest qualified and responsible bidder

thereon or shall reject all such bids and proposals. All such sealed bids or proposals shall be opened publicly.

It shall not be necessary to call for sealed bids for the following supplies, materials, equipment, goods, services, commodities or construction:

(a) That furnished by a monopoly utility.

(b) That providing a creative product or requiring special skill and knowledge or a profession such as the following services: legal, accounting, auditing, medical, architectural, engineering, design, systems analysis, computer programming, planning, technical advice and management assistance. This section shall not apply to the Town Attorney who shall be retained in accordance with Section 503 of this Charter.

The Council shall by Ordinance establish rules, which shall apply to all town contracts for creative products or professional services. Said ordinance shall include procedures and criteria for selecting the most suitable sources for supplying such services.

(c) That having a single source of supply.

(d) That needed to cope with an emergency situation reported as such to the Council or declared as such by a competent authority.

Awards for items in (b) and (c) above shall be made by the Council if the amount of the contract exceeds the sum of 0.03% of the appropriated expenditures for the current fiscal year.

No transaction essentially a unit shall be divided for the purpose of evading the provisions of this section. Records of all bids, formal and informal, and of the successful bidder shall be kept in the office of the Purchasing Agent, where they shall be open to public inspection.

§714. Contracts for Public Works.

Contracts for the construction of streets, sewers, buildings and other public works shall be made under such rules and regulations as may be established, by ordinance, provided that if any such contract involves the expenditure of 0.03% of the appropriated expenditures for the current fiscal year ~~twenty thousand dollars (\$20,000)~~ or more, the Purchasing Agent shall invite sealed bids or proposals, giving at least ten (10) days' public notice thereof by at least one (1) publication in a newspaper which has a general circulation in the town, and the Council shall let the purchase or contract to the lowest qualified and responsible bidder thereon or shall reject all such bids and proposals. All such sealed bids or proposals shall be opened publicly. No transaction essentially a unit shall be

divided for the purpose of evading the provision of this section. Records of all bids shall be open to public inspection.

§ 703. Annual Town Budget.

It shall be the duty of the Manager to present to the Council, not later than the first Monday in April in each year, the budget for the ensuing fiscal year. The budget shall contain:

(a) An estimate of the probable cash deficit or unencumbered cash surplus, as the case may be, at the end of the current fiscal year;

(b) Estimates of the revenue cash receipts of the ensuing year; other than from property taxes;

| (c) Estimates of expenditures for the ensuing fiscal year; and

(d) An estimate of the sum necessary to be raised by taxation to balance the budget, taking into consideration the surplus or deficit for the current fiscal year, as provided in (a) above, and

| (e) the limitations or thresholds pursuant to sections 310, 311, 713, and 714.

The estimates of receipts shall be detailed by sources and the estimates of expenditures by departments and the principal subdivisions thereof, offices, boards, commissions and agencies of the town, and shall show, for each such unit, the estimated expenditures, broken down by personal service, contractual service, materials and supplies, fixed charges and capital outlays. The budget shall also contain the receipts and expenditures for each item for the last completed fiscal year; the estimated receipts and expenditures for the current fiscal year; the estimated receipts and expenditures for the ensuing fiscal year, together with such other data as the Council may prescribe. Copies of the budget shall be available for public inspection at the office of the Town Manager, Town Clerk and Town Library. The budget shall be printed or otherwise reproduced in a sufficient number of copies to furnish one (1) to each citizen who shall request the same.