

**-2.9% PETITION EDITION – NEWSLETTER**

**Explanation of the Petition**

*Justin Katz*

Following a full decade during which Tiverton didn't see a tax levy increase smaller than 3%, the financial town referendum (FTR) has brought much-needed relief. For four years, no tax increase has been bigger than 0.9%, with three budget petitions from me and one proposal from the Budget Committee, last year.

This year, my budget petition gives you the opportunity to *reduce* the tax levy by 2.9%. The reality of a reduction is unusual, so let me repeat that this year the larger percentage on the ballot — 2.9% — actually provides more tax savings. If the -2.9% budget wins, the tax rate will drop from \$19.05 this year to an estimated \$15.96 next year. Those of us who've seen big increases in our property values can still control our taxes at the FTR on May 19.

The biggest factor allowing this reduction is new gambling revenue from the Twin River casino currently being built in town. The Tiverton Taxpayers Association has estimated that casino revenue could allow a 10% tax decrease when it's done. Much of the money won't be available this year, though, and the Town Council looks like it's doing everything it can to make sure it decides how it's spent, not you.

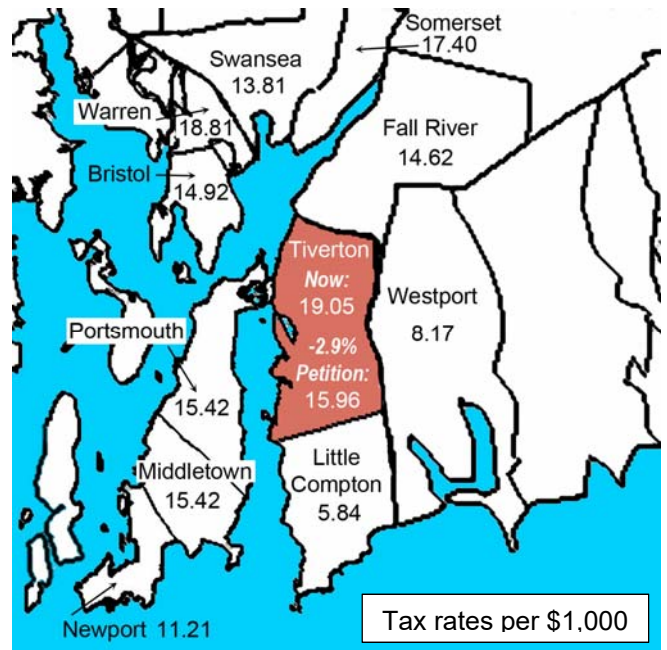
We have to have a little bit of a "get it while you can" attitude, because we can't know how much the Town Council and the Town Solicitor will manipulate the ongoing town charter review. The council's proposals have included getting rid of the FTR entirely, which would mean we're no longer talking about the size of your reduction in taxes, but the size of your increase.

Even with that in mind, the -2.9% budget doesn't take extreme risks with the town's ability to function. The amount of gambling revenue used in my petition is exactly what the state Division of

Lottery suggested the town should use. With the buzz in the area about the casino, that seems conservative even as a starting point.

As a cushion, we have every reason to expect the town to end this fiscal year with additional money in its reserves from school capital reimbursements and various other permits and fees. If something goes really, really wrong, the charter allows the council and school committee to dip into millions of dollars in reserves based on a budget emergency. Then the reserves can easily be replenished with gambling revenue the next year — at least the \$3 million minimum written into state law.

Over the past four years, we've had small increases between 0.0% and 0.9%. Despite ridiculous warnings about what would happen if you voted for those budgets, they won at the FTRs, and the town has continued to make progress. That's because those budgets were part of a realistic plan to make our taxes more reasonable. The 2.9% reduction in taxes is this year's step in that plan, and voters should keep our progress going.



# Don't Let Voters Be Disenfranchised at the FTR

*Justin Katz*

Some years ago, during contract negotiations, the teachers' union decided to picket an emergency room where a school committee member worked. More recently, a town administrator appeared to confess on television that he fired a whistle blower for honestly reporting that his supervisor was using town resources for his own gain; the Town Council let both the administrator and the supervisor retire gracefully.

Even with all that in mind, I don't think I've ever seen anything as shocking as Tiverton's Board of Canvassers' blocking resolutions that should have appeared on the ballot at the financial town referendum (FTR) on May 19 simply because they didn't like what the resolutions did.

This is the Board of Canvassers. They're supposed to be completely neutral referees making sure that all sides in a political dispute have equal access to the ballot. In this case, the Town Solicitor — who has \$98,000-plus reasons to do whatever the Town Council wants him to do — said people might file complaints against the town if voters agreed with the resolutions, and the Board of Canvassers decided to take the vote away from them.

It would be hard to overstate how shocking that is. Tiverton's Home Rule Charter states that "All... Elector Resolutions shall be included on the ballot for the Financial Town Referendum and presented at the Financial Town Hearing provided that they are accompanied by 50 qualified elector signatures." There is absolutely no dispute that the resolutions the Board of Canvassers blocked had 50 signatures and followed the process in every way, because they followed the same process and had almost identical signatures as other resolutions that were not blocked.

It gets worse. Canvasser Jean Veegh asked Town Solicitor Anthony DeSisto whether a lawsuit against the board for putting the resolutions on the ballot would be more likely to win in court than a lawsuit against the board for blocking them, and he wouldn't say. In other words, the decision was fifty-fifty on what a judge would rule, and the Board of Canvassers decided to do something that has never

been done before and block the resolutions based on their content. With no practical reason to pick one side over the other, the Board of Canvassers decided to disenfranchise Tiverton voters.

Then, when Veegh made it clear that she would not participate in the legal charade and, with great courage and integrity, refused to support a motion to block the resolutions, the solicitor waved his magic legal wand again. Previously, he had advised that Canvasser DeEtta Moran should not vote on the matter, but when it was clear that the solicitor would not get the vote he wanted, he told her to go ahead and vote anyway. She voted to block.

The Town Council and its hired solicitor will do anything to get their way. As responsible electors of Tiverton, we simply can't let that stand. As of this writing, the resolution sponsors and I have filed lawsuits in Superior Court to put all elector resolutions on the FTR ballot. The matter will probably have been resolved by the time you read this, but either outcome is a wakeup call.

Like them or not, all of the resolutions were designed to protect taxpayers, especially our ability to control gambling revenue from the casino that is slated to open this autumn. If the Town Council attempted to use its solicitor's influence over the Board of Canvassers to block these resolutions, the same council will surely block similar proposals from the Charter Review Commission (CRC).

The CRC is currently working on possible changes to the Tiverton Home Rule Charter that should be by rights go before the voters in November. The Town Council — with thin legal justification from the solicitor — insists that it gets to pick and choose which proposals make it to the ballot... and to put its own proposals there instead. Some of the council's suggestions have included totally eliminating the Budget Committee and FTR and changing how gambling revenue would be handled.

It is critical that FTR voters support the petitioner's budget (Budget #2, the -2.9% budget), which directs gambling revenue toward tax relief, as well as any elector resolutions that appear on the ballot. Doing so will not only protect our rights, it will also send a powerful signal to council members. They can't just change the rules to suit themselves, and if they try, voters will change the people whom we elect.