



TOWN COUNCIL

Town of Wallingford, Connecticut

MUNICIPAL BUILDING WALLINGFORD, CONNECTICUT 06492 (203) 294-2155

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February 28, 1992

Janis Small, Town Attorney
 Department of Law
 Town of Wallingford
 45 S. Main Street
 Wallingford, Connecticut 06492

Dear Janis,

In reference to Chapter XV, Finance and Taxation, Section 4, Duties of the Council on the Budget, of the Charter of the Town of Wallingford, beginning on line 62 it states, "At the time when the council shall approve 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."

In the past three years the Mayor has vetoed the budget as adopted by the Council in accordance with the same regulations. Nowhere in the Duties of the Mayor on the Budget, Section 3, same chapter, does it state that the Mayor has the right to veto the budget. The power to veto, which the Mayor wields, is accorded to him under Chapter III, The Town Council, Section 7, Approval of Ordinances and Appropriations by the Mayor, and Publication of Ordinances. Within this entire section therein lies only the power to veto and not the power to levy a fixed tax rate because the subject matter is entirely different from the Mayor's duties on the budget.

My specific question is, does the Mayor have the authority to fix a tax rate in mills and wherein the Charter of the Town of Wallingford does it lie?

An expedient reply would be appreciated.

Sincerely,

Albert E. Killen, Councilor
 Wallingford Town Council

AEK/kkm

cc: correspondence file - Killen