

**Memorandum**

To: Melissa Mack, First Selectman, Town of Suffield

From: Sandra Dawson, Pullman & Comley, LLC

Date: July 12, 2019

Re: Rescission of Bridge Street School Community Center Conversion Project

---

You asked questions related to the rescission of the resolution for an appropriation and bond authorization (the "Resolution") for the Bridge Street School Community Center Conversion Project (the "Project"), which was approved at town meeting on September 2, 2015 and at referendum on October 18, 2015. You asked if the Resolution may be rescinded, and if so, the process for rescinding the Resolution. Additionally, you asked what role the Board of Finance has in the process of rescission.

There is established law supporting the conclusion that the Resolution is permissive and not a mandate and, therefore, may be rescinded. Generally, a bond resolution is rescinded in the same manner as it is authorized, meaning by the legislative body approving the Resolution. In the case of the Project, the Resolution was approved by the town meeting and at referendum. Since that time, the Charter has been revised to clarify any confusion that existed as to whether a bond resolution must be approved by town meeting or at referendum, and at this time under the current Charter a bond resolution would be approved by town meeting.

The Town may rescind the Resolution by town meeting. The Board of Selectman has the power to call a town meeting for such purpose under Section 1006(J) of the Charter.

Alternatively, the Board of Selectman may, in its discretion, choose to present the question of rescission at referendum pursuant to Section 1009(A) of the Charter.

The Board of Finance does not have a role in the rescission of the Resolution, and does not need to recommend or approve the rescission of the Resolution or the calling of a town meeting or referendum.