

Attorneys:

- **Michael J. Andreana**
mandreana@pullcom.com
203.330.2235
- **Frank B. Cleary**
fcleary@pullcom.com
203.330.2225
- **Sandra D. Dawson**
sdawson@pullcom.com
860.424.4348
- **Jessica Grossarth Kennedy**
jkennedy@pullcom.com
203.330.2215
- **Marie V. Phelan**
mphelan@pullcom.com
860.424.4337
- **Erick A. Russell**
erussell@pullcom.com
203.330.2154
- **John F. Stafstrom Jr.**
jstafstrom@pullcom.com
203.330.2210

Governor Lamont’s Executive Order 7CC Expands Application of a Municipality’s Ability to Authorize Actions Without In-Person Voting

April 22, 2020

by Jessica Grossarth Kennedy

Order 7S provided that a municipality’s legislative body and the budget-making authority may authorize certain appropriations, tax anticipation notes, or general obligation bonds or notes without in-person approval by electors or taxpayers, including town meetings that require votes or referenda, provided that the following findings are made (the “Findings”):

- Such actions are necessary to permit the orderly operation of the municipality; and
- There is a need to act immediately and during the duration of the public health and civil preparedness emergency in order to: 1) avoid endangering public health and welfare, 2) prevent significant financial loss, or 3) that action is otherwise necessary for the protection of persons and property within the municipality.

Order 7CC provides that the legislative body and the budget-making authority may now authorize the following actions by a majority vote of each body without in-person voting requirements (provided that the above Findings are also made):

- the application for or acceptance of any grants, funding, or gifts;
- approval of collective bargaining agreements and legal settlements;
- the transfer of funds to or from capital reserve accounts;

Governor Lamont’s Executive Order 7CC Expands Application of a Municipality’s Ability to Authorize Actions Without In-Person Voting

the investment of funds pertaining to pensions, trusts, retirement programs or other post-employment benefit funds; or

any financial actions required by (a) contract or agreement or (b) a court order or consent decree that require approval.

PLEASE NOTE: Unlike Executive Order 7I, which pertains to the municipal budget process, both Order 7S and Order 7CC do not prohibit a municipality from choosing on its own to conduct an in-person meeting, approval process, or referendum, provided it first consults with local and state public health officials and conducts such proceedings in a way that “significantly reduces the risk of transmission of COVID-19.”

Please contact any member of our Public Finance team to assist you with any tasks related to the above, including drafting any applicable resolutions. In addition, please contact our Labor and Employment attorneys if you should need counseling with issues pertaining to the approval of collective bargaining agreements.

This publication is intended for educational and informational purposes only. Readers are advised to seek appropriate professional consultation before acting on any matters in this update. This report may be considered attorney advertising. To be removed from our mailing list, please email unsubscribe@pullcom.com with "Unsubscribe" in the subject line. Prior results do not guarantee a similar outcome.