

**CITY OF NORWALK
CHARTER REVISION COMMISSION
REGULAR MEETING
APRIL 1, 2025**

ATTENDANCE: Tyler Fairbairn, Chair; Douglas Hempstead, Vice Chair; Carl Dickens, John Levin

Via Zoom: Jim Clark, Richard McQuaid, Tanya Rhodes-Small; Atty. Ed Camacho (6:36 p.m.)

OTHERS: Moina Noor, Norwalk Library Board Chair; Atty. Steven Mednick, consultant (7:00 p.m.); Jared Schmitt, Financial Director.

CALL TO ORDER

Mr. Fairbairn called the meeting to order at 6:33 p.m.

ROLL CALL

[0:20]

The roll was called. A quorum was present.

ACCEPTANCE OF MINUTES

A. Regular Meeting: March 18, 2025

**** MR. HEMPSTEAD MOVED THE MINUTES OF THE MARCH 28, 2025 MEETING.**

The following corrections/changes were noted:

Page 1, under **ATTENDANCE**, please change “John Levine” to “John Levin” .

Page 1, under **ATTENDANCE**, please move “Tanya Rhodes-Small” from the in person list to the “Via Zoom” listing.

Page 2, paragraph 5, line 1, please change “Charter does not authority the BET” to “Charter does not authorize the BET”

Page 2, paragraph 5, line 3: please change “proposed language is a “recommend a cap” to proposed language is “recommend a cap”.

Page 4, paragraph 10, line 1: please change “be nice, t would” to “be nice, it would”

**** THE MOTION TO APPROVE THE MINUTES OF THE MARCH 18, 2025 MEETING AS CORRECTED PASSED UNANIMOUSLY.**

Atty. Camacho joined the meeting at 6:36 p.m.

IV. PUBLIC PARTICIPATION

[3:00]

Ms. Moina Noor of Pequot Drive greeted the Commissioners. She stated that she was present to speak as Chairperson of the Norwalk Public Library Board of Directors, she wished to comment about the City Charter in reference to the Library governance. She sent a letter in advance.

Historically, the Library Director has been appointed through a collaborative effort between the Board of Directors and the Mayor. This partnership has worked well in the past. She outlined the previous process and noted that the Mayor would make the final decision for the Public Library.

The Library Board is appointed by the Mayor and the Taxing Districts. The Board members understand the Library's specific needs while the Mayor's Chief Executive makes the final hiring decision. It works effectively, aligns with the Connecticut State statute on Library Governance, follows Connecticut Library Board best practices and mirrors how most Library Directors are hired in Connecticut, including Fairfield and New Haven. She noted that Atty. Mednick had worked with the Town of Fairfield when they revised their Charter.

However, in 2023, in an effort to standardize mayoral appointments, the Library Board was removed from this important function. Both the Mayor and Council Member Burnett were not in favor of this change. Section 8.2 now grants sole appointment authority to the Mayor with Common Council approval. This means that the Library board that oversees Library policy, planning and facilities now has no formal stated role in selecting the Director they work most closely with.

Ms. Noor said that she has complete confidence in the current administration, there are long term implications. Libraries are facing increasing politicization nationwide and their role as neutral centers for knowledge and community engagement becomes even more critical. The Mayor/Board partnership helps to safe guard the neutrality, particularly if the Board faces an administration with a narrower perspective.

She said they were recommending two additional changes: first, clarifying the reporting structure to specify that the Library Director reports to the Board on matters of Library policy and to the City on administrative matters, which reflects the hybrid nature of this position, and secondly, updating budget preparation procedure to formalize that the Library Board works with the Director to prepare an advisory budget for submission to both the BET and the Director of Community Services. This better aligns with the current management.

These important changes will help to ensure that the Library system maintains its excellence and independence for years to come.

Mr. Fairbairn said that the Commission had received Ms. Noor's comments and would be checking with Atty. Mednick since some of the items appear to be ordinance related. [6:35] This will be placed on a future agenda.

Ms. Diane Lauricella greeted the Commissioners and thanked them for allowing her to participate virtually. [7:01]. She applauds the tenacity to make these changes that will be voted in the future.

She said that under Title 10, Budget Public Fund, under the Board of Estimate and Taxation, which appears to be 1-c-2, public engagement, based upon her experience the other night and in other years, she felt that once the BET has a public hearing, it should not be the night when the BET votes on that budget. She felt that last week's hearing was offensive in terms of the purpose of the public hearing. The BET voted on the Operating budget after extensive public interest from more than just the BOE parents and decided to cast away almost all of the public comments. Most of the comments were well thought out and spoken from both the heart and the head. Two BET members did not vote that night but the remaining Board members did vote.

She would like to see this codified in the Charter and work it out in the scheduling that the BET cannot vote on the Operating Budget along with the Common Council on the Capital Budget on the same night as the final public hearing.

Ms. Lauricella said that Norwalk should have an elected Board of Estimate and Taxation, but if this is not possible, one of the elected officials should have some influence other than the Mayor on the BET appointments.

She said that the \$1.1 million dollars for the "puny" parcel at Lockwood Mathews Mansion, should not have been allowed by the BET. On page 9, 10-13 said it was reviewed by the Planning and Zoning. The public hearing was kind of a joke because all they cared about is whether it was germane to the POCD. She suggested that the Commission consider changing P&Z's role back to monetary oversight.

Regarding 10-21, where it states as many as public hearing as deemed necessary, Ms. Lauricella said that the various bodies should have more than one public hearing. It is the taxpayers who pay the freight.

Ms. Lauricella thanked the Commission and said that the BET needs to be reined in and suggested that the Chairman might possibly need to resign based on the way he treated Ms. Yang more than once when she had a number of suggestions.

Mr. Fairbairn asked if anyone else wished to speak. [10:47] No one responded.

Mr. Dickens asked how many people were in attendance at the BET Public Hearing. [11:10]

Ms. Lauricella said that there was a lack of proper permission on the Zoom call and in Norwalk the public does not know how many people are there. [11:22] IT would be able to tell how many people were there. A number of people were present in person, but IT does not allow the call in speakers to be seen on screen.

Atty. Camacho said that he was present at the hearing since he is a member of the BET. [12:20] He estimated that there were 30 to 40 people there. He said that he knew it was not the Commissioners role to comment on Public Comments, but would like to provide some context to what happened at that meeting, since he was one of the two members who did not vote because he was offended by the notion that they would vote the same night.

Mr. Fairbairn thanked the participants. [13:22] He said that they would wait on the BET discussion until Atty. Mednick was present and therefore would start a discussion on Agenda Item V.

V. NEW BUSINESS

• Proposed Changes

- 1. Referendum, changes to section 4-10 A, 4-10 B & D**
- 2. BET accountability, changes to section 7-2 A(2)**
- 3. Democracy, Fairness of Elections and Representation of Minority Parties, changes to section 3-3A**
- 4. Police Commission Accountability and Governance, changes to section 7-2 B(1)(a)**

Mr. Levin said that he had submitted four proposals and the first item, had two parts. [14:25] He noted that the Council would be receiving the recommendations and determine which ones will be on the ballot.

The first item addresses the procedure for referendums. This had been tabled at an earlier meeting. He asked if anyone had not had the chance to read the three page summary of the four proposals. Atty. Camacho said that he had not had the chance to read them.

Mr. Levin directed everyone to Section 4-10 and explained that based on an earlier discussion he had changed the percentage of the voters would be changed from not less than 8% to not less than 4%. He said that the current requirement was a very high hurdle. The number of voter signatures and address would then be 2,619. To petition oneself onto the ballot for Mayor or Council Member would require only 156 signatures to get on the ballot.

Changing the percentage from 8% to 4% for a referendum was the first part of the first proposal. The second part involved changing an overly restrictive language regarding number of electors that must begin the petition electors from 5 to 4 and increase the required fee from \$25 to \$200 and increase the number of days for collecting signatures from 25 to 40 days.

**** MR. DICKENS REMOVED SECTION 4-10 FROM THE TABLE.
** THE MOTION PASSED UNANIMOUSLY.**

**** MR. LEVIN MOVED REVISION #1, PART 1 TO CHANGE SECTION 4-10 REGARDING PROCEDURES. THE REQUIRED PERCENTAGE OF “UPON A PETITION OF NOT LESS THAN 8% OF THE ELECTORS ” TO “UPON A PETITION OF NOT LESS 4% OF THE ELECTORS” IN SECTION 4-10 A.**

Mr. Dickens asked for confirmation that this proposal was to make it easier to get a referendum on the ballot. [21:10] Mr. Levin said that he believed it would make it slightly more possible.

Mr. Dickens asked how many referendums there were in the last 10 years. [21:32] Mr. McQuaid said that the only referendum was for the Charter and he had not seen any others at all as Town Clerk.

Atty. Camacho said that Mr. Levin had mentioned that Danbury had a lower threshold and asked if they knew if there were any referenda in the last ten years. [22:20]

Mr. Levin explained that Atty. Mednick had previously mentioned that New Haven had not had a citizen’s referenda in about 40 years. Norwalk did not have a citizen referendum during roughly the same time period. [22:45] Discussion followed about why there have not been any during the past years.

Mr. Hempstead said that in his years on the Council the calls for a referendum usually happens when something egregious happens or economic tough times. [26:48] He felt that it happens less on a local level because there are fewer issues. He had no problem with Mr. Levin’s proposal because he thought that a referendum would not be proposed unless something egregious happened. This will not make it too easy that it could be done in the back room.

Mr. Levin clarified that the signatures would have to have addresses included and the Town Clerk could disqualify any one of those signatures. [28:55] Based on the 2024 registrations, 4% of 65,562 would equal 2,619 signatures. The discussion moved to the number of signature collection days. Mr. Levin said that his goal was to expand democracy but did not expect much of a response. However, he felt 8% was an insult and that 4% would still be a challenge, but possible.

Atty. Mednick joined the meeting at 7:00 p.m.

Mr. McQuaid said he agreed with the 4% but not the change from 25 days to 40 days. [30:33] There isn’t that much wiggle room and now there are more things coming to play such as early voting, absentee voting and 25 days should be sufficient.

Mr. McQuaid said that the form already has a requirement for the individuals who sign to print their addresses. Often the Town Clerks can't read the signatures and many get tossed because of illegibility and other irregularities such as duplicates.

Mr. Dickens asked what it might cost to hold a referendum. [32:25] Mr. McQuaid said that with the security, the police and the schools, he thought a citywide election would be between \$20,000 to \$23,000.

Atty. Camacho said that it would be too premature to vote on an item because it has become moot or other statutory considerations. [32:52] It would be important to have language in the Charter that other statutory time frames or State or local deadlines could moot out a referendum.

Mr. Levin said reminded everyone that the only change he was proposing at this time was the change from 8% to 4%. [34:00] The second part of the proposal discusses the number of electors and signature periods. He separated them out for this reason.

The discussion moved to the copies of the Charter that Ms. Murrillo sent to the Commissioner and what language was used for that section.

Mr. Levin said that his proposals were on pages 18, 19 and 20 and reviewed the current language.

Atty. Camacho asked about the time limits that might render a referendum moot. [35:25] Mr. Levin said his only point was the change from 8% to 4%.

Atty Camacho said that Mr. Levin's comments make it sound like the current process is not democratic but pointed out that the residents vote every two years for Common Council members. [36:42] In Congress, the House Representatives run for re-election every two years. He went on to speak about California's recall provision for governors and this can be undemocratic. He said his concern was perceived lack of democracy and the democratic process was not available to the electorate.

Mr. Levin said that this was the only opportunity for direct democracy where citizens can pursue their issue. [38:50] Mr. Fairbairn said that the public has the opportunity to speak at the Council. Discussion followed about the details.

Mr. Dickens asked Atty. Mednick if it would be possible to limit the number of referendums that could be called for within a given year or a given election cycle. [41:10] He explained that his concern was the cost of a referendum.

Mr. Hempstead pointed out that there have been a number of communities that have complained that the elections cost too much. He asked whether the goal was to increase participation or to lower the cost of the election.

Mr. Fairbairn said that they had discussed this enough to determine whether they wished to support it through a vote. [44:10].

Atty. Camacho reminded everything that the upcoming election was not a primary and often times they only get about 600 people coming in to vote. [44:40] He said that it seemed like a solution that was looking for a problem.

Atty. Mednick said that he had never researched the issue of limiting the number of referenda but had seen some limits on budget referenda in some communities [45:20] Since these referenda are limited and specialized, it would be difficult to limit the number. If the goal is to increase the amount of participation and increase access, limiting the number may have some legal challenges since there is no way to know what issues may come up during the year. He said that putting a limit might be a problem.

Atty. Mednick noted that determining when the referendum takes place would be up to the Council. [46:30] He added that there was a newspaper publication requirement and it was Atty. Mednick's understanding that the City was trying to move away from newspaper publications requirements. He recommend that they be consistent and have the notification as the same as other matters.

Mr. Levin said that he would like to respond to Atty. Camacho's suggested that a small number of voters could pass a referendum. [47:30] He noted that in the Charter there was a requirement for at least 25% of the electors in the city must cast a ballot in request to qualify for approval. For Norwalk, that would require 16,367 voters to turn out. He was not proposing any changes to that.

**** THE MOTION TO APPROVE REVISION #1, PART 1 TO CHANGE SECTION 4-10 REGARDING PROCEDURES. THE REQUIRED PERCENTAGE OF "UPON A PETITION OF NOT LESS THAN 8% OF THE ELECTORS" TO "UPON A PETITION OF NOT LESS 4% OF THE ELECTORS" IN SECTION 4-10 A PASSED WITH SIX (6) IN FAVOR (CLARK, DICKENS, HEMPSTEAD, LEVIN, MCQUAID AND RHODES-SMALL); ONE (1) OPPOSED (CAMACHO) AND ONE (1) ABSTENTION (FAIRBAIRN).**

Mr. Levin said that Part 2, Item 1, would be a proposed changes to Section 4-10 B & D. [50:00] This would be to reduce the threshold of five electors going to the clerk in the city down to four and to increase the fee that they must pay the City Clerk from \$25.00 to \$200.00 and finally to change the number of days to collect signatures from 25 to 45 days.

Mr. McQuaid said that he had concern about changing the 25 days to 45 days. [50:45] Mr. Clark also expressed concerns about this change. He said that he would not support these changes because there needs to be more thought put into it and it would be premature at this point.

Atty Camacho proposed that they change the number of electors to 4 and felt that increasing the fee would deter more people than it would encourage to apply. He felt that it should remain at \$25.00 and the number of signatory days remain at 25.

Mr. McQuaid agreed with Atty. Camacho.[53:30] He said that there had not been a referendum since he was in office, he was not sure where the \$25.00 would be deposited. He would support the change from 5 to 4, and would like to see the days remain unchanged. Mr. Fairbairn agreed.

**** THE MOTION TO APPROVE PART 2 AS AMENDED WITH THE NUMBER OF ELECTORS GOING FROM FIVE (5) TO FOUR (4) PASSED UNANIMOUSLY.**

The next item addresses accountability for the Board of Estimate and Taxation (BET) with a change to Section 7-2, Item A, paragraph 2. [55:30] This would change the appointing authority for the six members for the BET from all six being appointed by the Mayor to three being appointed by the Mayor and three being appointed by the Council. He said that this was based on some of the comments from the public who feel the BET is not sufficiently representative. There are many Council Members and former Council Members who feel the budgeting should be in the hands of the Council and not the BET. This would be a step in that direction.

Mr. Levin then read the language of the current language and where the proposed change should be inserted [56:30] Atty. Camacho pointed out that currently, the Mayor recommends the candidates and the Council confirms them. He wished to know if the Mayor would recommend three and the Council would approve those three and then the Council would recommend three and the Mayor would approve the Council's recommendations.

Mr. Levin said that was not what he was proposing. [57:55] He said that the Charter Commission was appointed by the Council and it does not require approval from the Mayor.

Atty. Camacho said he wanted to table the item because the membership of the BET should not only include members of the Republican and Democratic party and unaffiliated, but should also represent each District in the City.

Atty. Camacho said that he did not believe that the Charter included language so that every District in the City was represented on the BET. Until that issue is addressed, Atty. Camacho wished to table the discussion regarding who would appoint whom.

Mr. Dickens asked how the BET membership number was determined to be six. [59:24] Atty. Camacho said that he didn't know but explained that no more than two members can be from the same District and there has to be a significant minority party representation on the Board. Since the Mayor is an ex-officio member, he can break a tie vote. He noted that the City of New York had disbanded their BET because they found it did not represent the entire city.

Atty. Camacho said he found it undemocratic that the BET decides what the mill rate will ultimately be and felt that because of this, the Board should have at least one member from every District.

Mr. Dickens agreed with him and added that the members should be elected and not appointed [1:01:15]

**** ATTY. CAMACHO MOVED TO TABLE THE ITEM BECAUSE THE MEMBERSHIP OF THE BET SHOULD NOT ONLY INCLUDE MEMBERS OF THE REPUBLICAN AND DEMOCRATIC PARTY AND UNAFFILIATED, BUT SHOULD ALSO REPRESENT EACH DISTRICT IN THE CITY.**

**** THE MOTION TO TABLE PASSED WITH PASSED WITH SEVEN (7) IN FAVOR (CAMACHO CLARK, DICKENS, FAIRBAIRN, HEMPSTEAD, MCQUAID AND RHODES-SMALL) AND ONE (1) OPPOSED (LEVIN).**

Mr. Dickens asked when the group would discuss holding a public hearing about having an elected BET. [1:02:45] Mr. Fairbairn said that they would see how much progress they would make on the Article 10 revision. He added that he would be added an item about the Library as a stand-alone item. He said that they would need to discuss the BET. Mr. Dickens said that if they stopped people on the street to ask them if they knew what the BET does, they would not know.

Atty. Mednick said that he had provided the Commissioners with a background document for this meeting. [1:04:19] The document lays out the structure of the only two BETs groups in Connecticut and noted that the Board of Finance basic structures of the top 20 communities in the State were also included. Mr. Fairbairn said that they would have this as a stand-alone discussion soon.

Atty. Camacho said that when Ms. Lauricella spoke earlier in the meeting, he had said he wished to clarify the BET vote. [1:05:00] He explained that he had been on the BET for a long time and could not remember a time when the Board voted the same night on the Operating Budget following the Public Hearing. He said that this time around, the statute required the BET to set tentative budget by April 1st. This is a tentative budget and Atty. Camacho said he was assured by the Mayor and the Finance Director that the BET could still vote on open items. Many of those issues were mentioned by the public at the hearing. In past years, the BET would come in under the cap and he went on to give examples of how discussions were held after the Public Hearing. This year, the proposed budget was right at the cap. There was no wiggle room. He explained that if they were to give a department any additional funding, they would have to subtract the same amount from another department because they were right at the Common Council's cap. It was unfortunate that it appeared that BET didn't care about what the public had to say. They had to vote because the statute required them to have a tentative budget by April 1st. The comments that were made at the public hearing will be considered but he reminded everyone that any additional approvals would require a matching decrease from another department.

Mr. Levin said that Proposal #2 [1:08:38] has been tabled, but the suggestions made by Mr. Camacho and Mr. Dickens, the Commission should consider changes that would require changes to represent each district on the BET or the election of the BET members. He encouraged people to check the Charter language and propose changes. He said that while he respects what lawyers do, there is no magic or science in what they do and the Commission members can propose changes.

Mr. Dickens asked Atty. Camacho about the four year term for the BET members. [1:09:48] Atty. Camacho said that this was so. Mr. Dickens asked where this decision came from. Atty. Camacho said that he believed the terms were staggered in order to give a sense of stability. It takes a few years to get up to speed on the BET. With staggered terms, there is always some institutional knowledge on the Commission. He said that he suspected this is why both the BET and the BOE have the staggered four year terms.

Mr. Dickens said that he didn't disagree but this also lent credence to having the Common Council and the Mayor have four year terms. [1:11:25] Mr. Hempstead added that it was staggered because when a new Mayor was elected, it would take him a full two years to get a majority on the BET. The staggering was adjusted to allow the Mayor to have some appointees on the BET.

Atty. Mednick asked where the staggered terms were listed because he did not see it in the Charter. [1:12:20] Mr. Hempstead said that the way they were originally set up, they were staggered. Discussion followed about the details.

Mr. Levin said that his third proposal seeks to improve democracy, the fairness of elections and provide a credible path for representation of minority parties. [1:13:37] The change would be in Section 3-3, Paragraph A in the Charter. He then read the current language on the process for the election of officials in the City. He stated that it states the Common Council may alter the methodology utilized in the municipality elections.

Mr. Levin said that he had raised the question regarding cumulative voting as a way to address the imbalance where 55% of the votes may be from one party, but 100% of the seats are awarded to that particular party. He said that he had researched this issue and felt that cumulative voting would eventually come to Connecticut. He repeated that there were seven bills before the legislature for providing rank choice voting for specific elections such as primaries.

He proposed to add the following to the current language in the section: "The prior sentence notwithstanding, in the event cumulative voting is permitted by law, the Common Council by ordinance will alter the methodology used in the election of at large Council Members to utilize cumulative voting for the next applicable and all future municipal elections."

Mr. Fairbairn said that if the existing language already allows for a different methodology, adding this extra language would make it more restrictive. [1:16:32]

Atty. Mednick said that Mr. Fairbairn and Mr. McQuaid probably remember the debate two years previously. [1:16:57] He said that one of the reasons that the current language was included was precisely for the reasons Mr. Levin was stating. He said that the current language was broad enough to include cumulative voting or rank choice voting or other forms, unless the State ultimately moves to change the method of voting. Discussion followed about the and the details for process of rank choice voting.

Mr. Levin said that the proposed language would require the Council to solve the problem, while the current language gives the Council the opportunity to make changes if they wish to. [1:23:36] It is the Council Members who are the beneficiaries of the current system which is undemocratic and flawed. He reviewed the percentages of the recent Council at large election. He then spoke about someone who had spent a long time studying voting systems in the Southern states. Those various locations were never able to have black representation on the school boards or on the City Council. Cumulative voting would allow the possibility for a minority constituency to have the possibility of having a seat at the table. He said that he was trying to address the issue of the voters who want representation but are not able to get it. Additional discussion about the details followed.

**** MR. LEVIN MOVED TO ADD THE FOLLOWING TO SECTION 3-3, PARAGRAPH A IN THE CHARTER:**

“THE PRIOR SENTENCE NOTWITHSTANDING, IN THE EVENT CUMULATIVE VOTING IS PERMITTED BY LAW, THE COMMON COUNCIL BY ORDINANCE WILL ALTER THE METHODOLOGY USED IN THE ELECTION OF AT LARGE COUNCIL MEMBERS TO UTILIZE CUMULATIVE VOTING FOR THE NEXT APPLICABLE AND ALL FUTURE MUNICIPAL ELECTIONS.”

**** THE MOTION FAILED TO PASS WITH ONE (1) IN FAVOR (LEVIN) AND SEVEN (7) OPPOSED (CAMACHO CLARK, DICKENS, FAIRBAIRN, HEMPSTEAD, MCQUAID AND RHODES-SMALL).**

Mr. Levin said that the fourth item seeks to address an issue with the Police Commission accountability and governance. [1:37:12] He directed everyone to Section 7-2, Paragraph B, subsection 1, subparagraph A, which currently indicates there shall be a five member Police Commission consisting of four electors appointed by the Mayor, subject to approval by the Common Council as set forth in Section 7-1C and continues on further with “in addition to the four electors, the Mayor shall be ex-officio, a voting member and the Chair of the Commission.”

He proposed that there should be a five member Police Commission consisting of two electors appointed by the Mayor, subject to the Common Council and so forth and so on and two electors appointed by the Common Council. The goal is to divide the appointing authority between the Mayor and the Council and the language continues in addition to the four electors, the Mayor shall be the ex-officio, a voting member and Chair of the Commission. He said that he also

wished to include the following: “The prior sentence notwithstanding, the Mayor may recuse himself or herself from being a voting member or Chair of the Commission if there exists a conflict of interest serving in either role or for any other reason.”

The current Mayor who is now in his 12th and final year of office, he had previously been employed by the Norwalk Police Department for 41 years. During the last 17 years of his employment by the Police Department, he served as the Police Chief. He then became the Mayor. Mr. Levin said that it was his opinion that the Police Commission does not meet their responsibilities under the Charter and don’t even know what their responsibilities under the Charter are. As a consequence, the Police Commission is dysfunctional and by diluting the appointment authority, the City will have a better result than what is currently in place.

Mr. Dickens asked for an example of where the Police Chief has been negligent or dysfunctional. [1:40:00] Mr. Levin said that the Charter indicates what they have not done, such the Commission being in control, management and supervision of the Police force in the City and all of its property. The Police Union’s contract expired nine months ago. Mr. Levin asked if it had been reviewed or discussed by the Commission prior to or since its expiration.

Mr. McQuaid said he believed there were four contracts currently that have not been renewed at that time. [1:41:12] He felt this was a personal attack on the Police Commission, which he did not wish to be part of. He stated that the discussion of contracts was much bigger than just the Police Commission.

Mr. Dickens agreed. [1:42:28] He asked what the role would be that the Police Commission would play in the negotiations between the City and the Police.

Mr. Hempstead pointed out that under the Connecticut State statutes, the Mayor is the negotiator or his appointee, which could be an attorney or a firm. [1:43:00] As a legislative part of the body, he cannot be part of the negotiations. Legislators can vote to accept or reject the contract. He said that he believed that they could not even be in the room when the negotiations are underway. Discussion followed.

**** MR. HEMPSTEAD MOVED TO TABLE THE PROPOSED CHANGES TO SECTION 7-2, PARAGRAPH B, SUBSECTION 1, SUBPARAGRAPH A.**

Atty. Mednick pointed out that Norwalk has an Ethics Commission, which would govern issues of recusals and either personal or financial conflicts of interest. [1:46:06] He confirmed that Mr. Hempstead had correctly stated the issues regarding the role of the Mayor in negotiations. He explained that the union contracts also play a role in discipline and this could actually have an effect on the charter. Discussion followed about this.

Mr. Levin claimed that there were numerous other examples of negligence by the Police Commission regarding the control, management and supervision of the Police force by design. [1:50:52]

**** MR. LEVIN MOVED TO APPROVE THE PROPOSED CHANGES TO SECTION 7-2, PARAGRAPH B, SUBSECTION 1, SUBPARAGRAPH A.**

**** THE MOTION FAILED TO PASS WITH ONE (1) IN FAVOR (LEVIN) AND SEVEN (7) OPPOSED (CAMACHO CLARK, DICKENS, FAIRBAIRN, HEMPSTEAD, MCQUAID AND RHODES-SMALL).**

RECESS

Mr. Fairbairn announced a brief recess at 8:26 p.m. He reconvened the meeting at 8:30 p.m.

• Structure of the Board of Estimate and Taxation and Boards of Finance.

Atty. Mednick said that he would review this at another time.

VI. DISCUSSION

A. Article X Revisions

Mr. Fairbairn said that Atty. Mednick would be reviewing the changes in Article X. [1:52:45] His intent was to set this up as an Action Item for the next meeting. He then reviewed the details of the previously discussed proposed changes with the Commissioners.

Mr. Hempstead summarized the changes that Atty. Mednick reviewed as the Mayor being advisory, the Board of Estimate and Taxation are advisory and Planning and Zoning are advisory.[2:20:20] At the end of the day, the Council will have the ability to choose items from the proposed budget.

Atty. Mednick agreed and noted that if the Council wished to increase the cap, it would be a 2/34rd vote. [2:03:20] He said that the Council would be able to approve, reject, reduce or reinstate items. He reminded everyone that the Mayor sets the cap. The BET's role has changed and Atty. Mednick reviewed the details of this.

Discussion followed about a five year Capital budget projections and a ten year Capital budget projections.

Atty. Camacho spoke about how the Charter appears to indicate that the BET sets the cap and the Council's hands are tied afterwards. [2:09:38] The change appears to have the BET send a recommendation to the Council, who is the body that will take action. Discussion followed.

Mr. Schmitt then addressed the Commissioners. [2:12:47] He then spoke about the Capital plan and how the future items that may not have been allocated funding would be the items that would be subject to reinstatement. He gave the reasons why he wanted to have a ten year Capital Plan projection. Discussion followed.

Mr. Hempstead spoke about past Council sessions where the Council has re-allocated funding in the budget. [2:21:50] He indicated that the department had to have asked for funding in that column in that particular year. Allocating additional funding required the department to go through the entire process again.

Mr. Hempstead asked if the Mayor could still veto the Capital Budget. [2:23:23] Atty. Mednick said that he did not think they had changed anything in that regard. He also noted that the Charter required the Council to approve the Capital Budget on or before April 15th of each year. He was not sure how that would mesh into the veto process.

Mr. Dickens left the meeting. Discussion followed about how the Mayor would veto something. Atty. Mednick said that they should have some additional clarity on that and he will speak with Corporation Counsel on this.

Mr. Schmitt apologized for getting back to Atty. Mednick late, but mentioned a reference to the Capital Program of Expenditures. [2:30:47] He asked if they were using this synonymously interchangeably with the Capital Improvement Plan. Atty. Mednick said that they should have consistent terms in the Charter. Mr. Schmitt said that there was no reference in the definition to Capital items and he sent some alternative language for that.

Mr. Fairbairn said that they would update the updated version and have it on the agenda for the next meeting. [2:33:20] Atty. Mednick encouraged everyone to consider how they wanted to approach the review of the BET for the next meeting. He reminded everyone that the clock was running and they should have most of the heavy items considered and still need to schedule the public hearing.

Mr. Hempstead asked Mr. Schmitt about the City's financial obligations regarding the new high school. [2:34:35] Mr. Schmitt said that for this construction project that the City would be using bonding funds and the reimbursement funds now are sent every two months. Last year they issued Bond Anticipation Notes to cover the funding they need. At the end of the project, the State will withhold funding. The funding for the SoNo School will also be included in the bond. Mr. Schmitt went on to give the details.

VII. ADJOURNMENT

**** MR. LEVIN MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:12 p.m.

Respectfully submitted,

S.L. Soltes
Telesco Secretarial Services

City of Norwalk
Charter Revision Commission
Regular Meeting
April 1, 2025