



## REGULAR MEETING – CHARTER REVISION COMMISSION AGENDA

APRIL 1, 2025, 6:30 PM

ZOOM AND COMMON COUNCIL CHAMBERS

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Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be included into the record, they must be submitted by 12:00 p.m. the day of the meeting. Please email the City Clerk's office at [cityclerk@norwalkct.gov](mailto:cityclerk@norwalkct.gov) with the subject line "Public Comment" to provide written public comment prior to the meeting.

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **ACCEPTANCE OF MINUTES**
  - A. **Regular Meeting: March 18, 2025**
- IV. **PUBLIC PARTICIPATION**
- V. **NEW BUSINESS**
  - A. **Structure of the Board of Estimate and Taxation and Boards of Finance.**
  - B. **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)

VI. DISCUSSION

A. Article X Revisions

VII. ADJOURNMENT

**CITY OF NORWALK  
CHARTER REVISION COMMISSION  
REGULAR MEETING  
MARCH 18, 2025**

**ATTENDANCE:** Tyler Fairbairn, Chair; Douglas Hempstead, Vice Chair; Jo Bennett, John Levine Tanya Rhodes-Small

Via Zoom: Jim Clark, Carl Dickens, Richard McQuaid, Ed Camacho

**STAFF:** Atty. Steven Mednick, consultant; Council President B. Smyth, Council Member J. Goldstein, Council Member G. Burnett,

**CALL TO ORDER**

Mr. Fairbairn called the meeting to order at 6:30 p.m.

**ROLL CALL**

[0:20]

The roll was called. A quorum was present.

**DISCUSSION**

[0:59]

**A. Common Council Members Discussion**

Atty. Mednick said that the CFO had requested some changes. He explained that an issue had arisen regarding the authority of the BET regarding a cap on the budget. After discussing this, it was recommended that the BET recommend a cap for the budget and having the Council approve the budget cap.

*Ms. Bennett joined the meeting at 6:33 p.m.*

He said that the Council Members were present to give their thoughts on Article 10. He added that the commission would love to hear the Council Members' thoughts on a four year term.

Council President Smyth said for the record that she would be leaving the meeting and not voting when the issue of the four year term is brought to a vote. [4:54]

Council President Smyth said that she felt that 10-16a needed more clarification. She gave the example of last year's discussion about the fire house and finding the funds for that project.

Mr. Clark said that there was additional language involving transferring funds from the Capital budget to General Fund. [7:34] Atty. Mednick said that this was currently in the budget. Mr.

Clark asked if it had any bearing on what Council Member Smyth was saying. Atty. Mednick said that he did not think so.

Council Member Greg Burnett had a question about 10-2c, and the Joint Meetings that were between the Finance Claims Committee and the Board of Education. [10:00] Atty. Mednick said that CFO had concerns about that meeting and noted that it was not in the Charter. Council Member Burnett said that the goal of the meeting was to let the public know about what was happening with both budgets, but no votes or decisions have been made. There is public participation at these meetings. The proposed wording would involve the BET. Council Member Burnett said that he had some reservations since the BOE has the majority of the budget and this meeting gives the public an opportunity to speak to the BOE. There is no Joint Finance BOE Committee. Council Member Burnett explained it would be a meeting between the Finance Committee of the Common Council and the Finance Committee of the Board of Education.

Council President Smyth agreed with Council Member Burnett and said that this joint meeting had been established some seven years earlier and it is really an opportunity for the BOE to present their budget to the Finance Committee. [15:30] The public and the rest of the Council can hear the information about the Budget. The BET can listen in, also, if they wish to.

Council Member Burnett noted that this was the chance for the City to present the challenges they face budget wise. [17:45] Without this opportunity, the public would be limited to one public hearing and this is late in the process.

Council Member Goldstein had a number of questions about the comments for 10-1-c and also noted that he had concerns about 10-15, which has become a live issue recently. [19:22] He noted that the City does not have their Capital budget ready that early in the process.

He said that the Charter does not authority the BET to set a cap on the budget. Atty. Mednick reminded everyone that the CFO had raised this issue. The language is quite vague. He reiterated that fact that the proposed language is a “recommend a cap”. He said that he disagreed with the Board of Estimate and Taxation setting a cap and gave his reasons.

Council Member Goldstein said that having the BET recommendations in writing would help with transparency and noted that having the information in written form brings a level of clarity to the item. Currently the BET does not submit a written document regarding the raising or lowering the cap. As the Chair of Economic Development, he requires all those who come before the Committee to submit the information in writing because it streamlines the process. Discussion followed about enforcement.

Mr. Schmitt, the CFO, greeted the Committee and gave a brief overview of the BET process. [27:13] Council Member Goldstein said that the BET had until April 1st to submit its recommendations.

Council Member Goldstein said that he had concerns about 10-16. [29:00] He noted that he had a problem with the word “reinstating” and said that the Council would be declining to listen to the recommendation. A discussion followed about the language and who has the authority to raise or lower the budget cap along with some examples from the past when capital projects were either reduced or added into the budget due to changes in the circumstances.

Council Member Goldstein [45:20] said that it would be important to define the word “reinstatement”. He said that there could be a situation where the Mayor could defund a project that the public strongly supported.

Council Member Goldstein said that 10-16d was also important and suggested that there should be a joint meeting with the Economic and Community Development and the Finance Committee.

Council Member Burnett said that he had raised the question of why the Capital budget was being presented to the Economic and Community Development Committee but not the Finance Committee. [48:17] He noted that the Charter does not mention the Economic and Community Development Committee, but does mention the Council. He asked if the Council was the body that would determine which committee would review the budget.

Atty. Mednick said that the answer to Council Member Burnett’s question was yes. [49:09] The Council is responsible for this and how the Council internally parcels out that responsibility is up to the Council and its rules. He suggested adding the phrase “the committee or committees of jurisdiction” to the language, so a Committee would not be locked into its name. Discussion followed.

Council Member Goldstein said he appreciated all the hard work the Committee has done. [51:19] He said this was a yeoman’s job.

Atty. Mednick asked if the Council Members had any thoughts on the composition of the BET. [51:50]

Council President Smyth said that the Chair of the Finance and Claims Committee would have a major role in this. [52:32] She added that Atty. Mednick’s recommendations are very important. The Council Members had defined roles for both the Capital and Operating budgets. The Council answers to their constituents and needs a voice with the BET. Atty. Mednick said that he would put together a comparative document to show alternatives, but he cautioned the Committee that there would not be many examples since most of the municipalities operate differently than Norwalk. He gave the details.

Council Member Hempstead [54:48] asked whether there should be an elected BET rather than an appointed membership. There was also a suggestion whether the composition of the Board should be half appointed and include Council Members.

Mr. Levin said that there was another issue regarding responsiveness to constituents was to alter the appointing authority. [56:35] He suggested they consider possibly having half the members of the BET appointed by the Council.

Council President Smyth said she was not proposing making a massive change but if the Council wanted to move in that direction, it would be a long term process. [57:05]

*Atty. Camacho joined the meeting at 7:32 p.m.*

Council President Smyth said that it was already a heavy lift for the Council [58:00] She asked whether they should consider paid positions for the Finance because it is such a heavy lift. She said she did not think that the Council was ready to make such a change, but was just presenting the idea for possible consideration.

Council Member Burnett asked what the role of a Council Member who potentially might sit on the BET. [59:15] He would like to understand the rationale behind this since there has not been any problems between the Council and the BET. Atty. Mednick said that he had worked with the same type of model in New Haven years before.

Atty. Camacho said that there was one year when he was on the council due to fill a term and explained that the split between positions was very close and wondered whether it would have added any value to the BET. [1:01:20]

Council Member Goldstein said that the members of the BET were Mayoral appointees and the Common Council approves them. [1:03:00] He went on to speak about the feedback that the Council receives and noted that the Council Members should be held accountable by setting the budget cap. He felt that the BET serves a valuable function.

Atty. Camacho said that he had noticed that the City had a triple A rating with an appointed BET membership and that the cities that had elected BET were struggling and did not have a triple A rating. [1:05:35] He added he would like to see that there should be a representative from each District, including minority representation.

Council President Smyth agreed. [1:07:17] She mentioned a workshop where it was evident to her that the cities that had elected BET were struggling financially. Also, she said that the triple A rating saves the city millions of dollars in debt service annually.

Council Member Goldstein suggested that it would be important to have diversity on the Board, not just corporate financial members. [1:08:20] Professional experience would be nice, but it also important to have professional diversity also. Discussion followed.

Mr. Levin noted that while diversity would be nice, it would be difficult to include that in a charter. [1:11:10] He said that having a greater amount of accountability for the BET by having half mayoral appointments and half Council appointments.

Mr. Hempstead pointed out that they would have to consider the timeline for the recommendation for the setting the cap. [1:13:03] Council Member Burnett said that usually there was a seven day gap between the cap being set and it becoming finalized. During the last few times, there has been no issues, but that the week period was a cushion for last minute questions or concerns. . He noted that there was plenty of time earlier in the process to ask questions or research for additional information.

Council Member Smyth agreed and felt that the week gap was sufficient. [1:16:00]

Mr. Fairbairn said that the next topic of discussion would be the four year term. [1:16:46] Council President Smyth said that she would be leaving the meeting.

*Council President Smyth left the meeting at 7:48 p.m.*

Council Member Burnett said that Council President Smyth had decided to recuse herself because she was considering running for Mayor. [1:17:23]

Mr. Hempstead asked why they were discussing this again since at the last meeting, they had tabled the item. [1:17:58] Mr. Fairbairn said that the Commission had table the discussion, not dismissed it. Since the Council Members were present at the meeting, Mr. Fairbairn felt it would be a good time to get their thoughts on the matter.

Mr. McQuaid said that he felt that this was not a good time to consider the four year term since it was going to be a municipal election. [1:18:29] Mr. McQuaid said that he felt that the discussion should be held during an off year and noted that he would not be voting on this item.

Mr. Levin said it was his understanding that the Commission was seeking input from the Council Members because they have useful experience. [1:20:20]

Mr. Dickens said that the last time, it was on the ballot and it did not work out. [1:21:06]

Atty. Camacho suggested that it might be worthwhile to just have one Charter Revision Commission that deals solely with this. [1:22:07] He agreed with Mr. Levin that there never would be a good time to bring this issue to the voters, since every year is an election year.

Ms. Bennett said that there were so many building blocks of governance to consider and she felt that they might be putting the cart before the horse. [1:24:00]

Council Member Goldstein said that there were a number of Mayors who had four year terms. [1:24:32] He said that he could not imagine a scenario where a four year Mayoral term did not have four year Council terms. He felt that if they were going to do one, they would have to do both.

Council Member Burnett said that he supported the Charter Commission with their concerns about putting too many issues on the ballot. [1:26:55] He asked them to deliberate and come up with a specific time when it should be put on the ballot. While there may not be a perfect time to have it on the ballot, they should come up with a time to consider putting it on the ballot, even if it is the only item on the ballot. Otherwise, they are just pushing the item down the road.

Atty. Camacho said that the issue of salaries be considered along with the issue of a four year term. [1:28:24] Those two items should be part of one Charter Revision.

Mr. Levin asked if it would be possible for this Charter Revision Commission to recommend Charter Revision items for inclusion on the upcoming ballot and also have items stated for a future Commission. Currently, the next Charter Revision would happen in 2030. [1:29:42]

Atty. Mednick said that the answer was yes, [1:30:48] He said that he would look into whether the Council could do something like this. The last Commission was focused on reorganizing the document and avoided political issues in order to get the main goal accomplished. He suggested that this Commission consider a mandate for a two year study to look at the compensation issue, the term issue, the level of responsibilities and the interaction between the Mayor, the Council and the BET.

Mr. Levin repeated his query regarding whether it would be possible for this Commission to make recommendations to the Council to have Charter recommendations not only for the coming November ballot, but also for the future years ballots. [1:33:00]

Atty. Mednick said that the Commission was restricted.[1:33:30] The Charter mandate was for the November ballot. He said that he would look into this, but repeated they were limited because of the resolution terms.

Mr. Dickens asked the Council Members present if they could have a meeting to discuss a two year term vs. a four year term. [1:34:50] He noted that they had this discussion two years ago.

Council Member Burnett said that previous Commission had teed up this issue for this Commission to consider this item. [1:36:02] They were supportive of it but wanted to clean up the Charter first. Discussion followed.

Atty. Camacho said that it was a big lift to ask someone to work for four years for \$47 a month. [1:37:42] He felt that both issues would have to be taken up at the same time. The two should be taken up together. He said that they would include language that would allow the City to increase the salaries as the State allows.

Mr. McQuaid said that if they have too many issues on the Charter on the ballot, it will crash and burn. [1:40:00] The Commission is running out of time. Mr. Dickens agreed.

Mr. Hempstead said that it will be important to keep the Charter Commission focused on a single issue rather than presenting too many items. [1:41:32]

Mr. Dickens asked if they could do a referendum on just these two items. [1:42:32] Mr. McQuaid said that the elections were becoming expensive because of the early voting. Atty. Mednick said that it would be hard to get the 15% to vote on just a Charter Revision.

Mr. Levin asked if there was a path for this Commission to recommend a Charter Revision item for the November 2026 election.

Atty. Mednick said that the resolution for the Commission included setting an end date for placing this on the ballot in November 2025. [1:44:48] He said that he would be looking at whether it would be unusual for the Council to modify that at this late date to permit the Commission to separate out if it falls within the 15 months the certain questions that the Council would want to separate questions out from the November 2025 ballot for the November 2026 ballot. He will speak with the Council leadership about this because it is their decision. Discussion followed.

Mr. Fairbairn thanked the Council Members for their input. [1:46:35] Council Member Goldstein and Council member Burnett thanked the Commission and said that they appreciated the work that the Commission was doing.

### **PUBLIC PARTICIPATION**

Ms. Lisa Brinton of Shorefront Park said that she appreciated being able to participate in real time rather than after the previous meeting. [1:48:00] She asked where Minority Council Member Dunn was and why wasn't she invited. This is an example of how minority members are excluded from things.

Ms. Brinton said that Atty. Camacho's comments at the last meeting about minority party representation were undemocratic and disingenuous along with being inconsistent with about 160 other towns around Connecticut. She added that the public had no voice at the Council or BOE except for a three minute comment, which is interrupted at two and a half minutes for a time check.

Ms. Brinton said there was an almost dictatorship like control of not just wanting a majority but wanting it all. She mentioned this was true on the national level, so why not here in Norwalk. There are many forms of representation but Norwalk just doesn't use them regardless of the fact that 99% of the other municipalities do so. If the Council and Commission are so concerned about a four year term, which all the other cities and town in the State have, why aren't the Council and Commission concerned about minority party representation.

She felt that there was a good discussion about having a four year term for the Mayor along with all the moving parts. However without better check and balance procedures like minority party

representation, or public referendums. She felt that the four year term is unlikely to pass. Nearly half of the electorate votes differently and has no say in policy. Why would they vote to extend executive power without some check and balances? The two year term has been the only thing that stopped the entire City from being up-zoned in 2023.

Ms. Brinton said that she appreciated the position that the Democrats hold nationally when they hold 24 out of 25 major offices. Connecticut is a blue state with significant pressure to push back on Republican policies. However, Norwalk's issues have nothing to do with Republicans or Trump but if anything, it has fostered the same bullying behavior in Connecticut.

The current budget crisis is not attributed to the downturn in the commercial market. It's Hartford single party policies and exclusionary zoning along with developer tax credits and two decades of unfair ECS funding. Ms. Brinton said that the City has an unsustainable budget because the political system is broken. As long as the majority party mentality, whether Democrat or Republican, is to bully or mock the opposition, they will never have a true democracy or a healthy exchange of the ideas resulting in better policies.

Ms. Brinton thanked the Commission for their time.

Mr. Richard Bonenfant of Park Hill Avenue, said that he would like to see more in person meetings. [1:51:32] He said that a Council Member could be in Las Vegas and voting on a major budget issue. There are Commissions that have never met or seen each other in person. Council Members and Commissions have totally lost touch with their constituents.

He reminded the Committee knew that once they allocate funding for the BOE, it can never be less than the previous year and that the BOE can use it in any way they see fit. This is why previous Councils have made the BOE purchase books and computers as Capital budget items because this restricts the use of those funds to the stated items.

Mr. Bonenfant pointed out that there was a three to four year lead on building fire engines because there aren't that many manufacturers. They won't take the order unless it is approved in the Capital budget in advance. It's important to look ahead to future projects.

He reiterated the fact that in a referendum, it doesn't count unless a certain percentage of votes are cast. He reminded everyone of the Fodor Farm referendum and said that the referendums would not make it.

He thanked the Commission for their time.

Ms. Diane Cece greeted the Commission and thanked them for serving in this capacity. [1:54:16] She noted that only Atty. Mednick was being paid for his time. She noted that they were left to commenting after the fact rather than making comments during the meeting.

She also agreed with Mr. Bonenfant about having them meetings in person. At one of the previous meetings, Atty. Mednick gave an overview of timelines and what the next steps were. She reminded them that at some point, the Commission would have to hold a public hearing. She asked about having a forum before the public hearing so they can connect with the residents and have a dialog rather than the three minute speaking limit. This could provide valuable feedback about things that might need to be included or discarded. Even though this would be an imposition on the Commission's time, as a tax payer, she would appreciate it.

Mr. Fairbairn said that anyone who would feel constricted by the three minute speaking limit, there is a portal for residents to use and they can also email people. [1:56:38] He was not sure about holding a forum and said that they would be making recommendations to the Common Council.

## **B. Review of Comment Grid**

Mr. Fairbairn asked if people had looked at the Comment Grid and noted that most of the issues had been discussed. [1:58:37] Discussion followed about the details.

Mr. Fairbairn said that there were 10 sessions left.

## **NEW BUSINESS**

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### **A. Capital Budget Process**

- Role of the Council
- BET approvals
- Public hearings and interactions
- Function of the Mayor
- Update and refine language
- Role of the Planning and Zoning Commission
- Section 10

Mr. Hempstead asked Atty. Mednick about having the joint BOE Finance and City Finance Committee meetings. [2:00:22] He asked what would happen if there was no BOE Finance Committee but it was included in the Charter. Atty. Mednick reiterated that he has a policy of not naming committees in Charters because he leaves it up to the various bodies to determine what the committees are going to be. It would likely read "the Council or any committees of jurisdiction that the Board of Education or any committees of jurisdiction." This avoids naming entities that exist in the present time that did not exist five years previously.

Mr. Hempstead had a question about if the Council Members could expand the budget cap beyond what the BET recommended. [2:01:51] He said that they might want to consider some kind of compliance that changes could not affect the bond rating by enlarging the Capital budget. He suggested possibly requiring a super majority vote if it went in that direction.

Mr. Hempstead said that he disagreed with Council Members Burnett and Goldstein about the one week timeline. [2:03:29] It works if a party has a majority and has held certain discussions in advance. However, it is harder for the minority party. He felt there was a better methodology.

Atty. Camacho asked if the Commission had discussed whether the BET could set the cap on the Operating Budget and the Capital Budget. [2:04:16] Atty. Mednick said that one issue was that the BET does not submit their recommendation in writing. Atty. Mednick also reviewed the topics discussed during the first hour of the meeting before Atty. Camacho arrived.

Atty. Camacho said that he felt they should codify the current practice for the budget and noted that it had worked well in the past. [2:06:37] He had concerns about limiting the City by restricting them with not doing anything that would affect the bond rating. He said he did not understand why the Mayor's Office and the Finance Department had a problem with this.

Mr. Hempstead asked Atty. Mednick to check with the Law Department about the past legal opinions on this. [2:08:52]. He said that during his time as a Council Member, the BET had set the caps and they could not spend one dime more. Atty. Mednick said he would check into this.

Mr. Levin said that he had three Charter Revision suggestions that he would like to submit it to Mr. Fairbairn and Mr. Hempstead via email. [[2:09:47] Mr. Fairbairn said that they would post it on the website.

Mr. Levin said that he would like to have more people attend the meeting in the Council Chambers. [2:11:11]. Discussion followed.

Atty. Mednick said that he would make some of the changes to Article 10 based on the discussions from this meeting. [2:12:41] He will have some potential action items on Articles 13 and 14. The administration has been responding to his queries and there may be some provisions that are moved into another section of the Charter.

Ms. Rhodes-Small asked if they would be able to vote on terms limits and compensation so they don't keep coming back to the same issues. [2:14:00] Mr. Fairbairn said that he would include it on the next agenda so they can take it off the table.

### **ACCEPTANCE OF MINUTES**

#### **A. Regular Meeting: March 4, 2025 [2:15:00]**

**\*\* MR. HEMPSTEAD MOVED THE MINUTES OF THE MARCH 4, 2025.**

The following corrections were noted:

Page 1, under **ATTENDANCE**, please change "Taylor Fairbairn" to "Tyler Fairbairn"

Page 5, under **B Referendum Procedure**, paragraph 2, line 1. please change “Mr. Levon” to “Mr. Levin”

Page 4, under **Public Participation**, paragraph 1, line 1: please change “majority representation” to “minority representation”

Page 6, paragraph 2, line 6 following the vote: please change “four year terms for the Mayor” to “four year terms for the Mayor”

Mr. Levin stated that there were errors of omission, but he was not allowed to bring them up or submit them.

**\*\* MR. HEMPSTEAD MOVED THE MINUTES OF THE MARCH 4, 2025 AS CORRECTED.**

**\*\* THE MOTION TO APPROVE THE MINUTES FOR THE MARCH 4, 2024 MEETING AS CORRECTED PASSED UNANIMOUSLY.**

Mr. Clark noted that the last time he attended in person, he could barely hear Atty. Mednick and some of the other individuals that were in the room. [2:17:00] Mr. Fairbairn said that he would look into this. Discussion followed.

Mr. Dickens said that while it was nice to have people in the Chambers, he asked if it made a difference having the Commissioners in the empty Chambers. [2:18:37] Mr. Levin said that before the meeting, there is small talk that improves the relations.

### **ADJOURNMENT**

**\*\* The motion passed unanimously.**

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Telesco Secretarial Services

**NORWALK CHARTER REVISION COMMISSION  
BACKGROUND DOCUMENT #4  
BOARD OF FINANCE/ BET COMPOSITION**

<b>Municipality</b>	<b>Pop.</b>	<b>Members</b>	<b>Term</b>	<b>Elected/Appointed</b>
<b>1. Bridgeport</b>	148,028	N/A	N/A	N/A
<b>2. Stamford</b>	136,226	6	4	Elected At-Large (MPR) <sup>1</sup>
<b>3. New Haven</b>	135,319	N/A	N/A	N/A <sup>2</sup>
<b>4. Hartford</b>	119,669	N/A	N/A	N/A
<b>5. Waterbury</b>	114,990	N/A	N/A	N/A <sup>3</sup>
<b>6. Norwalk</b>	92,458	6 + Mayor	4	BET Appointed by Mayor (MPR) <sup>4</sup>
<b>7. Danbury</b>	86,124	N/A	N/A	N/A
<b>8. New Britain</b>	74,080	6	2	Mayor <sup>5</sup>
<b>9. West Hartford</b>	63,969	N/A	N/A	N/A
<b>10. Greenwich</b>	63,574	12	2	BET Elected At-Large (MPR)
<b>11. Fairfield</b>	63,433	9	6	Elected At-Large (MPR) Staggered 3 each election
<b>12. Bristol</b>	61,601	8 + Mayor	4	Mayor <sup>6</sup>
<b>13. Meriden</b>	60,111	N/A	N/A	N/A
<b>14. Hamden</b>	60,014	N/A	N/A	N/A <sup>7</sup>
<b>15. Manchester</b>	59,408	N/A	N/A	N/A
<b>16. West Haven</b>	54,790	N/A	N/A	N/A
<b>17. Milford</b>	52,793	5	3	Mayor subject to approval by Council <sup>8</sup>
<b>18. Stratford</b>	52,454	N/A	N/A	N/A
<b>19. East Hartford</b>	50,554	N/A	N/A	N/A
<b>20. Middletown</b>	47,984	N/A	N/A	N/A

<sup>1</sup> Stamford Charter, Part 6, Division 2, Subdivision B

<sup>2</sup> New Haven Charter Art. VII, Sec. 4A. mandates the creation of a **Financial Review and Audit Commission**, which is the successor to the historical Board of Finance which was repealed in the early 1990s. The Commission will be established by ordinance. In the meantime Art. XV, Sec. 3.B retained the current provisions pertaining to the Commission: (1) Establishment<sup>2</sup>. There shall be a Financial Review and Audit Commission that shall be responsible for reviewing and reporting on the financial condition of the City. (2) Composition. The Financial Review and Audit Commission shall consist of nine (9) members. (a) Terms. Members shall be appointed for five (5) year terms, except that of the nine (9) first appointed, one (1) shall be appointed for a term of one (1) year, and two (2) shall be appointed to terms of two (2), three (3), four (4) and five (5) years, respectively. (b) Restriction on Service. No member of the commission shall hold any other office or position in the government of the City, appointed or elected, except as a member of said commission. (c) Additional Ground for Removal from Office. In addition to the reasons set forth in this Charter, a member of said commission may be removed for failure to attend a specified number of meetings of the commission within a specified period as the commission may set forth in its bylaws". (d) Experience. Not fewer than seven (7) members shall have training and experience in financial matters as evidenced by being a certified public accountant, having earned a bachelor's degree in business or public administration, having not less than five (5) years' service as the financial officer of a business, having not less than five (5) years' service as a public administrator, or having a similar degree or experience. (e) Chair of the Commission. The commission shall elect a chair from among its members to hold office for a term or terms of one (1) year each and may adopt bylaws to govern its procedures. (2) Staff: Executive Director and Deputy Executive Director. The commission by affirmative vote of seven (7) of its members shall appoint or reappoint, for a term or terms not to exceed four (4) years each, an executive director and a

# NORWALK CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4 BOARD OF FINANCE/ BET COMPOSITION

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deputy director, who shall not be members of the classified service, and who may be removed by the affirmative vote of seven (7) of the members of the commission<sup>2</sup>. The commission may appoint such other personnel as the City budget may provide, who shall be members of the classified service<sup>2</sup>. The expenses of the commission, including the salaries of its employees, shall be paid by the City. (3) General Duties and Powers of the Financial Review and Audit Commission. (a) The commission shall meet not less frequently than monthly to review the financial condition of the City as described in the monthly financial reports described in §5 of Article VIII and in the audited financial statements, and to conduct such other business as may come before it. (b) The Mayor, the Controller and other Public Officials shall make available to the commission all information concerning the financial performance of the City as the commission may request. (c) Not later than the tenth (10<sup>th</sup>) day of each month, the commission shall submit a report to the Mayor and the Board of Alders containing such comments and recommendations concerning the financial report issued by the Mayor during the preceding month pursuant to §5 of Article VIII and the City's financial condition as the commission may deem appropriate. (d) The commission shall make recommendations to the Board of Alders concerning the selection of the auditor of the City.

<sup>3</sup> **Waterbury Charter Ch. 6, Part B, Sec. 6B-1** has a **Finance and Audit Review Commission** as follows: (a) Powers and Duties. There shall be a Finance and Audit Review Commission, which shall have authority to examine into all matters relating to the financial and budgetary efficiency, efficacy and condition of the City. Notwithstanding the provisions of this Charter pertaining to the executive powers of the Mayor, the Department of Audit shall be under the direct supervision of the Finance and Audit Review Commission. (1) Financial Review. Said Commission is authorized to audit and examine or cause to be audited and examined, the books and accounts of any and all of the Departments and officials of the City, including the Department of Education. (2) Administrative Policy Review. Said Commission shall review the contents of the annual audit and make recommendations to the Mayor regarding the manner and means of improving the administrative processes pertaining to the operations of the City. (3) Supervision of the Department of Audit. Said Commission shall be responsible for the general supervision of the Department of Audit and shall give due consideration to requests from the Mayor or the Board of Aldermen in establishing and modifying the work plan of the Commission or its staff. (4) Required Cooperation. Each officer and employee of any Department, institution, Board or Commission or other administrative unit of the City shall assist said Commission and Department of Audit in carrying out the provisions of this section. (b) Membership. Said Commission shall consist of seven (7) Electors of the City appointed by the Mayor, subject to the advice and consent of a majority of the members of the Board of Aldermen present and voting. The Commission shall choose a chair and such other officers as it may desire. Commencing on January 1, 2003, the Mayor shall appoint four (4) members for a term of four (4) years and three (3) members for a term of two (2) years. Following the term of two (2) years the Mayor shall, on or after January 1, 2005, appoint three (3) members for a term of four (4) years. (1) Qualifications. The members of the Commission shall have professional or business experience in the fields of accounting, management or financial analysis as evidenced by being a certified public accountant, certified management accountant or having earned a master or doctorate degree in business, finance or public administration or the equivalent thereof; or, at least five (5) years of experience as a financial officer of a business or public administrator or such other qualifications as may be further defined by Ordinance. (2) Restrictions. Notwithstanding the provisions of this Charter, no more than three (3) members of the Commission shall be members of the same political party. Furthermore, no person who has served in the previous three (3) years as a public official, other than a member of this Commission, or a political party officer shall be appointed to membership on the Commission. For purposes of this section, the term "public official" means an individual who holds or has held a municipal office (as defined in §9-372 but shall not include a justice of the peace or notary public) in the City and the term "political party officer" means an officer of a national committee of a political party, state central or town committee or any person employed by such committee for compensation. The restrictions set forth in this subsection shall apply to members through their term of office. (c) Annual Budget of the Finance and Audit Review Commission. The Commission shall adopt and forward to the Mayor its proposed annual budget, in accordance with the procedures and timetable established for other Departments. The Mayor's budget shall include, and the Board of Aldermen shall appropriate for support of the Commission and its audit employees, at least the amount necessary to maintain the staffing level as approved in the previous annual budget, unless the Commission requests a lesser amount.

<sup>4</sup> **Norwalk Charter Art. VIII, §7-2.A.**

<sup>5</sup> **New Britain Charter §7-2(e)** mandates as **Board of Finance and Taxation** as follows: There shall be a Board of Finance and Taxation. (1) Powers and Duties. Said Board shall exercise the powers and duties necessary to [i] prepare a Proposed Budget Ordinance as set forth in [section 10-3](#) of this Charter, [ii] review and report, to the Mayor, on the financial and budgetary condition of the city, including the Board of Education and Department of Education, based on the monthly financial reports required by [section 10-5](#) of this Charter and in the audited financial statements, and [iii] conduct such other business as may come before it, including, but not limited to, any reports relating to the financial and budgetary condition of the city as may be prescribed by ordinance.

(2) Financial Review Powers. Furthermore, said Board has the power and authority, subject to the approval of the Common Council, to audit and examine or cause to be audited and examined, the books and accounts of any and

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all of the departments and officials of the city, including the Board of Education and Department of Education, in any way affecting the finances of the city. Moreover, the Board shall review the contents of the annual audit and make recommendations to the Mayor regarding the manner and means of improving the city's financial and budgetary condition. (3) Duties Relating to the Capital Budget. Said Board shall give recommendations to the Mayor regarding the annual capital budget, in the manner set forth in [section 11-2](#) of this Charter. (4) Qualifications. In addition to the requirements of this Charter and the provisions of the Ordinance a minimum of one-third of the members of said Board shall have training and experience in financial matters as evidenced by being a certified public accountant, having earned a bachelor, master or doctorate degree in business, finance or public administration, having not less than five years service as the financial officer of a business, having not less than five years service as an elected or appointed public official, having not less than five years service as a public administrator, or having a similar degree or experience or such other qualifications as may be further defined by Ordinance.

<sup>6</sup> Bristol Charter Chapter 4, Sec.51

<sup>7</sup> **Hamden Charter, Sec. 7-2.A** mandates an appointed **Finance Commission**, as follows: (1) there shall be a Finance Commission which shall have the authority to exercise the powers and duties exclusively set forth in this in this Charter and Ordinances and such incidental powers as may be reasonably necessary to enable it to investigate and determine those matters of fiscal policy of the Town as are within its direct jurisdiction and responsibility. Said responsibilities shall include: (a) **Budget Preparation and Oversight**. Reviewing the Proposed Town Budget and making its recommendations to the Legislative Council as set forth in Chapter X of this Charter pertaining to financial efficacy and soundness as well as compliance with Laws, procedures, contractual and fiduciary obligations as well as best practices and standards in public finance as set forth in Law, this Charter and as set forth in §7-2.A(1)(f) of this Charter ("Best Practices"). Specifically, the Commission shall (i) make recommendations as required by §10-4.C; and, (ii) offer its advice during the Final Budget Hearing (see, §10-4.A(2) of this Charter) and following Adoption of the Budget (see, §10-5.B of the Charter) and prior to Mayoral Action (see, §10-6.B of this Charter). The Commission is further required to maintain continued oversight over budget implementation and management during the course of the fiscal year in cooperation with the Legislative Council, in furtherance of the Council's role as the budget-making authority of the Town. (b) **Reporting Function**. Conducting monthly Meetings and quarterly budget review Meetings and preparing a comprehensive annual financial report for the fiscal year and reports to the Legislative Council, upon request. (c) **Collective Bargaining Agreements**. To the extent permissible by Law and in accordance with any agreements governing the collective bargaining process, the Mayor and Board of Education shall keep the Commission informed of the operational and fiscal impact of collective bargaining negotiations. With respect thereto, the Finance Commission may render an advisory opinion to the Mayor and the Board of Education, as the case may be, of the total cost and potential long-term tax burden as set forth in the tentative agreement. Prior to final statutory action, if required, on the collective bargaining agreement, the Commission shall, in turn, render an advisory opinion to the Mayor, Legislative Council and Board of Education of the total cost and potential long-term tax burden of said agreements. The Mayor and Board of Education shall transmit the tentative agreement as required by Law and the Legislative Council may then transmit such agreement to the Finance Commission. (d) **Pensions**. The Mayor and the Finance Commission are required to propose a funding policy to ensure that defined benefit pensions and Other Post-Employment Benefits ("OPEB") are properly measured, reported and funded in accordance with contractual obligations, Best Practices and Law. (e) **Long-term Financial and Capital Planning**<sup>7</sup>. The Finance Commission shall regularly (although not less than every two years) engage in long-term financial and capital planning that takes into account the next five years in the future and shall further consider the financial effects of the Town's **plan of conservation and development ("POCD")** as required by the General Statutes. A report on said planning effort over said five-year period shall be transmitted to the Mayor and Legislative Council, which shall take the Plan into account during budget deliberations. The Legislative Council may establish a regular schedule for such planning by Ordinance. (f) **Standards and Policies**. The Finance Commission shall, from time to time, issue recommended policies and standards governing the Best Practices for the financial operations of the Town. (2) **Appointment and Membership**. The Commission shall consist of five (5) members, appointed as set forth in §7-1. C of this Charter. The Commission shall choose a chair and such other officers as it may desire. (a) **Term**. The Mayor shall appoint two (2) members and the President of the Legislative Council shall appoint three (3) members for a term of six (6) years commencing on the 1<sup>st</sup> Day of January of the year of appointment (subject to the transition provision, below). All appointments shall be subject to approval by a Majority Vote of the Legislative Council. The terms shall be staggered as established at the date of the original appointment. (i) **Transition Provision Pertaining to the Initial Appointment of Members to the Finance Commission**. The Mayor and President of the Legislative Council shall each appoint one (1) member to a term of six (6) years commencing on the 1<sup>st</sup> Day of January 2023. The Mayor and President of the Legislative Council shall each appoint one (1) member to a term of five (5) years commencing on the 1<sup>st</sup> Day of January 2023 and thereafter to a term of six (6) years commencing on the 1<sup>st</sup> day of January 2028. The President of the Legislative Council shall appoint one (1) member to a term of four (4) years commencing on the 1<sup>st</sup> Day of January 2023 and thereafter to a term of six (6) years commencing on the 1<sup>st</sup> day of January 2027. Following the initial appointments, the term of office shall be

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uniformly applied. (b) **Minority Party Representation.** Said Commission shall be subject to the requirements of the §7-1. F of this Charter. (c) **Restrictions.** Said Commission members shall be subject to the provision of §7-1. I of this Charter. (d) **Selection of Officers.** The Commission shall elect a Chair, Vice Chair and such other officers as it deems necessary. (e) **Ex Officio Members.** The following non-voting ex-officio members shall be appointed to the Commission as follows: (i) a Public Official or municipal employee representing the Mayor, designated by the Mayor; (ii) a representative of the Board of Education, designated by a majority vote of said Board; and, (iii) the Chair of the Legislative Council committee of jurisdiction over the budget or a member of said committee designated by the Chair. The provisions of §7-2A(2)(c) of this Charter shall not apply to said ex-officio members. (f) **Qualifications.** Members of the Commission, with the exception of up to one (1) community stakeholder, shall have professional or business experience in the fields of accounting, management or financial analysis as evidenced by being a certified public accountant, certified management accountant or having earned a degree in business, finance or public administration or the equivalent thereof from an accredited college or university; or, at least five (5) years of experience as an owner or manager or financial officer of a business or public or nonprofit administrator or such other qualifications as may be further defined by Ordinance. In addition to these requirements, including the community stakeholder, the Mayor and President of the Legislative Council are required to comply with the requirements of §7-1. G of this Charter. (g) **Adherence to Best Practices and Standards.** In order to manifest and exemplify the highest standards of conduct and best municipal finance and budgeting practices, members are required to engage in training sessions offered by the Government Finance Officers Association, the National League of Cities, United States Conference of Mayors, Connecticut Conference of Municipalities, their successor organizations or other similar organizations. In the event such training programs are not available, the Town shall support and fund mandatory training for the members and programs shall be recommended by the Director of Finance. Said training shall occur not later than six (6) months following confirmation to the Commission by the Legislative Council, prior to the commencement of a new term and at the commencement of the third (3<sup>rd</sup>) year of the term. Failure to participate in training sessions constitutes grounds for removal from the Finance Commission.

<sup>8</sup> **Milford Charter Art. VI, Sec. 3** the Council has the ability to reduce or delete items from the budget by majority vote (present and voting); however, may increase or add or increase items by a vote of 2/3<sup>rds</sup> of the members present and voting.

## Four Charter Revision Proposals

### I. Improve Democracy and Voter Participation – Proposed Changes to §4-10. Referendum Procedure (“Petition for Overture”): Matters Subject to Referendum; Procedure.

#### Part 1 – Proposed Changes to §4-10 A

**Change from:**

Upon a petition of not less than eight percent of the electors of the City . . .

**To:**

Upon a petition of not less than four percent of the electors of the City . . .

#### Part 2 – Proposed Changes to §4-10 B and D

**Change from:**

B. No Ordinance or other exercise of authority shall be subject to referendum unless, within seven Days of the time that the Ordinance is passed or exercise of authority is taken, a written request including the particular question or proposal to be subject to referendum is filed by at least five electors of the City of Norwalk, duly notarized, for the issuance of forms of petition for the referendum with the City Clerk, together with a fee of twenty-five dollars.

**To:**

B. No Ordinance or other exercise of authority shall be subject to referendum unless, within seven Days of the time that the Ordinance is passed or exercise of authority is taken, a written request including the particular question or proposal to be subject to referendum is filed by at least four electors of the City of Norwalk, duly notarized, for the issuance of forms of petition for the referendum with the City Clerk, together with a fee of two hundred dollars.

**and Change from:**

D. No Ordinance or exercise of authority shall be subject to referendum unless, within twenty-five Days of the mailing of notice in accordance with §4-10.C, there shall be returned to the City Clerk as a lot by any of the named electors of the aforesaid request for petition, the petition forms containing the signatures, with addresses, of eight percent of the electors of the City of Norwalk on the petition forms requesting such referendum issued by the City Clerk.

**To:**

D. No Ordinance or exercise of authority shall be subject to referendum unless, within **forty-five Days** of the mailing of notice in accordance with §4-10.C, there shall be returned to the City Clerk as a lot by any of the named electors of the aforesaid request for petition, the petition forms containing the signatures, with addresses, of **four percent of the electors** of the City of Norwalk on the petition forms requesting such referendum issued by the City Clerk.

**II. Improve BET Accountability – Proposed Changes to §7-2 A(2)**

**Change from:**

The members shall be appointed by the Mayor, for a term of four years, subject to approval by the Common Council as set forth in §7-1.C.

**To:**

Three members shall be appointed by the Mayor, for a term of four years, subject to approval by the Common Council as set forth in §7-1.C. Three members shall be appointed by the Common Council, for a term of four years.

**III. Improve Democracy, Fairness of Elections and Representation of Minority Parties - Proposed Changes to §3-3 A**

**Change from:**

. . . In the event alternate election methods are permitted by Law, the Common Council, by Ordinance, may alter the methodology utilized in the municipal elections.

**To:**

. . . In the event alternate election methods are permitted by Law, the Common Council, by Ordinance, may alter the methodology utilized in the municipal elections. The prior sentence notwithstanding, in the event Cumulative Voting is permitted by Law, the Common Council by Ordinance will alter the methodology utilized in the election of At-Large Councilmembers to utilize Cumulative Voting for the next applicable and all future municipal elections.

**IV. Improve Police Commission Accountability and Governance - Proposed Changes to §7-2 B (1) (a)**

**Change from:**

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 §7-1.C. . . . In addition to the four Electors, the Mayor shall be, ex officio, a voting member and Chair of the Commission.

**To:**

There shall be a five-member Police Commission, consisting of two Electors appointed by the Mayor subject to approval by the Common Council as set forth in §7-1.C, and two Electors appointed by the Common Council. . . In addition to the four Electors, the Mayor shall be, ex officio, a voting member and Chair of the Commission. The prior sentence notwithstanding, the Mayor may recuse himself/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.

## ARTICLE X: BUDGET, PUBLIC FUNDS AND FINANCE

### §10-1. The Budget Process<sup>1</sup>.

**A. Cooperation of City Officials and Employees<sup>2</sup>.** The Mayor, Common Council, Board of Estimate and Taxation, the Board of Education, the Planning and Zoning Commission, and all other Budgeted Entities (including any Board, Commission, office, agency, bureau, authority or any other entity receiving or expending City funds or multi-year state or federal funds or grants, including the Board of Education and the Norwalk Public Schools) are required to work together and share information, in good faith, throughout the year in order to develop, approve and implement the budget of the City, which is comprised of the:

(1) **Operating Budget<sup>3</sup>.** The Operating Budget, adopted annually as set forth in this Charter, consists of all expected revenues and expenditures and, for the purposes of short-and long-term financial planning, includes detailed estimates of revenues and operating expenses, including, but not limited to operating, personnel and facility maintenance expenses, costs and all expected revenues, as required by this Charter and any related Ordinances. The Operating Budget is funded primarily through local property taxes; intergovernmental revenue, licenses, fees, charges for services, fines, interest and other sources of revenue.

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(2) **Capital Budget and Capital Improvement Plan<sup>4</sup>.** The Capital Budget, adopted annually as set forth in this Charter, consists of expected costs of improvements to City facilities infrastructure, and long-term assets that are contemplated to be financed through borrowing and grants and the Capital Improvement Plan that includes a Ten-Year Program of Capital Expenditures, of which years 2 – 10 are non-binding.

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All Public Officials and employees of the City are required to utilize commonly accepted practices and to aspire to employing best practices in the field of municipal and public finance. In order to comply with Law and with the generally accepted accounting principles (or any successor policies thereto) Public Officials and employees of the City must embrace principles of accountability, transparency, and outreach in order to expand public participation, engagement, and trust in the budgetary process of the City.

**B. Fiscal Year<sup>5</sup>.** The fiscal year of the City begins on July 1st and ends on June 30<sup>th</sup> of the succeeding year.

<sup>1</sup> NEW (2023)

<sup>2</sup> NEW (2023).

<sup>3</sup> 2025 revision of §10-1.A(1) which was adopted in the 2023 Charter.

<sup>4</sup> 2025 revision of §10-1.A(2) which was adopted in the 2023 Charter. The 2023 revision was derived from §30-1 of the Code of Ordinances. Note: Chapter 30 of the Code of Ordinances was adopted by the City of Norwalk Common Council 4-24-1958. Amendments noted where applicable.

<sup>5</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Eleventh sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

**C. The Budget: A Public Record.**

(1) **Public Inspection**<sup>6</sup>. The budget documents, comprised of the proposed Operating Budget and Capital Budget, as public records must be filed in the office of the City Clerk. Following Public Notice the budget documents must be (a) available for public inspection at the Office of the City Clerk, during regular office hours; and (b) posted on the City's website or electronic media or at public facilities including libraries and schools, as may be determined by the Mayor or the Common Council. Physical copies of the budget must be available promptly upon request following the filing with the Clerk, subject to a reasonable charge as permitted by Law.

(2) **Public Engagement**<sup>7</sup>. The Mayor, Common Council, Board of Estimate and Taxation, Board of Education, and Planning and Zoning Commission must develop and publicize procedures designed to encourage public participation in the budget process. The Common Council has the legislative authority to enact Ordinances to implement these provisions of the Charter.

(3) **Budget Calendar**<sup>8</sup>. Not later than the first week in September of each year, the Chief Financial Officer is required to publish a budget calendar, including procedural rules, in order to inform the public of the significant milestones in the budget process

(4) **Initial Joint Public Hearings**<sup>9</sup>. On or before October 1<sup>st</sup> in each year, joint public hearings for the purpose of eliciting comments and ideas from members of the public prior to the development of the Operating and Capital Budgets for the subsequent fiscal year must be conducted by the (a) Mayor; (b) Chief Financial Officer; (c) President of the Common Council; (d) Chair(s) of the Council committee(s) authorized to review the budget; (e) Chair pro tempore of the Board of Education; (f) Superintendent of the Norwalk Public Schools; (g) Chief Financial Officer of the Norwalk Public Schools; (h) Chair of the Planning and Zoning Commission, and (i) a member of the Board of Estimate and Taxation designated by the Mayor.

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**D. Authority to Require Operating Budget and Capital Budget Information**<sup>10</sup>.

The Mayor has the authority to require each Department Head and responsible officer for each Budgeted Entity, including the Norwalk Public Schools under the auspices of the Board of Education, to submit to the Mayor or a designee the following:

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(1) estimates of revenue and requests for expenditures for the Operating Budget in the ensuing fiscal year<sup>11</sup>; and

<sup>6</sup> NEW (2023)

<sup>7</sup> NEW (2023)

<sup>8</sup> NEW (2023).

<sup>9</sup> 2025 revision of §10-1.C(4) which was adopted in the 2023 Charter.

<sup>10</sup> 2025 recodification and revision of §10-2.A which was new provision added to the Charter in 2023.

<sup>11</sup> 2025 recodification of §10-2.A(1)

(2) estimates of the cost of Capital Budget Items pending or which should be undertaken within the next and nine succeeding fiscal years, including a detailed budget by project for expected Capital Budget Items the next fiscal year, shall be submitted by each Department annually in the form and manner prescribed by the Chief Financial Officer under the authority of the Mayor<sup>12</sup>;

(3) any additional information which the Departments possess (including, but not limited to, records, books, accounts, contracts, reports and other papers and documents as specified by the Mayor (or the Mayor's designee) all of which are necessary to discharge the duties imposed upon the Mayor by this Charter<sup>13</sup>; and,

(4) all special revenue, equity assistance and enterprise funds, if any<sup>14</sup>.

**E. Submission of Operating Budget and Capital Budget Estimates<sup>15</sup>.** Each Department Head and responsible officer for each Budgeted Entity, including the Norwalk Public Schools under the auspices of the Board of Education, through their Department Head or other responsible officer, in conjunction with the assigned Division Chief, is required, on or before December 15<sup>th</sup> of each year, to submit and report the following:

(1) **Operating Budget Estimate<sup>16</sup>.** To the Mayor or designee, a detailed estimate of the amount of Operating Budget moneys requested by the respective Departments or other Budgeted Entities (including the Board of Education and Norwalk Public Schools) for the ensuing fiscal year, giving details as prescribed by the Chief Financial Officer<sup>17</sup>; and,

(2) **Capital Budget Items Estimate<sup>18</sup>.** To the Mayor or designee and the Planning and Zoning Commission a detailed estimate of all Capital Budget Items, which, in the judgment of each Department Head and responsible officer, in conjunction with the assigned Division Chief, should be undertaken within the Ten-Year Program of Capital Expenditures, including the proposed Capital Budget for the ensuing year.

These estimates shall be known as "Operating Budget and Capital Budget Estimates" and shall be prepared and submitted on a form the Chief Financial Officer shall prescribe. Upon

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<sup>12</sup> NEW (2025)

<sup>13</sup> 2025 recodification of §10-2.A(2).

<sup>14</sup> NEW (2025)

<sup>15</sup> 2025 recodification of §10-2.B and 10-11.

<sup>16</sup> 2025 recodification and revision of §10-2.B which is derived from the 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twelfth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter.

<sup>17</sup> 2023 repeal current Article V, Part 4 – Department of Finance §1-239.D. Added by Charter Amendment 8-29-1978, §4; Charter Amendment 11-8-2005, as follows: "Each Department Head shall submit to the Chief Financial Officer or other officer designated by the Mayor, a true copy of its proposed annual budget or any proposed changes or additions on or before the fifteenth (15<sup>th</sup>) day of December in each year." Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

<sup>18</sup> 2025 recodification and revision of §10-11 which was a new provision adopted in 2023. It was derived from §30-5 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021

Public Notice, these estimates shall be public records and shall be open for inspection at all reasonable times.

### Annual Operating Budget

#### §10-2. Operating Budget Estimates.

**A. Submission of Operating Budget Estimates<sup>19</sup>.** In accordance with §10-1.E(1), above.

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**B. Budget Preview: Joint Committees<sup>20</sup>.** On or before January 21<sup>st</sup> in each year, the Chief Financial Officer and Chief Financial Officer of the Norwalk Public Schools shall meet with the members of the committee(s) of jurisdiction of the Council and Board of Education in order to review the pre-submission Operating Budget priorities ("Joint Committees"). The Joint Committees shall eliciting comments and ideas from members of the public during this meeting.

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### The Proposed Mayor's Operating Budget

#### §10-3. Submission of the Mayor's Proposed Operating Budget to the Board of Estimate and Taxation<sup>21</sup> and Common Council<sup>22</sup>.

The Mayor or the Mayor's designee must submit to the Board of Estimate and Taxation and the Common Council on or before February 15<sup>th</sup> of each year, the Mayor's Proposed Operating Budget, comprised of the following:

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**A. Narrative and Recommendations<sup>23</sup>.** The Mayor's narrative and recommendation on the contents of the Proposed Operating Budget and

**B. Department and Other Budgeted Entity Estimates, including the Norwalk Public Schools under the auspices of the Board of Education<sup>24</sup>.** An estimate of the amounts requested by each Budgeted Entity (including the line-item requests and narrative of the particulars proposed by the Board of Education) giving the particulars as far as possible and recommending appropriations for all the expenses of the City (including the proposed total Board of Education appropriation) and recommending a mil rate applied to the assessed

<sup>19</sup> 2025 revision and merger in §10-1.D(1).

<sup>20</sup> NEW (2025)

<sup>21</sup> 2023 adaptation, modification and recodification of current Article V, Part 4 – Department of Finance §1-239.D. Added by Charter Amendment 8-29-1978, §4; Charter Amendment 11-8-2005. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.

<sup>22</sup> 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirteenth and fourteenth sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.]; Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>23</sup> 2023 adaptation, modification and recodification of current Article V, Part 4 – Department of Finance §1-239.D. See, derivations in fn #17, above.

<sup>24</sup> 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirteenth and fourteenth sentences). See, derivations in fn #18, above.

value of property (the sum of which for the City is referred to as the Grand List) as deemed necessary to meet the expenses of the City, after deducting the amount of the available revenue for the fiscal year as well as any other necessary adjustments.

**§10-4. Notice and Publication of the Mayor’s Proposed Operating Budget<sup>25</sup>.**

The Chief Financial Officer or other designee of the Mayor must post the Mayor’s Proposed Operating Budget, in accordance with the Public Notice provisions of this Charter or as further required by Ordinance, at least five Days before the fourth Monday of February of each year.

**§10-5. Review by the Common Council.**

**A. Maximum Limit on Total Appropriations<sup>26</sup>.** The Common Council must, at a meeting thereof to be held on or before February 28<sup>th</sup> of each year, adopt by a resolution approved by an affirmative vote of a majority of the entire membership of the Council, a maximum limit on total appropriations for the City as an amendment to the Mayor’s Proposed Operating Budget for the ensuing fiscal year and cause the same to be communicated to the Board of Estimate and Taxation.

**B. Exemption from the Referendum Provisions of this Charter<sup>27</sup>.** The Common Council resolution is exempted from the application of §4-10.

**C. Exemption of Grants from Maximum Taxation<sup>28</sup>.** Any grants from private, state, or federal sources received after the adoption of any maximum taxation by the Common Council under this section are exempted from the maximum limitation.

<sup>25</sup> 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirteenth and fourteenth sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>26</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Fifteenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>27</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Sixteenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>28</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Seventeenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

#### **§10-6. Board of Estimate and Taxation Deliberations on the Mayor's Proposed Operating Budget<sup>29</sup>.**

The Board of Estimate and Taxation must hold one or more meetings on or before March 30<sup>th</sup> of each year including at least one Public Hearing at which it shall hear from all parties who desire to be heard, relative to any alterations in the estimates. Thereafter the Board may make any alterations, increases and decreases in the Mayor's Proposed Operating Budget and make the additional appropriations, as it deems proper.

#### **§10-7. Transmittal of Board of Estimate and Taxation's Approved Operating Budget to the Common Council.**

**A. Submission of Statement of Appropriations and Tax Rates to Common Council<sup>30</sup>.** The Board of Estimate and Taxation, having made alterations, increases, and decreases, if any, is required to prepare a statement of appropriations and tax rates which it proposes to make and levy, and cause the same to be forwarded to the Common Council not later than April 1<sup>st</sup> of each year.

**B. Deliberations of the Common Council<sup>31</sup>.** The Common Council may, at a regular or special meeting to be held not later than April 15<sup>th</sup> of each year, amend the maximum limit of total appropriations for the City for the ensuing fiscal year by an affirmative vote of two-thirds of the entire membership of the Council.

**C. Exemption from the Referendum Provisions of this Charter<sup>32</sup>.** The Common Council vote is exempted from the application of §4-10.

#### **§10-8. Final Actions by Board of Estimate and Taxation.**

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<sup>29</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Eighteenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>30</sup> 2023 adaptation and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Nineteenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>31</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twentieth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>32</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-first sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

**A. Alteration to Common Council Limits<sup>33</sup>.** The Board of Estimate and Taxation must thereupon make alterations in the Proposed Operating Budget, including the tax rates, as are necessary to comply with the limit set by the Common Council, and shall prepare a Final Approved Operating Budget, including tax rates, which it proposes to make and levy in accordance therewith.

**B. Notice and Publication<sup>34</sup>.** The Board of Estimate and Taxation is required to post the Approved Operating Budget as set forth in §10-8.A in accordance with the Public Notice provisions of this Charter or as further required by Ordinance, no later than April 30<sup>th</sup> of each year.

**C. Final Alterations of Proposed Operating Budget, including Tax Rates<sup>35</sup>.** The Board of Estimate and Taxation must hold a meeting no later than May 7<sup>th</sup> of each year for the purpose of making further alterations in the estimates, appropriations, and tax rates as it shall deem proper. The Board is authorized to make appropriations and lay taxes at the meeting. Finally, the Board may fix the time or times when any tax approved by it shall become due and payable, and may divide the altered tax levy and make the same payable in two or more installments, as authorized by the General Statutes<sup>36</sup>.

Commented [SGM13]: CFO 021625

**D. No Further Action by Common Council<sup>37</sup>.** No appropriation made at the meeting held pursuant to §10-8.C shall require the approval of the Common Council; provided, however, that the total amount of the approved appropriations shall not exceed the maximum limit established by the Council as hereinabove provided.

**E. Actions Subject to Referendum Provisions of the Charter<sup>38</sup>.** The actions of the Board of Estimate and Taxation at the meeting held pursuant to §10-8.C are subject to the provisions of §4-10.

#### **§10-9. Appropriations Shall Not Exceed Estimate of Revenues<sup>39</sup>.**

<sup>33</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-second sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>34</sup> 2023 Modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-second sentence). See, derivations in fn #31.

<sup>35</sup> 2025 revision of the 2023 modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-third sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>36</sup> **Comment of the 2025 Charter Revision Commission.** At the time of the adoption of this provision the authority for installment payment, C.G.S. §12-142.

<sup>37</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-fourth sentence). See derivations in fn #33.

<sup>38</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-fifth sentence). See derivations in fn. #33.

<sup>39</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-sixth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the

The Board of Estimate and Taxation is not authorized to make appropriations in excess of the estimate of revenues made by it for any year, and in no case shall the expenses of the City exceed their respective estimated revenues (including tax revenues) for any year, except for the purposes for which the City is authorized to issue bonds, and only when bonds are so issued.

**§10-10. Limitations on Expenditures and Revenues; Action by Board of Estimate and Common Council.**

**A. Limits on Expenditures; Special Appropriations and Exemption from Maximum Limit<sup>40</sup>.** No money other than that appropriated as aforesaid by the Board of Estimate and Taxation in the final budget shall be expended unless a special appropriation therefor has been provided by the Board of Estimate and Taxation **at a special meeting called for that purpose** and has been approved by a Majority Vote of the Council. Any special appropriation approved in the manner herein set forth is exempted from the maximum limit established by the Council as hereinabove provided.

Commented [SGM14]: CFO WANTS TO REPEAL

**B. Special Appropriations<sup>41</sup>.** If a special appropriation in excess of the unappropriated revenues of the City is required, an estimate of the same must be prepared by the Chief Financial Officer and submitted to the Board of Estimate and Taxation **at a special meeting called for that purpose**. The Board, at the called meeting or an adjournment thereof, is authorized to make any special appropriation, and to lay a special tax to meet the same; however, no special appropriation may be made unless available General Fund resources or a special tax is sufficient to cover the amount when the special appropriation is in excess of the unappropriated revenues of the City and unless the special tax has been approved by a Majority Vote of the Council.

Commented [SGM15]: CFO WANTS TO REPEAL

Commented [SGM16]: CFO 031425.  
WHAT IS A "GENERAL FUND RESOURCE"?

**C. Specific Purpose Appropriations<sup>42</sup>.** Any appropriation, regular or special, for any specific purpose, shall not be expended for any other purpose and, if unexpended, shall be transferred into the treasury sixty days after the expiration of the fiscal year for which it is made. All appropriations so made shall remain on the books of the City to the credit of the specific purposes for which they are made for sixty days after the expiration of the fiscal year for which they are made, for the purpose of paying bills lawfully contracted during the fiscal year which are properly chargeable to the specific purpose appropriations.

general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>40</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-seventh and twenty-eighth sentences).

<sup>41</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirtieth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.]) Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>42</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirty-first and thirty-second sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.]) Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

## The Capital Budget

### §10-11. Submission of Estimate of Capital Budget Items<sup>43</sup>.

The estimates of Capital Budget Items shall be submitted in accordance with §10-1.E(1), above.

Commented [SGM17]: SGM consolidation in Sec. 10-1.D(2) based upon CFO 021625.

### §10-12. Chief Financial Officer's Report<sup>44</sup>.

Following the receipt of estimates for Capital Budget Items and not later than February 1<sup>st</sup> of each year, the Chief Financial Officer must submit a report on the Ten-Year Program of Capital Expenditures to the Board of Estimate and Taxation, the Common Council, and the Planning and Zoning Commission the amount of the expenditures requested and the Chief Financial Officer's:

Commented [SGM18]: CFO 021625

Commented [SGM19]: CFO 031425

**A.** Estimates of the effect of the proposed expenditures upon the current budget and the bonded indebtedness for the succeeding years; and

**B.** Recommendations relative thereto.

The Chief Financial Officer is required to send said Report to the Department Heads or responsible officers for each of the Budgeted Entities that have submitted requests for inclusion in the Capital Improvement Plan.

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### §10-13. Review by the Planning and Zoning Commission<sup>45</sup>.

**A. Public Hearings.** On or before February 15<sup>th</sup> in each year, the Planning and Zoning Commission **is required to** hold a Public Hearing on the proposed Ten-Year Capital Improvement Plan, at which time the Mayor, Department Heads and responsible officers of other Budgeted Entities, including the Board of Education; the Chief Financial Officer; members of the Board of Estimate and Taxation; members of the Common Council and members of the public may be heard for the sole purpose of discussing the alignment of the estimates for Capital Budget Items with the City's Plan of Conservation and Development for each of these years. The hearing may be continued. if deemed necessary ensure the record is complete.

Commented [SGM21]: CFO 021625

Commented [SGM22]: CFO WANT DISCRETION ("MAY").

**B. Role of the Planning and Zoning Commission.** The sole function of the Planning and Zoning Commission is to ensure that each Capital Budget Item in the proposed Ten-Year Capital Improvement Plan not previously approved is consistent with the City's Plan of Conservation and Development.

Commented [SGM23]: CFO 031425

**C. Production of Information.** The Planning and Zoning Commission may require the production of all pertinent data with respect to the proposed estimates, including

<sup>43</sup> 2025 revision and merger into §10-1.D(2).

<sup>44</sup> 2025 revision of §10-12, which was adopted in 2023 and derived from §30-6 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021

<sup>45</sup> Revision of §10-13 which was adopted in 2023 and derived from §30-7 of the Code of Ordinances. Amended 3-10-1959; 9-28-2021.

but not limited to, preliminary plans, sketches, layouts and surveys insofar as the information is necessary to assess the alignment of the proposed estimates with the City's Plan of Conservation and Development.

**D. Report of the Planning and Zoning Commission.** The Planning and Zoning Commission must thereupon prepare a report setting forth its determination as to whether each proposed Capital Budget Item for the ensuing fiscal year is or is not consistent with the City's Plan of Conservation and Development ("POCD Report"). The Planning and Zoning Commission shall deliver the POCD Report to the Mayor as provided in §10-14 and also to the Common Council, Board of Estimate and Taxation and Chief Financial Officer.

Commented [SGM24]: SAME ISSUE: DEFINED TERM.

**E. Transmittal of the Report<sup>46</sup>.** The proposed Capital Budget, including the Ten Year Capital Improvement Plan and the POCD Report, must thereupon, on or before March 5<sup>th</sup> of each year, be transmitted to the Mayor for review and recommendations. However, the Mayor may not include therein any new Capital Budget Items without first submitting them to the Planning and Zoning Commission for its determination in accordance with this section.

Commented [SGM25]: CFO 021625

Commented [SGM26]: CFO 031425.

CFO (031425): "SHOULD REFERENCE TO THE MAYOR'S REVIEW AND RECOMMENDATIONS BE MOVED TO 10-14 - THE END OF THE FIRST SENTENCE AND THE FULL SECOND SENTENCE?"

#### **§10-14. Review by the Mayor; Transmittal to Board of Estimate and Taxation and Common Council.**

**A. Mayoral Review<sup>47</sup>.** In the event the Planning and Zoning Commission determines that any proposed new Capital Budget Item is not consistent with the City's Plan of Conservation and Development, this fact shall be recorded by the Mayor when submitting the Mayor's proposed Capital Budget to the Board of Estimate and Taxation and the Common Council.

**B. Transmittal by the Mayor to the Board of Estimate and Taxation and Common Council<sup>48</sup>.** The Mayor's proposed Capital Budget must be transmitted to the Board of Estimate and Taxation and the Common Council on or before March 15<sup>th</sup> of each year.

Commented [SGM27]: CFO 021625

Commented [SGM28]: COUNSEL RECOMMENDS THAT THE COUNCIL RECEIVE THE MAYOR'S TRANSMITTAL SIMULTANEOUSLY WITH THE BET, SINCE ALL THE BET IS GOING TO DO IS COMMENT AND RECOMMEND.

#### **§10-15. Transmittal of Recommendations by the Board of Estimate and Taxation.**

**A. Adoption of Resolution.** The Board of Estimate and Taxation is required to adopt a Resolution, adopted by an affirmative vote of a majority of the entire membership of the Board. The Resolution is required to set forth its written recommendations pertaining to the Mayor's Proposed Capital Budget for the ensuing fiscal year and cause the same to be transmitted to the Common Council, as set forth below<sup>49</sup>.

Commented [SGM29]: CFO 021625

**(1) Content of Recommendations.** The recommendations of the Board

<sup>46</sup> 2025 recodification and edit of §10-14 (first sentence) which was adopted in 2023 and derived from §30-8 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

<sup>47</sup> 2025 recodification of the second sentence of §10-14 and revision by transferring the first sentence to 10-13.E, above. This provision was adopted in 2023 and derived from §30-8 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

<sup>48</sup> 2025 recodification of §10-15.A which was adopted in 2023 and derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

<sup>49</sup> NEW (2025).

of Estimate and Taxation are a written expression of its judgment with respect to the amount of funds the Mayor has proposed to expend in the Capital Budget and the effect the expenditures will, in its opinion, have upon the operating expenses and credit of the City<sup>50</sup>.

(2) **Further Recommendations.** Said transmittal shall incorporate therein recommendations as the Mayor, the Planning and Zoning Commission and the Chief Financial Officer may make<sup>51</sup>.

**B. Transmittal by the Board of Estimate and Taxation to the Common Council.** Following approval of its written recommendations on the Mayor's proposed Capital Budget, the Board of Estimate and Taxation is required to forward the same to the Common Council on or before April 1<sup>st</sup> of each year<sup>52</sup>. The Council is not required to take into account any recommendations of the Board of Estimate and Taxation if not in writing or transmitted on or before April 1<sup>st</sup> of each year<sup>53</sup>.

**C. Transfers to Operating Budget<sup>54</sup>.** The Board of Estimate and Taxation may transfer from the Mayor's proposed Capital Budget to the Operating Budget all or part of any capital items it believes may feasibly be included in the Operating Budget for the ensuing year.

**D. Exemption from the Referendum Provisions of this Charter<sup>55</sup>.** The Common Council resolution is exempted from the application of §4-10.

#### §10-16. Adoption of Capital Budget.

**A. Actions of the Common Council.** Upon receipt of the recommendations of the Board of Estimate and Taxation, the Common Council may approve, reject, reduce or reinstate any item in the Mayor's proposed Capital Budget by a Majority Vote of the Council within the maximum limits of the total Capital Budget established by the Mayor<sup>56</sup>. Notwithstanding the foregoing, the Common Council may, not later than April 15<sup>th</sup> of each year, amend the maximum limit of total Capital Budget for the ensuing fiscal year by an affirmative vote of two-thirds of the entire membership of the Council<sup>57</sup>.

(1) **Reinstatement.** Reinstatement means all multi-year Capital Items or projects approved in the current Ten-Year Capital Improvement Plan that are not included in the Mayor's proposed Capital Budget.

(2) **Deadline for Approval<sup>58</sup>.** The Common Council must thereupon approve the

Commented [SGM30]: COUNSEL REVISIONS (031925)

WHAT IS IT WE ARE TRYING TO ACHIEVE? MY IMPRESSION IS THAT WE WANT A SITUATION WHERE THE MAYOR SENDS THE BUDGET, BET SIMPLY PROVIDES RECOMMENDATIONS. THE ALTERNATIVE IS FOR THE BET TO "SET THE CAP" AS IS THE CASE FOR THE COUNCIL ON THE OPERATING SIDE OF THE BUDGET.

Commented [SGM31]: IS THIS NECESSARY? (031925)

Commented [SGM32]: CFO 021625

Commented [SGM33]: CFO 021625

Commented [SGM34]: SGM NOTE TO CREATE AN AUTHORITY SIMILAR TO THE POWER IN THE GENERAL FUND PROCESS.

<sup>50</sup> 2025 recodification and minor revision of the last clause of §10-15.B which was adopted in 2023 and derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

<sup>51</sup> 2025 recodification of the last clause of the second sentence of §10-15.A.

<sup>52</sup> 2025 revision of §10-15.B which was adopted in 2023 and derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021. The last clause was recodified as §10-15.A(1).

<sup>53</sup> NEW (2025).

<sup>54</sup> NEW (2023). Derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

<sup>55</sup> NEW (2025).

<sup>56</sup> 2025 revision of §10-16.A which was adopted in 2023 and derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

<sup>57</sup> NEW (2025)

<sup>58</sup> NEW (2023). Derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

proposed Capital Budget, as amended, on or before April 15<sup>th</sup> of each year, when it shall be certified to the Chief Financial Officer. Any item not rejected or reduced by the Common Council is deemed approved by the Council.

**(3) Items Deemed Inconsistent with the Plan of Conservation and Development<sup>59</sup>.** Notwithstanding anything to the contrary in this Article, if any proposed Capital Budget Item has been determined by the Planning and Zoning Commission not to be consistent with the City's Plan of Conservation and Development, the designated item or items shall not be included in any Capital Budget or otherwise funded unless and until it has been approved by an affirmative vote of two-thirds of the Council, present and voting.

**(4) Public Hearings<sup>60</sup>.** The Common Council through its committee(s) of jurisdiction is required to hold one or more meetings and at least one Public Hearing at which it shall hear from all parties who desire to be heard, relative to any alterations in the Mayor's Proposed Capital Improvement Plan. Thereafter the Council may take such actions as set forth in §10-15.A, above.

Commented [SGM35]: SGM NOTE,

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**§10-17. Allotments and Recommendations for Termination or Abandonment of Capital Budget Items<sup>61</sup>.**

**A. Allotments<sup>62</sup>.** Funds set aside for a Capital Budget Item shall be deemed to have been allotted for that purpose only.

**B. Termination or Abandonment: Actions of Planning and Zoning Commission and Common Council<sup>63</sup>.** Any Capital Budget Item shall lapse if not implemented with four years of authorization by the Common Council. On or before November 1<sup>st</sup> of each year, the Chief Financial Officer shall submit to the Common Council a report that identifies the status of projects that are scheduled to lapse within the following 12 months. The Common Council may continue an authorization for a project or projects by a majority vote of the Council. Thereafter, the Planning and Zoning Commission is required, within thirty days after the receipt of the Mayor's notice, to forward its recommendations to the Common Council. The Council must hold a Public Hearing thereon. In the event of approval by the Planning and Zoning Commission of the Mayor's request, a Majority Vote of the Council is required for concurrence; in the event of disapproval, the Commission shall communicate its reasons to the Council, which shall have the power to overrule the disapproval of the Commission by a recorded Majority Vote of the Council.

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**C. Unencumbered Funds<sup>64</sup>.** Any and all unencumbered funds that constitute a surplus of funds allocated for Capital Budget Items that have been completed, terminated, or abandoned shall revert to a capital budget surplus account which shall be used to reduce the net capital budget for the succeeding year, except when the surplus funds are used to finance additional obligations as provided for in §10-20 of this Charter.

<sup>59</sup> NEW (2023). Derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

<sup>60</sup> NEW (2025).

<sup>61</sup> NEW (2023). Derived from §30-10.1 of the Code of Ordinances. Added 1-24-1961; amended 5-13-2003; 9-28-2021.

<sup>62</sup> NEW (2023). Derived from §30-10.1.B (First sentence) of the Code of Ordinances

<sup>63</sup> 2025 revision of §10-17.B which was adopted in 2023 and derived from §30-10.1.B (Fourth and fifth sentences) of the Code of Ordinances

<sup>64</sup> NEW (2023). Derived from §30-10.1.C of the Code of Ordinances

**§10-18. Restrictions<sup>65</sup>.**

No obligations of the City are authorized nor expenditures made or permitted in any fiscal year for or on account of the Capital Budget unless the obligations or expenditures were included in the Capital Budget as finally approved for that fiscal year or a prior year, except provided in this Charter or by Ordinance.

**§10-19. Financing Additional Obligations<sup>66</sup>.**

**A. Unforeseeable or Emergency Conditions.** Requests for additional obligations to the capital budget shall not be approved unless the request is made necessary by unforeseeable or emergency conditions.

**B. Contents of Request.** Any request under this provision shall be accompanied by a statement from the Chief Financial Officer setting forth, the following: (1) the necessity for using Capital Budget funds rather than financing through the Operating Budget; and, (2) recommendations as to the most feasible and economical measures to finance the additional obligations.

**C. Sources of Funding.** Sources of the proposed financing recommendations may be either from overall surplus from any previous bond issue for capital budgets or from the issuance of notes, each of which shall be designated "bond anticipation notes" and which may be renewed from time to time through utilization of funds from Capital Budget Items that have been terminated, abandoned, or lapsed. However, all the notes of any fiscal year and any renewals thereof shall be paid from the proceeds of the next regular capital improvements bond issue.

**D. Action of the Common Council<sup>67</sup>.** Additional obligations may be authorized and expenditures made provided that the additional obligations or expenditures are specifically recommended, in writing, by the Mayor to the Planning and Zoning Commission. Within ten days after receipt thereof, the Commission is required to forward the same to the Common Council with its recommendations relative thereto. Except as otherwise provided in §10-16, the Common Council may thereupon, by a Majority Vote of the Council, approve, reduce or reject all or any part thereof.

**§10-20. Financing Recommendations<sup>68</sup>.**

On or before June 1<sup>st</sup> of each year, the Chief Financial Officer is required to transmit to the Common Council and the Board of Estimate and Taxation recommendations in respect to the most feasible and economic measures to finance the capital budget for the ensuing fiscal year. These bodies, at an appropriate time, must adopt the Resolutions necessary to give force and effect to the financing of the capital budget in accordance with the provisions of the Charter relating thereto.

Commented [SGM38]: CFO 021625.  
JARED: LET'S TALK ABOUT THE GO BOND LANGUAGE.

<sup>65</sup> NEW (2023). Derived from §30-11 of the Code of Ordinances. Amended 9-28-2021.  
<sup>66</sup> NEW (2023). Derived from §30-11.1 of the Code of Ordinances. Added 1-24-1961; amended 9-28-2021.  
<sup>67</sup> NEW (2023). Derived from §30-11 of the Code of Ordinances. Amended 9-28-2021.  
<sup>68</sup> NEW (2023). Derived from §30-12 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

**§10-21. Planning and Zoning Commission, Board of Estimate and Taxation, and Common Council Required to Conduct Public Hearings<sup>69</sup>.**

In accordance with the Public Notice and Public Hearing provisions of this Charter, **the Planning and Zoning Commission**, Board of Estimate and Taxation, and the Common Council are each required to hold at least one and, each in its discretion, as many Public Hearings on the Capital Budget, including the Ten-Year Program Capital Improvement Plan as either or both of them may deem necessary to ascertain the opinion of the public on the matters under consideration. The Public Hearings shall permit public participation within the parameters of the rules of the Commission, Board or Council in order to facilitate the submission of views and information relative to a matter on which a decision of each of the entities is pending.

Commented [SGM39]: CFO 031425: WANTS TO ELIMINATE "PLANNING AND ZONING COMMISSION"

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**Capital Budget Administration**

**§10-22. Implementation and Oversight of the Capital Budget Projects<sup>70</sup>.**

The Common Council must enact an Ordinance pertaining to the implementation and oversight of the Capital Budget projects.

**Borrowing**

**§10-23. Issuance Authorized: Procedures<sup>71</sup>.**

The City has the authority and power to incur indebtedness by issuing its bonds or notes for such purposes, upon such terms and to such extent as is authorized by the General Statutes. Each such bond or note shall be signed in the name of the City by the manual or facsimile signature of the Mayor, Chief Financial Officer, and Comptroller and have the seal of the City or a facsimile thereof affixed. No bonds or notes shall be approved by the Mayor and Common Council until the amount and purpose thereof shall be approved by the Board of Estimate and Taxation at a meeting duly called and held therefor. The Board of Estimate and Taxation, at a meeting held in the fiscal year in which such bonds or notes are issued, shall make a sufficient appropriation to pay all bonds or notes so issued during such fiscal year and such bonds or notes shall be paid from such appropriation when it shall become available.

<sup>69</sup> NEW (2023). Derived from §30-13 of the Code of Ordinances. Amended 9-28-2021.

<sup>70</sup> NEW (2023).

<sup>71</sup> 2023 modification and recodification of (1) current Article IV. The Common Council. §1-200. Derived from Sp. Laws 1929, No. 101, §1. Historical editor's Note: See also § 1-189; § 1-226; (2) current Article IV. The Common Council. §1-201. Derived from Sp. Laws 1929, No. 101, §2. Historical editor's Note: See also Art. VI; and, (3) Current Article IV. The Common Council. §1-202. Derived from Sp. Laws 1929, No. 101, §2. Historical Editor's Note: A Charter Amendment, adopted 9-2-1980 and approved by the electorate at the general election held 11-4-1980, repealed former Article XX, Miscellaneous Bond Issues, which was comprised of the following sections: §§ 1-616 (Sp. Laws 1919, No. 123); 1-617 through 1-619 (Sp. Laws 1921, No. 297, §§ 1 to 3); 1-620 through 1-624 (Sp. Laws 1921, No. 222, §§ 1 to 5); 1-625 through 1-631 (Sp. Laws 1937, No. 73, §§ 1 to 7); 1-632 through 1-637 (Sp. Laws 1945, No. 202, §§ 1 to 6); 1-638 through 1-644 (Sp. Laws 1947, No. 326, §§ 1 to 7); 1-645 through 1-648 (Sp. Laws 1951, No. 523, §§ 1 to 4); 1-649 through 1-653 (Sp. Laws 1953, No. 209, §§ 1 to 5); 1-654 through 1-658 (Sp. Laws 1953, No. 300, §§ 1 to 5). These sections shall be maintained for record purposes in a separate book entitled "Bond Issues of the City of Norwalk, the First, the Second, the Third and the Sixth Taxing Districts." Copies of such compilation shall be kept in the offices of the City Clerk and Town Clerk and in the Finance Department. § 1-616. through § 1-658. (Reserved)

## Referenda

### §10-24. Referendum Procedure.

See §4-10 of this Charter.

**§2-2.B(7). Capital Budget<sup>72</sup>** means the first Fiscal Year of the Ten-Year Program of Capital Expenditures for which it is proposed for the purpose of authorizing expenditures during such fiscal year.

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**§2-2.B(8). Capital Budget Items<sup>73</sup>** means all individual expenditures in excess of Twenty-five Thousand (\$25,000) Dollars (or an increased amount set forth by Ordinance) to be utilized in more than one fiscal year, other than for ordinary operating expenses, which shall be requested or expended for improvements to City facilities, infrastructure and long-term assets. These Capital Budget Items shall include, but not be limited to, acquisition of property, the construction or remodeling of schools, public buildings and structures of whatever nature, highways, parks, sanitary sewers, sewage and garbage-disposal plants, drainage systems, rehabilitation of blighted areas and for machinery and other facilities having a usable expectancy of at least two years, for which the credit of the City shall, usually but not always, be pledged by the issuance of bonds, notes or other certificates of indebtedness.

**§2-2.B(17). Ten-Year Program of Capital Expenditures<sup>74</sup>** means a comprehensive long-term financial plan that identifies and prioritizes expected needs based on a strategic plan, establishes project scope and cost, details estimate amounts of funding from various sources and projects future operating and maintenance costs. Department Heads of each of the Budgeted Entities, in conjunction with the assigned Division Chief, are responsible for preparing the plan in the manner prescribed by this Charter. The first year of the ten-year projections is referred to as the "Capital Budget."

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OTHER REVISIONS RECOMMENDED BY COUNSEL

### §7-2. Boards and Commission Established by the Charter.

#### A. Board of Estimate and Taxation<sup>75</sup>.

(1) **Established<sup>76</sup>: Mayor as ex officio member of Board of Estimate and Taxation; Board in General<sup>77</sup>.** The seven-member Board of Estimate and

Commented [SGM43]: STRUCTURE OF BOARD OF ESTIMATE: (A) ELECTED? (B) APPOINTED BY MAYOR? OR JOINT APPOINTMENT BY MAYOR AND COUNCIL?

<sup>72</sup> NEW (2023). Derived from §30-1 of the Code of Ordinances. Note: Chapter 30 of the Code of Ordinances was adopted by the City of Norwalk Common Council 4-24-1958. Amendments noted where applicable

<sup>73</sup> NEW (2023). Derived from §30-4 of the Code of Ordinances.

<sup>74</sup> 2025 revision of 2-2.B(17) which was which was adopted in the 2023 Charter. The 2023 revision was derived from §30-3 of the Code of Ordinances.

<sup>75</sup> 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288. Derived from Sp. Laws 1913, No. 352, §88; Charter Amendment 8-29-1978 [Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978]; Charter Amendment 8-10-1982. [Editor's Note: Approved by the electorate at the general election held 11-2-1982].

<sup>76</sup> 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288 (First sentence).

<sup>77</sup> 2023 recodification of current Article VI – Board of Estimate and Taxation §1-289 (First sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter

Taxation is comprised of six Electors who shall serve without pay. The Mayor shall be an ex officio member of the Board of Estimate and Taxation and shall be entitled to vote in the proceedings of the Board.

(a) **Mayor as Presiding Officer**<sup>78</sup>. The Mayor shall preside at all meetings of the Board when present.

(b) **Quorum**<sup>79</sup>. At all meetings of the Board, four members shall constitute a quorum, and the concurrence of four votes shall be necessary for the transaction of business<sup>80</sup>.

(2) **Appointment, Term of Office, Approval, Qualification, and Political Balance**<sup>81</sup>. The members shall be appointed by the Mayor, for a term of four years<sup>82</sup>, subject to approval by the Common Council as set forth in §7-1.C.

(a) **Political and Geographic Balance**. There shall be not more than two members from any one Council District and not more than three appointed members shall belong to the same political party.

(b) **Vacancy - Balance of Term**<sup>83</sup>. As set forth in §7-1.D<sup>84</sup>.

(3) **Powers**<sup>85</sup>. The Board of Estimate shall have the powers specified in this Charter and the incidental powers as may be reasonably necessary to enable it to investigate and determine those matters of fiscal policy of the City as are within its direct jurisdiction and responsibility<sup>86</sup>.

(a) **Open Meetings; Public Notice**<sup>87</sup>. The regular meetings of the Board shall be open to the public and shall be convened by the Mayor, and notice of the time, place, and purpose of holding the same shall be posted or published as required by this Charter or as otherwise may be required by Law.

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Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter Amendment 11-8-2005.) Historical Editor's Note: For the powers and duties of Mayor, see Art. V, Part 2.

<sup>78</sup> 2023 recodification of current Article VI – Board of Estimate and Taxation §1-289 (Second sentence).

<sup>79</sup> 2023 recodification of current Article VI – Board of Estimate and Taxation §1-289 (Second sentence).

<sup>80</sup> 2023 repeal of current Article VI – Board of Estimate and Taxation §1-289 (Third sentence), as follows: "Lack of Quorum. Warrant to Compel Attendance. Whenever any meeting of the Board has been regularly called and no quorum shall be present, the Mayor may execute and issue a warrant, directed to a State Marshall or to the City Sheriff of the City, to arrest and bring into such meeting a sufficient number of members of the Board to constitute a quorum."

<sup>81</sup> 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288 (Second sentence).

<sup>82</sup> 2023 edit and recodification of current Article VI – Board of Estimate and Taxation §1-288 (Third and fourth sentences).

<sup>83</sup> 2023 revision of current Article VI – Board of Estimate and Taxation §1-288 (Third and fourth sentences), which is set forth in §7-1.D of this Charter.

<sup>84</sup> 2023 repeal of current Article VI – Board of Estimate and Taxation §1-288 entitled "1983 Transition Provision" (Fifth and sixth sentences).

<sup>85</sup> NEW (2023).

<sup>86</sup> 2023 repeal of current Article VI – Board of Estimate and Taxation §1-289 (Fourth sentence), which addresses faithful discharge of duties, conflict of interest, fines and removal from office.

<sup>87</sup> 2023 recodification and edit of current Article VI – Board of Estimate and Taxation §1-289 (Fifth sentence).

**(b) Vote and Proceedings of the Board of Estimate and Taxation: Evidential Weight of Records<sup>88</sup>.** The City Clerk shall be clerk of the Board of Estimate and Taxation and is responsible for maintaining the records of the Board in accordance with the §7-1.B(6). All of the records, including legacy records, shall be in all courts, evidence of the truth of the matters therein contained, and a certified copy of any record shall be received in all courts as evidence of the same validity as the original record.

**(c) Special Meetings of the Board of Estimate and Taxation<sup>89</sup>.** The Mayor or a majority of the members of the Board of Estimate and Taxation have the authority and power to call a special meeting of the Board.

**(4) The Budget Process and Authority of the Board of Estimate and Taxation to Review Budgetary Information and to Levy Taxes.**

**(a) The Budget Process.** The role of the Board of Estimate with respect to the budget process and deliberations is set forth in Article X.

**(b) Furnishing of Information<sup>90</sup>.** The Board of Estimate and Taxation is authorized to require the Department Heads and responsible officers for each Budgeted Entity (including the Norwalk Public Schools under the auspices of the Board of Education) to furnish the required information necessary, in the opinion of the Board, to enable it to discharge the duties imposed upon it by this Charter.

**(c) The Power to Levy Taxes; Fiscal Year<sup>91</sup>.** The Board of Estimate and Taxation is authorized to establish the mil rate on the assessed value of the property within the limits of the City, subject to the maximum limit on total appropriations as set by the Common Council as hereinafter provided and in conformity with Law. Every tax approved by the Board shall be laid upon the assessment list of the City last completed.

<sup>88</sup> 2023 recodification and edit of current Article VI – Board of Estimate and Taxation §1-289 (Sixth and seventh sentences).

<sup>89</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-ninth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>90</sup> 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Eighth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>91</sup> 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Ninth through eleventh sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

**(5) The Annual Report<sup>92</sup>.** All administrative City officers and committees are required by this Charter to make annual reports to the Mayor, Board of Estimate and Taxation and the Common Council on or before the first Day of August in each year.

**(6) Election Expenses<sup>93</sup>.** The Board of Estimate and Taxation must appropriate sufficient sums to cover the expenses of all elections, including the expenses of each voting precinct and voting place<sup>94</sup>.

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<sup>92</sup> 2023 recodification and revision of current Article VI – Board of Estimate and Taxation §1-289 (Thirty-third sentences).

<sup>93</sup> 2023 recodification of current Article III – Part 1. In General, §1-182. Derived from Sp. Laws 1945, No. 134, §4.

<sup>94</sup> 2023 repeal of current Article VI – Board of Estimate and Taxation §1-289: (a) First clause of the thirty-fourth sentence) which addresses the Annual Appropriation for District Library and Sinking Funds for the First, Second, Third and Fifth Districts; (b) (Second clause of the thirty-fourth sentence which addresses Investment and Reinvestment of Funds Collected and Appropriated of the First, Second and Third Taxing Districts; and, (c) Third clause of the thirty-fourth sentence which addresses Investment and Reinvestment of Funds Appropriated and Collected for the Fifth Taxing District.

## ARTICLE X: BUDGET, PUBLIC FUNDS AND FINANCE

### §10-1. The Budget Process<sup>1</sup>.

**A. Cooperation of City Officials and Employees<sup>2</sup>.** The Mayor, Common Council, Board of Estimate and Taxation, the Board of Education, the Planning and Zoning Commission, and all other Budgeted Entities (including any Board, Commission, office, agency, bureau, authority or any other entity receiving or expending City funds or multi-year state or federal funds or grants, including the Board of Education and the Norwalk Public Schools) are required to work together and share information, in good faith, throughout the year in order to develop, approve and implement the budget of the City, which is comprised of the:

(1) **Operating Budget<sup>3</sup>.** The Operating Budget, adopted annually as set forth in this Charter, consists of all expected revenues and expenditures and, for the purposes of short- and long-term financial planning, includes detailed estimates of revenues and operating expenses, including, but not limited to operating, personnel and facility maintenance expenses, costs and all expected revenues, as required by this Charter and any related Ordinances. The Operating Budget is funded primarily through local property taxes; intergovernmental revenue, licenses, fees, charges for services, fines, interest and other sources of revenue.

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(2) **Capital Budget and Capital Improvement Plan<sup>4</sup>.** The Capital Budget, adopted annually as set forth in this Charter, consists of expected costs of improvements to City facilities infrastructure, and long-term assets that are contemplated to be financed through borrowing and grants and the Capital Improvement Plan that includes a Ten-Year Program of Capital Expenditures, of which years 2 – 10 are non-binding.

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All Public Officials and employees of the City are required to utilize commonly accepted practices and to aspire to employing best practices in the field of municipal and public finance. In order to comply with Law and with the generally accepted accounting principles (or any successor policies thereto) Public Officials and employees of the City must embrace principles of accountability, transparency, and outreach in order to expand public participation, engagement, and trust in the budgetary process of the City.

**B. Fiscal Year<sup>5</sup>.** The fiscal year of the City begins on July 1st and ends on June 30<sup>th</sup> of the succeeding year.

<sup>1</sup> NEW (2023)

<sup>2</sup> NEW (2023).

<sup>3</sup> NEW (2023) 2025 revision of §10-1.A(1) which was adopted in the 2023 Charter.

<sup>4</sup> NEW (2023) - Derived 2025 revision of §10-1.A(2) which was adopted in the 2023 Charter. The 2023 revision was derived from §30-1 of the Code of Ordinances. Note: Chapter 30 of the Code of Ordinances was adopted by the City of Norwalk Common Council 4-24-1958. Amendments noted where applicable.

<sup>5</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Eleventh sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

**C. The Budget: A Public Record.**

(1) **Public Inspection**<sup>6</sup>. The budget documents, comprised of the proposed Operating Budget and Capital Budget, as public records must be filed in the office of the City Clerk. Following Public Notice the budget documents must be (a) available for public inspection at the Office of the City Clerk, during regular office hours; and (b) posted on the City's website or electronic media or at public facilities including libraries and schools, as may be determined by the Mayor or the Common Council. Physical copies of the budget must be available promptly upon request following the filing with the Clerk, subject to a reasonable charge as permitted by Law.

(2) **Public Engagement**<sup>7</sup>. The Mayor, Common Council, Board of Estimate and Taxation, Board of Education, and Planning and Zoning Commission must develop and publicize procedures designed to encourage public participation in the budget process. The Common Council has the legislative authority to enact Ordinances to implement these provisions of the Charter.

(3) **Budget Calendar**<sup>8</sup>. Not later than the first week in September of each year, the Chief Financial Officer is required to publish a budget calendar, including procedural rules, in order to inform the public of the significant milestones in the budget process

(4) **Initial Joint Public Hearings**<sup>9</sup>. On or before October 1<sup>st</sup> in each year, joint public hearings for the purpose of eliciting comments and ideas from members of the public prior to the development of the Operating and Capital Budgets for the subsequent fiscal year must be conducted by the (a) Mayor; (b) Chief Financial Officer; (c) President of the Common Council; (d) Chair(s) of the Council committee(s) authorized to review the budget; (e) Chair pro tempore of the Board of Education; (f) Superintendent of the Norwalk Public Schools; (g) Chief Financial Officer of the Norwalk Public Schools; (h) Chair of the Planning and Zoning Commission, and (i) a member of the Board of Estimate and Taxation designated by the Mayor.

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**D. Authority to Require Operating Budget and Capital Budget Information**<sup>10</sup>.

The Mayor has the authority to require each Department Head and responsible officer for each Budgeted Entity, including the Norwalk Public Schools under the auspices of the Board of Education, to submit to the Mayor or a designee the following:

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(1) estimates of revenue and requests for expenditures for the Operating Budget in the ensuing fiscal year<sup>11</sup>; and

<sup>6</sup> NEW (2023)

<sup>7</sup> NEW (2023)

<sup>8</sup> NEW (2023).

<sup>9</sup> ~~NEW (2023)~~ 2025 revision of §10-1.C(4) which was adopted in the 2023 Charter.

<sup>10</sup> ~~Recodification2025 recodification~~ and revision of §10-2.A which was new provision added to the Charter in 2023.

<sup>11</sup> ~~Recodification2025 recodification~~ of §10-2.A(1)

(2) estimates of the cost of Capital Budget Items pending or which should be undertaken within the next and nine succeeding fiscal years, including a detailed budget by project for expected Capital Budget Items the next fiscal year, shall be submitted by each Department annually in the form and manner prescribed by the Chief Financial Officer under the authority of the Mayor<sup>12</sup>;

(3) any additional information which the Departments possess (including, but not limited to, records, books, accounts, contracts, reports and other papers and documents as specified by the Mayor (or the Mayor's designee) all of which are necessary to discharge the duties imposed upon the Mayor by this Charter<sup>13</sup>; and,

(4) all special revenue, equity assistance and enterprise funds, if any<sup>14</sup>.

**E. Submission of Operating Budget and Capital Budget Estimates<sup>15</sup>.** Each Department Head and responsible officer for each Budgeted Entity, including the Norwalk Public Schools under the auspices of the Board of Education, **through their Department Head or other responsible officer, in conjunction with the assigned Division Chief,** is required, on or before December 15<sup>th</sup> of each year, to submit and report the following:

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(1) **Operating Budget Estimate<sup>16</sup>.** To the Mayor or designee, a detailed estimate of the amount of Operating Budget moneys requested by the respective Departments or other Budgeted Entities (including the Board of Education and Norwalk Public Schools) for the ensuing fiscal year, giving details as prescribed by the Chief Financial Officer<sup>17</sup>; and,

(2) **Capital Budget Items Estimate<sup>18</sup>.** To the Mayor or designee and the Planning and Zoning Commission a detailed estimate of all Capital Budget Items, which, in the judgment of each Department Head and responsible officer, **in conjunction with the assigned Division Chief,** should be undertaken within the Ten-Year Program of Capital ~~Improvement Plan~~Expenditures, including the proposed Capital Budget for the ensuing year.

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These estimates shall be known as "Operating Budget and Capital Budget Estimates" and shall be prepared and submitted on a form the Chief Financial Officer shall prescribe. Upon

<sup>12</sup> NEW (2025)

<sup>13</sup> ~~Recodification~~2025 recodification of §10-2.A(2).

<sup>14</sup> NEW (2025)

<sup>15</sup> 2025 recodification of §10-2.B and 10-11.

<sup>16</sup> 2025 recodification and revision of §10-2.B which is derived from the 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twelfth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter.

<sup>17</sup> 2023 repeal current Article V, Part 4 – Department of Finance §1-239.D. Added by Charter Amendment 8-29-1978, §4; Charter Amendment 11-8-2005, as follows: "Each Department Head shall submit to the Chief Financial Officer or other officer designated by the Mayor, a true copy of its proposed annual budget or any proposed changes or additions on or before the fifteenth (15<sup>th</sup>) day of December in each year." Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978

<sup>18</sup> 2025 recodification and revision of §10-11 which was a new provision adopted in 2023. It was derived from §30-5 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021

Public Notice, these estimates shall be public records and shall be open for inspection at all reasonable times.

### Annual Operating Budget

#### §10-2. Operating Budget Estimates.

A. **Submission of Operating Budget Estimates**<sup>19</sup>. In accordance with §10-1.E(1), above.

Commented [SGM10]: SGM consolidation in Sec. 10-1.D(1) based upon CFO 021625.

B. **Budget Preview: Joint Committees**<sup>20</sup>. On or before January 21<sup>st</sup> in each year, the Chief Financial Officer and Chief Financial Officer of the Norwalk Public Schools shall meet with the members of the ~~Board of Estimate and Taxation~~ and the members of the ~~Council committee(s) authorized to review the budget and the Finance Joint Committee of the Board of Education for the purpose of \_\_\_\_\_ committee(s) of jurisdiction of the Council and Board of Education in order to review the pre-submission Operating Budget priorities ("Joint Committees").~~ The Joint Committees shall elicit comments and ideas from members of the public during this meeting.

Commented [SGM11]: CFO 021625

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### The Proposed Mayor's Operating Budget

#### §10-3. Submission of the Mayor's Proposed Operating Budget to the Board of Estimate and Taxation<sup>21</sup> and Common Council<sup>22</sup>.

The Mayor or the Mayor's designee must submit to the Board of Estimate and Taxation and the Common Council on or before February 15<sup>th</sup> of each year, the Mayor's Proposed Operating Budget, comprised of the following:

Commented [SGM13]: CFO 021625

A. **Narrative and Recommendations**<sup>23</sup>. The Mayor's narrative and recommendation on the contents of the Proposed Operating Budget and

B. **Department and Other Budgeted Entity Estimates, including the Norwalk Public Schools under the auspices of the Board of Education**<sup>24</sup>. An estimate of the amounts requested by each Budgeted Entity (including the line-item requests and narrative of the particulars proposed by the Board of Education) giving the particulars as far as possible

<sup>19</sup> Revised 2025 revision and merged merger in §10-1.D(1).

<sup>20</sup> NEW (2025)

<sup>21</sup> 2023 adaptation, modification and recodification of current Article V, Part 4 – Department of Finance §1-239.D. Added by Charter Amendment 8-29-1978, §4; Charter Amendment 11-8-2005. Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978.

<sup>22</sup> 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirteenth and fourteenth sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.]; Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>23</sup> 2023 adaptation, modification and recodification of current Article V, Part 4 – Department of Finance §1-239.D. See, derivations in fn #17, above.

<sup>24</sup> 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirteenth and fourteenth sentences). See, derivations in fn #18, above.

and recommending appropriations for all the expenses of the City (including the proposed total Board of Education appropriation) and recommending a mil rate applied to the assessed value of property (the sum of which for the City is referred to as the Grand List) as deemed necessary to meet the expenses of the City, after deducting the amount of the available revenue for the fiscal year as well as any other necessary adjustments.

**§10-4. Notice and Publication of the Mayor’s Proposed Operating Budget<sup>25</sup>.**

The Chief Financial Officer or other designee of the Mayor must post the Mayor’s Proposed Operating Budget, in accordance with the Public Notice provisions of this Charter or as further required by Ordinance, at least five Days before the fourth Monday of February of each year.

**§10-5. Review by the Common Council.**

**A. Maximum Limit on Total Appropriations<sup>26</sup>.** The Common Council must, at a meeting thereof to be held on or before February 28<sup>th</sup> of each year, adopt by a resolution approved by an affirmative vote of a majority of the entire membership of the Council, a maximum limit on total appropriations for the City as an amendment to the Mayor’s Proposed Operating Budget for the ensuing fiscal year and cause the same to be communicated to the Board of Estimate and Taxation.

**B. Exemption from the Referendum Provisions of this Charter<sup>27</sup>.** The Common Council resolution is exempted from the application of §4-10.

**C. Exemption of Grants from Maximum Taxation<sup>28</sup>.** Any grants from private, state, or federal sources received after the adoption of any maximum taxation by the Common Council under this section are exempted from the maximum limitation.

<sup>25</sup> 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirteenth and fourteenth sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>26</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Fifteenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>27</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Sixteenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>28</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Seventeenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

**§10-6. Board of Estimate and Taxation Deliberations on the Mayor’s Proposed Operating Budget<sup>29</sup>.**

The Board of Estimate and Taxation must hold one or more meetings on or before March 30<sup>th</sup> of each year including at least one Public Hearing at which it shall hear from all parties who desire to be heard, relative to any alterations in the estimates. Thereafter the Board may make any alterations, increases and decreases in the Mayor’s Proposed Operating Budget and make the additional appropriations, as it deems proper.

**§10-7. Transmittal of Board of Estimate and Taxation’s Approved Operating Budget to the Common Council.**

**A. Submission of Statement of Appropriations and Tax Rates to Common Council<sup>30</sup>.** The Board of Estimate and Taxation, having made alterations, increases, and decreases, if any, is required to prepare a statement of appropriations and tax rates which it proposes to make and levy, and cause the same to be forwarded to the Common Council not later than April 1<sup>st</sup> of each year.

**B. Deliberations of the Common Council<sup>31</sup>.** The Common Council may, at a regular or special meeting to be held not later than April 15<sup>th</sup> of each year, amend the maximum limit of total appropriations for the City for the ensuing fiscal year by an affirmative vote of two-thirds of the entire membership of the Council.

**C. Exemption from the Referendum Provisions of this Charter<sup>32</sup>.** The Common Council vote is exempted from the application of §4-10.

**§10-8. Final Actions by Board of Estimate and Taxation.**

<sup>29</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Eighteenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>30</sup> 2023 adaptation and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Nineteenth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>31</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twentieth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>32</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-first sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

**A. Alteration to Common Council Limits<sup>33</sup>.** The Board of Estimate and Taxation must thereupon make alterations in the Proposed Operating Budget, including the tax rates, as are necessary to comply with the limit set by the Common Council, and shall prepare a Final Approved Operating Budget, including tax rates, which it proposes to make and levy in accordance therewith.

**B. Notice and Publication<sup>34</sup>.** The Board of Estimate and Taxation is required to post the Approved Operating Budget as set forth in §10-8.A in accordance with the Public Notice provisions of this Charter or as further required by Ordinance, no later than April 30<sup>th</sup> of each year.

**C. Final Alterations of Proposed Operating Budget, including Tax Rates<sup>35</sup>.** The Board of Estimate and Taxation must hold a meeting no later than May 7<sup>th</sup> of each year for the purpose of making further alterations in the estimates, appropriations, and tax rates as it shall deem proper. The Board is authorized to make appropriations and lay taxes at the meeting. Finally, the Board may fix the time or times when any tax approved by it shall become due and payable, and may divide the altered tax levy and make the same payable in two or more installments, as authorized by the General Statutes<sup>36</sup>.

Commented [SGM14]: CFO 021625

**D. No Further Action by Common Council<sup>37</sup>.** No appropriation made at the meeting held pursuant to §10-8.C shall require the approval of the Common Council; provided, however, that the total amount of the approved appropriations shall not exceed the maximum limit established by the Council as hereinabove provided.

**E. Actions Subject to Referendum Provisions of the Charter<sup>38</sup>.** The actions of the Board of Estimate and Taxation at the meeting held pursuant to §10-8.C are subject to the provisions of §4-10.

### §10-9. Appropriations Shall Not Exceed Estimate of Revenues<sup>39</sup>.

<sup>33</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-second sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>34</sup> 2023 Modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-second sentence). See, derivations in fn #31.

<sup>35</sup> 2025 revision of the 2023 Modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-third sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>36</sup> Comment of the 2025 Charter Revision Commission. At the time of the adoption of this provision the authority for installment payment, C.G.S. §12-142.

<sup>37</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-fourth sentence). See derivations in fn #33.

<sup>38</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-fifth sentence). See derivations in fn. #33.

<sup>39</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-sixth sentence). Derived

The Board of Estimate and Taxation is not authorized to make appropriations in excess of the estimate of revenues made by it for any year, and in no case shall the expenses of the City exceed their respective estimated revenues (including tax revenues) for any year, except for the purposes for which the City is authorized to issue bonds, and only when bonds are so issued.

#### **§10-10. Limitations on Expenditures and Revenues; Action by Board of Estimate and Common Council.**

**A. Limits on Expenditures; Special Appropriations and Exemption from Maximum Limit<sup>40</sup>.** No money other than that appropriated as aforesaid by the Board of Estimate and Taxation in the final budget shall be expended unless a special appropriation therefor has been provided by the Board of Estimate and Taxation **at a special meeting called for that purpose** and has been approved by a Majority Vote of the Council. Any special appropriation approved in the manner herein set forth is exempted from the maximum limit established by the Council as hereinabove provided.

Commented [SGM15]: CFO WANTS TO REPEAL

**B. Special Appropriations<sup>41</sup>.** If a special appropriation in excess of the unappropriated revenues of the City is required, an estimate of the same must be prepared by the Chief Financial Officer and submitted to the Board of Estimate and Taxation **at a special meeting called for that purpose**. The Board, at the called meeting or an adjournment thereof, is authorized to make any special appropriation, and to lay a special tax to meet the same; however, no special appropriation may be made unless available General Fund resources or a special tax is sufficient to cover the amount when the special appropriation is in excess of the unappropriated revenues of the City and unless the special tax has been approved by a Majority Vote of the Council.

Commented [SGM16]: CFO WANTS TO REPEAL

Commented [SGM17]: CFO 031425.  
WHAT IS A "GENERAL FUND RESOURCE"?

**C. Specific Purpose Appropriations<sup>42</sup>.** Any appropriation, regular or special, for any specific purpose, shall not be expended for any other purpose and, if unexpended, shall be transferred into the treasury sixty days after the expiration of the fiscal year for which it is made. All appropriations so made shall remain on the books of the City to the credit of the specific purposes for which they are made for sixty days after the expiration of the fiscal year

from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.]; Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>40</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-seventh and twenty-eighth sentences).

<sup>41</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirtieth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.]; Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>42</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Thirty-first and thirty-second sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.]; Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

for which they are made, for the purpose of paying bills lawfully contracted during the fiscal year which are properly chargeable to the specific purpose appropriations.

### The Capital Budget

#### §10-11. Submission of Estimate of Capital Budget Items<sup>43</sup>.

~~In~~ The estimates of Capital Budget Items shall be submitted in accordance with §10-1.E(1), above.

Commented [SGM18]: SGM consolidation in Sec. 10-1.D(2) based upon CFO 021625.

#### §10-12. Chief Financial Officer's Report<sup>44</sup>.

Following the receipt of estimates for Capital Budget Items and not later than February 1<sup>st</sup> of each year, the Chief Financial Officer must submit a report on the Ten-Year Program of Capital Improvement Plan Expenditures to the Board of Estimate and Taxation, the Common Council, and the Planning and Zoning Commission the amount of the expenditures requested and the Chief Financial Officer's:

Commented [SGM19]: CFO 021625

Commented [SGM20]: DEFINED TERM. CFO WANTS TO REPLACE WITH "CAPITAL IMPROVEMENT PLAN ITEMS".

Commented [SGM21]: CFO 031425

A. Estimates of the effect of the proposed expenditures upon the current budget and the bonded indebtedness for the succeeding years; and

B. Recommendations relative thereto.

The Chief Financial Officer is required to send said Report to the Department Heads or responsible officers for each of the Budgeted Entities ~~which that~~ have submitted requests for inclusion in the Capital Improvement Plan.

Commented [SGM22]: CFO 031425

#### §10-13. Review by the Planning and Zoning Commission<sup>45</sup>.

A. **Public Hearings.** On or before February 15<sup>th</sup> in each year, the Planning and Zoning Commission **is required to** hold a Public Hearing on the proposed Ten-Year Capital Improvement Plan, at which time the Mayor, Department Heads and responsible officers of other Budgeted Entities, including the Board of Education; the Chief Financial Officer; members of the Board of Estimate and Taxation; members of the Common Council and members of the public may be heard for the sole purpose of discussing the alignment of the estimates for Capital Budget Items with the City's Plan of Conservation and Development for each of these years. The hearing may be continued, if deemed necessary ensure the record is complete.

Commented [SGM23]: CFO 021625

Commented [SGM24]: CFO WANT DISCRETION ("MAY").

Commented [SGM25]: CFO WANTS: ""CAPITAL PROJECTS". WE WOULD HAVE TO CHANGE THE DEFINED TERM.

B. **Role of the Planning and Zoning Commission.** The sole function of the Planning and Zoning Commission is to ensure that each Capital Budget Item in the proposed Ten-Year Capital Improvement Plan not previously approved is consistent with the City's Plan of Conservation and Development.

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Commented [SGM27]: SAME ISSUE: DEFINED TERM.

<sup>43</sup> Revised 2025 revision and merged in merger into §10-1.D(2).

<sup>44</sup> 2025 edit revision of §10-12, which was adopted in 2023 and derived from §30-6 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021

<sup>45</sup> NEW (Revision of §10-13 which was adopted in 2023).—Derived and derived from §30-7 of the Code of Ordinances. Amended 3-10-1959; 9-28-2021.

**C. Production of Information.** The Planning and Zoning Commission may require the production of all pertinent data with respect to the proposed estimates, including but not limited to, preliminary plans, sketches, layouts and surveys insofar as the information is necessary to assess the alignment of the proposed estimates with the City's Plan of Conservation and Development.

**D. Report of the Planning and Zoning Commission.** The Planning and Zoning Commission must thereupon prepare a report setting forth its determination as to whether each proposed Capital Budget Item for the ensuing fiscal year is or is not consistent with the City's Plan of Conservation and Development ("POCD Report"). The Planning and Zoning Commission shall deliver the POCD Report to the Mayor as provided in §10-14 and also to the Common Council, Board of Estimate and Taxation and Chief Financial Officer.

**E. Transmittal of the Report<sup>46</sup>.** The proposed Capital Budget, including the Ten Year Capital Improvement Plan and the POCD Report, must thereupon, on or before March 5<sup>th</sup> of each year, be transmitted to the Mayor for review and recommendations. However, the Mayor may not include therein any new Capital Budget Items without first submitting them to the Planning and Zoning Commission for its determination in accordance with this section.

Commented [SGM28]: SAME ISSUE: DEFINED TERM.

Commented [SGM29]: CFO 021625

Commented [SGM30]: CFO 031425.  
CFO (031425): "SHOULD REFERENCE TO THE MAYOR'S REVIEW AND RECOMMENDATIONS BE MOVED TO 10-14 - THE END OF THE FIRST SENTENCE AND THE FULL SECOND SENTENCE?"

**§10-14. Review by the Mayor; Transmittal to Board of Estimate and Taxation and Common Council.**

**A. Mayoral Review<sup>47</sup>.** In the event the Planning and Zoning Commission determines that any proposed new Capital Budget Item is not consistent with the City's Plan of Conservation and Development, this fact shall be recorded by the Mayor when submitting the Mayor's proposed Capital Budget to the Board of Estimate and Taxation and the Common Council.

**B. Transmittal by the Mayor to the Board of Estimate and Taxation and Common Council<sup>48</sup>.** The Mayor's proposed Capital Budget must be transmitted to the Board of Estimate and Taxation and the Common Council on or before March 15<sup>th</sup> of each year. ~~The Board is, then required to establish a maximum limit on the total Capital Budget, as set forth in §10-15.A, below.~~

Commented [SGM31]: CFO 021625

Commented [SGM32]: COUNSEL RECOMMENDS THAT THE COUNCIL RECEIVE THE MAYOR'S TRANSMITTAL SIMULTANEOUSLY WITH THE BET, SINCE ALL THE BET IS GOING TO DO IS COMMENT AND RECOMMEND.

**§10-15. Action Transmittal of Recommendations by the Board of Estimate and Taxation; Transmittal.**

**A. Maximum Limit on Total Capital Budget Adoption of Resolution.** The Board of Estimate and Taxation is required to adopt ~~by a resolution approved~~ a Resolution, adopted by an affirmative vote of a majority of the entire membership of the Board, ~~a maximum limit on total Capital Budget as an amendment. The Resolution is required to set~~

<sup>46</sup> 2025 recodification and edit of §10-14 (first sentence) which was adopted in 2023 and derived from §30-8 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.  
<sup>47</sup> 2025 recodification of the second sentence of §10-14 and revision by transferring the first sentence to 10-13.E, above. This provision was adopted in 2023 and derived from §30-8 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.  
<sup>48</sup> 2025 recodification of §10-15.A which was adopted in 2023 and derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

forth its written recommendations pertaining to the Mayor's Proposed Capital Budget for the ensuing fiscal year and cause the same to be transmitted to the Common Council, as set forth below<sup>49</sup>.

**(1) Content of Recommendations.** The recommendations of the Board of Estimate and Taxation are a written expression of its judgment with respect to the amount of funds the Mayor has proposed to expend in the Capital Budget and the effect the expenditures will, in its opinion, have upon the operating expenses and credit of the City<sup>50</sup>.

**(+)(2) Further Recommendations.** Said transmittal shall incorporate~~incorporate~~ therein the recommendations as the Mayor, the Planning and Zoning Commission and the Chief Financial Officer may make<sup>51</sup>.

**A.B. Transmittal by the Board of Estimate and Taxation to the Common Council<sup>52</sup>.** Following ~~action~~approval of its written recommendations on the Mayor's proposed Capital Budget, ~~by amendment as set forth in §10-15.A, above,~~ the Board of Estimate and Taxation is required to forward the same to the Common Council on or before April 1<sup>st</sup> of ~~each year, with an expression in writing of its judgment with respect to the amount of funds it is proposed to expend in the Capital Budget and the effect the expenditures will, in its opinion, have upon the operating expenses and credit of the City, each year<sup>53</sup>.~~ The Council is not required to take into account any recommendations of the Board of Estimate and Taxation if not in writing or transmitted on or before April 1<sup>st</sup> of each year<sup>54</sup>.

**B.C. Transfers to Operating Budget<sup>55</sup>.** The Board of Estimate and Taxation may transfer from the Mayor's proposed Capital Budget to the Operating Budget all or part of any capital items it believes may feasibly be included in the Operating Budget for the ensuing year.

**C.D. Exemption from the Referendum Provisions of this Charter<sup>56</sup>.** The Common Council resolution is exempted from the application of §4-10.

#### §10-16. Adoption of Capital Budget.

**A. ~~Actions of the Common Council; Modification of the Maximum Limit.~~** Upon receipt of the recommendations of the Board of Estimate and Taxation, the Common Council may approve, reject, reduce or reinstate any item in the Mayor's proposed Capital Budget by a Majority Vote of the Council within the maximum limits of the total Capital

Commented [SGM33]: CFO 021625

CFO (031425): "I KNOW I RECOMMENDED THIS, BUT WE SHOULD REMOVE IT."

Commented [SGM34]: CFO 021625

Commented [SGM35]: COUNSEL REVISIONS (031925)

WHAT IS IT WE ARE TRYING TO ACHIEVE? MY IMPRESSION IS THAT WE WANT A SITUAIOTN WHERE THE MAYOR SENDS THE BUDGET, BET SIMPLY PROVIDES RECOMMENDATIONS. THE ALTERNATIVE IS FOR THE BET TO "SET THE CAP" AS IS THE CASE FOR THE COUNCIL ON THE OPERATING SIDE OF THE BUDGET.

Commented [SGM36]: IS THIS NECESSARY? (031925)

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Commented [SGM38]: CFO 021625

<sup>49</sup> NEW (2025).

<sup>50</sup> 2025 recodification and minor revision of the last clause of §10-15.B which was adopted in 2023 and derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

<sup>51</sup> 2025 recodification of the last clause of the second sentence of §10-15.A.

<sup>52</sup> 2025 revision of §10-15.B which was adopted in 2023 and derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

<sup>53</sup> 2025 revision of §10-15.B which was adopted in 2023 and derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021. The last clause was recodified as §10-15.A(1).

<sup>54</sup> NEW (2025).

<sup>55</sup> NEW (2023). Derived from §30-9 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

<sup>56</sup> NEW (2025).

Budget<sup>57</sup>, established by the Mayor<sup>58</sup>. Notwithstanding the foregoing, the Common Council may, not later than April 15<sup>th</sup> of each year, amend the maximum limit of total Capital Budget for the ensuing fiscal year by an affirmative vote of two-thirds of the entire membership of the Council<sup>59</sup>.

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CFO (031425): "I KNOW I RECOMMENDED THIS, BUT WE SHOULD REMOVE IT."

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Commented [SGM41]: SGM NOTE TO CREATE AN AUTHORITY SIMILIAR TO THE POWER IN THE GENERAL FUND PROCESS.

**(1) Reinstatement.** Reinstatement means all multi-year Capital Items or projects approved in the current Ten-Year Capital Improvement Plan that are not included in the Mayor's proposed Capital Budget.

**(4)(2) Deadline for Approval<sup>60</sup>.** The Common Council must thereupon approve the proposed Capital Budget, as amended, on or before April 15<sup>th</sup> of each year, when it shall be certified to the Chief Financial Officer. Any item not rejected or reduced by the Common Council is deemed approved by the Council.

**(2)(3) Items Deemed Inconsistent with the Plan of Conservation and Development<sup>61</sup>.** Notwithstanding anything to the contrary in this Article, if any proposed Capital Budget Item has been determined by the Planning and Zoning Commission not to be consistent with the City's Plan of Conservation and Development, the designated item or items shall not be included in any Capital Budget or otherwise funded unless and until it has been approved by an affirmative vote of two-thirds of the Council, present and voting.

**(3)(4) Public Hearings<sup>62</sup>.** The Common Council through its committee(s) of jurisdiction is required to hold one or more meetings and at least one Public Hearing at which it shall hear from all parties who desire to be heard, relative to any alterations in the Mayor's Proposed Capital Improvement Plan. Thereafter the Council may take such actions as set forth in §10-15.A, above.

Commented [SGM42]: SGM NOTE,

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### §10-17. Allotments and Recommendations for Termination or Abandonment of Capital Budget Items<sup>63</sup>.

**A. Allotments<sup>64</sup>.** Funds set aside for a Capital Budget Item shall be deemed to have been allotted for that purpose only.

**B. Termination or Abandonment: Actions of Planning and Zoning Commission and Common Council<sup>65</sup>.** Any Capital Budget Item shall lapse if not implemented with four years of authorization by the Common Council. On or before November 1<sup>st</sup> of each year, the Chief Financial Officer shall submit to the Common Council a report that identifies the status of projects that are scheduled to lapse within the following 12

<sup>57</sup> Revision of §10-16.A which was adopted in 2023 and derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

<sup>58</sup> 2025 revision of §10-16.A which was adopted in 2023 and derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

<sup>59</sup> NEW (2025)

<sup>60</sup> NEW (2023). Derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

<sup>61</sup> NEW (2023). Derived from §30-10 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

<sup>62</sup> NEW (2025).

<sup>63</sup> NEW (2023). Derived from §30-10.1 of the Code of Ordinances. Added 1-24-1961; amended 5-13-2003; 9-28-2021.

<sup>64</sup> NEW (2023). Derived from §30-10.1.B (First sentence) of the Code of Ordinances

<sup>65</sup> 2025 revision of §10-17.B which was adopted in 2023 and derived from §30-10.1.B (Fourth and fifth sentences) of the Code of Ordinances

months. The Common Council may continue an authorization for a project or projects by a majority vote of the Council. Thereafter, the Planning and Zoning Commission is required, within thirty days after the receipt of the Mayor's notice, to forward its recommendations to the Common Council. The Council must hold a Public Hearing thereon. In the event of approval by the Planning and Zoning Commission of the Mayor's request, a Majority Vote of the Council is required for concurrence; in the event of disapproval, the Commission shall communicate its reasons to the Council, which shall have the power to overrule the disapproval of the Commission by a recorded Majority Vote of the Council.

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**C. Unencumbered Funds<sup>66</sup>.** Any and all unencumbered funds that constitute a surplus of funds allocated for Capital Budget Items that have been completed, terminated, or abandoned shall revert to a capital budget surplus account which shall be used to reduce the net capital budget for the succeeding year, except when the surplus funds are used to finance additional obligations as provided for in §10-20 of this Charter.

#### **§10-18. Restrictions<sup>67</sup>.**

No obligations of the City are authorized nor expenditures made or permitted in any fiscal year for or on account of the Capital Budget unless the obligations or expenditures were included in the Capital Budget as finally approved for that fiscal year or a prior year, except provided in this Charter or by Ordinance.

#### **§10-19. Financing Additional Obligations<sup>68</sup>.**

**A. Unforeseeable or Emergency Conditions.** Requests for additional obligations to the capital budget shall not be approved unless the request is made necessary by unforeseeable or emergency conditions.

**B. Contents of Request.** Any request under this provision shall be accompanied by a statement from the Chief Financial Officer setting forth, the following: (1) the necessity for using Capital Budget funds rather than financing through the Operating Budget; and, (2) recommendations as to the most feasible and economical measures to finance the additional obligations.

**C. Sources of Funding.** Sources of the proposed financing recommendations may be either from overall surplus from any previous bond issue for capital budgets or from the issuance of notes, each of which shall be designated "bond anticipation notes" and which may be renewed from time to time through utilization of funds from Capital Budget Items that have been terminated, abandoned, or lapsed. However, all the notes of any fiscal year and any renewals thereof shall be paid from the proceeds of the next regular capital improvements bond issue.

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JARED: LET'S TALK ABOUT THE GO BOND LANGUAGE.

**D. Action of the Common Council<sup>69</sup>.** Additional obligations may be authorized and expenditures made provided that the additional obligations or expenditures are

<sup>66</sup> NEW (2023). Derived from §30-10.1.C of the Code of Ordinances

<sup>67</sup> NEW (2023). Derived from §30-11 of the Code of Ordinances. Amended 9-28-2021.

<sup>68</sup> NEW (2023). Derived from §30-11.1 of the Code of Ordinances. Added 1-24-1961; amended 9-28-2021.

<sup>69</sup> NEW (2023). Derived from §30-11 of the Code of Ordinances. Amended 9-28-2021.

specifically recommended, in writing, by the Mayor to the Planning and Zoning Commission. Within ten days after receipt thereof, the Commission is required to forward the same to the Common Council with its recommendations relative thereto. Except as otherwise provided in §10-16, the Common Council may thereupon, by a Majority Vote of the Council, approve, reduce or reject all or any part thereof.

#### **§10-20. Financing Recommendations<sup>70</sup>.**

On or before June 1<sup>st</sup> of each year, the Chief Financial Officer is required to transmit to the Common Council and the Board of Estimate and Taxation recommendations in respect to the most feasible and economic measures to finance the capital budget for the ensuing fiscal year. These bodies, at an appropriate time, must adopt the Resolutions necessary to give force and effect to the financing of the capital budget in accordance with the provisions of the Charter relating thereto.

#### **§10-21. Planning and Zoning Commission, Board of Estimate and Taxation, and Common Council Required to Conduct Public Hearings<sup>71</sup>.**

In accordance with the Public Notice and Public Hearing provisions of this Charter, the Planning and Zoning Commission, Board of Estimate and Taxation, and the Common Council are each required to hold at least one and, each in its discretion, as many Public Hearings on the Capital Budget, including the Ten-Year Program Capital Improvement Plan as either or both of them may deem necessary to ascertain the opinion of the public on the matters under consideration. The Public Hearings shall permit public participation within the parameters of the rules of the Commission, Board or Council in order to facilitate the submission of views and information relative to a matter on which a decision of each of the entities is pending.

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### **Capital Budget Administration**

#### **§10-22. Implementation and Oversight of the Capital Budget Projects<sup>72</sup>.**

The Common Council must enact an Ordinance pertaining to the implementation and oversight of the Capital Budget projects.

### **Borrowing**

#### **§10-23. Issuance Authorized: Procedures<sup>73</sup>.**

<sup>70</sup> NEW (2023). Derived from §30-12 of the Code of Ordinances. Amended 11-27-1968; 9-28-2021.

<sup>71</sup> NEW (2023). Derived from §30-13 of the Code of Ordinances. Amended 9-28-2021.

<sup>72</sup> NEW (2023).

<sup>73</sup> 2023 modification and recodification of (1) current Article IV. The Common Council. §1-200. Derived from Sp. Laws 1929, No. 101, §1. Historical editor's Note: See also § 1-189; § 1-226; (2) current Article IV. The Common Council. §1-201. Derived from Sp. Laws 1929, No. 101, §2. Historical editor's Note: See also Art. VI; and, (3) Current Article IV. The Common Council. §1-202. Derived from Sp. Laws 1929, No. 101, §2. Historical Editor's Note: A Charter Amendment, adopted 9-2-1980 and approved by the electorate at the general election held 11-4-1980, repealed former Article XX, Miscellaneous Bond Issues, which was comprised of the following sections: §§ 1-616 (Sp. Laws 1919, No. 123); 1-617 through 1-619 (Sp. Laws 1921, No. 297, §§ 1 to 3); 1-620 through 1-624 (Sp. Laws 1921, No. 222, §§ 1 to 5); 1-625 through 1-631 (Sp. Laws 1937, No. 73, §§ 1 to 7); 1-632 through 1-637 (Sp. Laws 1945, No. 202, §§ 1 to 6);

The City has the authority and power to incur indebtedness by issuing its bonds or notes for such purposes, upon such terms and to such extent as is authorized by the General Statutes. Each such bond or note shall be signed in the name of the City by the manual or facsimile signature of the Mayor, Chief Financial Officer, and Comptroller and have the seal of the City or a facsimile thereof affixed. No bonds or notes shall be approved by the Mayor and Common Council until the amount and purpose thereof shall be approved by the Board of Estimate and Taxation at a meeting duly called and held therefor. The Board of Estimate and Taxation, at a meeting held in the fiscal year in which such bonds or notes are issued, shall make a sufficient appropriation to pay all bonds or notes so issued during such fiscal year and such bonds or notes shall be paid from such appropriation when it shall become available.

### Referenda

#### §10-24. Referendum Procedure.

See §4-10 of this Charter.

**§2-2.B(7). Capital Budget**<sup>74</sup> means the first Fiscal Year of the Ten-Year Program of Capital Expenditures for which it is proposed for the purpose of authorizing expenditures during such fiscal year.

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**§2-2.B(8). Capital Budget Items**<sup>75</sup> means all individual expenditures in excess of Twenty-five Thousand (\$25,000) Dollars (or an increased amount set forth by Ordinance) to be utilized in more than one fiscal year, other than for ordinary operating expenses, which shall be requested or expended for improvements to City facilities, infrastructure and long-term assets. These Capital Budget Items shall include, but not be limited to, acquisition of property, the construction or remodeling of schools, public buildings and structures of whatever nature, highways, parks, sanitary sewers, sewage and garbage-disposal plants, drainage systems, rehabilitation of blighted areas and for machinery and other facilities having a usable expectancy of at least two years, for which the credit of the City shall, usually but not always, be pledged by the issuance of bonds, notes or other certificates of indebtedness.

**§2-2.B(17). Five Ten-Year Program of Capital Expenditures**<sup>76</sup> means ~~the projected five-year program~~ a comprehensive long-term financial plan that identifies and prioritizes expected needs based on a strategic plan, establishes project scope and cost, details estimate amounts of capital expenditures to which consideration must be given by funding

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OTHER REVISIONS RECOMMENDED BY COUNSEL

1-638 through 1-644 (Sp. Laws 1947, No. 326, §§ 1 to 7); 1-645 through 1-648 (Sp. Laws 1951, No. 523, §§ 1 to 4); 1-649 through 1-653 (Sp. Laws 1953, No. 209, §§ 1 to 5); 1-654 through 1-658 (Sp. Laws 1953, No. 300, §§ 1 to 5). These sections shall be maintained for record purposes in a separate book entitled "Bond Issues of the City of Norwalk, the First, the Second, the Third and the Sixth Taxing Districts." Copies of such compilation shall be kept in the offices of the City Clerk and Town Clerk and in the Finance Department. § 1-616. through § 1-658. (Reserved)

<sup>74</sup> NEW (2023). Derived from §30-1 of the Code of Ordinances. Note: Chapter 30 of the Code of Ordinances was adopted by the City of Norwalk Common Council 4-24-1958. Amendments noted where applicable

<sup>75</sup> NEW (2023). Derived from §30-4 of the Code of Ordinances.

<sup>76</sup> ~~NEW (2025 revision of 2-2.B(17) which was which was adopted in the 2023) Derived Charter. The 2023 revision was derived~~ from §30-3 of the Code of Ordinances.

from various sources and projects future operating and maintenance costs. Department Heads of each of the Budgeted Entities, in whom that responsibility is vested, and in conjunction with the assigned Division Chief, are responsible for preparing the plan in the manner prescribed by this Charter. The first year of the ~~five~~ten-year projections is referred to as the "Capital Budget."

## §7-2. Boards and Commission Established by the Charter.

### A. Board of Estimate and Taxation<sup>77</sup>.

(1) **Established<sup>78</sup>: Mayor as ex officio member of Board of Estimate and Taxation; Board in General<sup>79</sup>.** The seven-member Board of Estimate and Taxation is comprised of six Electors who shall serve without pay. The Mayor shall be an ex officio a member of the Board of Estimate and Taxation and shall be entitled to vote in the proceedings of the Board.

(a) **Mayor as Presiding Officer<sup>80</sup>.** The Mayor shall preside at all meetings of the Board when present.

(b) **Quorum<sup>81</sup>.** At all meetings of the Board, four members shall constitute a quorum, and the concurrence of four votes shall be necessary for the transaction of business<sup>82</sup>.

(2) **Appointment, Term of Office, Approval, Qualification, and Political Balance<sup>83</sup>.** The members shall be appointed by the Mayor, for a term of four years<sup>84</sup>, subject to approval by the Common Council as set forth in §7-1.C.

(a) **Political and Geographic Balance.** There shall be not more than two members from any one Council District and not more than three appointed members shall belong to the same political party.

**Commented [SGM50]:** STRUCTURE OF BOARD OF ESTIMATE: (A) ELECTED? (B) APPOINTED BY MAYOR? OR JOINT APPOINTMENT BY MAYOR AND COUNCIL?

<sup>77</sup> 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288. Derived from Sp. Laws 1913, No. 352, §88; Charter Amendment 8-29-1978 [Historical Editor's Note: Approved by the electorate at the general election held 11-7-1978]; Charter Amendment 8-10-1982. [Editor's Note: Approved by the electorate at the general election held 11-2-1982].

<sup>78</sup> 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288 (First sentence).

<sup>79</sup> 2023 recodification of current Article VI – Board of Estimate and Taxation §1-289 (First sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter Amendment 11-8-2005.) Historical Editor's Note: For the powers and duties of Mayor, see Art. V, Part 2.

<sup>80</sup> 2023 recodification of current Article VI – Board of Estimate and Taxation §1-289 (Second sentence).

<sup>81</sup> 2023 recodification of current Article VI – Board of Estimate and Taxation §1-289 (Second sentence).

<sup>82</sup> 2023 repeal of current Article VI – Board of Estimate and Taxation §1-289 (Third sentence), as follows: "Lack of Quorum. Warrant to Compel Attendance. Whenever any meeting of the Board has been regularly called and no quorum shall be present, the Mayor may execute and issue a warrant, directed to a State Marshall or to the City Sheriff of the City, to arrest and bring into such meeting a sufficient number of members of the Board to constitute a quorum."

<sup>83</sup> 2023 recodification of current Article VI – Board of Estimate and Taxation §1-288 (Second sentence).

<sup>84</sup> 2023 edit and recodification of current Article VI – Board of Estimate and Taxation §1-288 (Third and fourth sentences).

(b) **Vacancy - Balance of Term**<sup>85</sup>. As set forth in §7-1.D<sup>86</sup>.

(3) **Powers**<sup>87</sup>. The Board of Estimate shall have the powers specified in this Charter and the incidental powers as may be reasonably necessary to enable it to investigate and determine those matters of fiscal policy of the City as are within its direct jurisdiction and responsibility<sup>88</sup>.

(a) **Open Meetings; Public Notice**<sup>89</sup>. The regular meetings of the Board shall be open to the public and shall be convened by the Mayor, and notice of the time, place, and purpose of holding the same shall be posted or published as required by this Charter or as otherwise may be required by Law.

(b) **Vote and Proceedings of the Board of Estimate and Taxation: Evidential Weight of Records**<sup>90</sup>. The City Clerk shall be clerk of the Board of Estimate and Taxation and is responsible for maintaining the records of the Board in accordance with the §7-1.B(6). All of the records, including legacy records, shall be in all courts, evidence of the truth of the matters therein contained, and a certified copy of any record shall be received in all courts as evidence of the same validity as the original record.

(c) **Special Meetings of the Board of Estimate and Taxation**<sup>91</sup>. The Mayor or a majority of the members of the Board of Estimate and Taxation have the authority and power to call a special meeting of the Board.

(4) **The Budget Process and Authority of the Board of Estimate and Taxation to Review Budgetary Information and to Levy Taxes.**

(a) **The Budget Process.** The role of the Board of Estimate with respect to the budget process and deliberations is set forth in Article X.

(b) **Furnishing of Information**<sup>92</sup>. The Board of Estimate and Taxation is authorized to require the Department Heads and responsible

<sup>85</sup> 2023 revision of current Article VI – Board of Estimate and Taxation §1-288 (Third and fourth sentences), which is set forth in §7-1.D of this Charter.

<sup>86</sup> 2023 repeal of current Article VI – Board of Estimate and Taxation §1-288 entitled “1983 Transition Provision” (Fifth and sixth sentences).

<sup>87</sup> NEW (2023).

<sup>88</sup> 2023 repeal of current Article VI – Board of Estimate and Taxation §1-289 (Fourth sentence), which addresses faithful discharge of duties, conflict of interest, fines and removal from office.

<sup>89</sup> 2023 recodification and edit of current Article VI – Board of Estimate and Taxation §1-289 (Fifth sentence).

<sup>90</sup> 2023 recodification and edit of current Article VI – Board of Estimate and Taxation §1-289 (Sixth and seventh sentences).

<sup>91</sup> 2023 Recodification of current Article VI – Board of Estimate and Taxation §1-289 (Twenty-ninth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor’s Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor’s Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>92</sup> 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Eighth sentence). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp.

officers for each Budgeted Entity (including the Norwalk Public Schools under the auspices of the Board of Education) to furnish the required information necessary, in the opinion of the Board, to enable it to discharge the duties imposed upon it by this Charter.

**(c) The Power to Levy Taxes; Fiscal Year<sup>93</sup>.** The Board of Estimate and Taxation is authorized to establish the mil rate on the assessed value of the property within the limits of the City, subject to the maximum limit on total appropriations as set by the Common Council as hereinafter provided and in conformity with Law. Every tax approved by the Board shall be laid upon the assessment list of the City last completed.

**(5) The Annual Report<sup>94</sup>.** All administrative City officers and committees are required by this Charter to make annual reports to the Mayor, Board or Estimate and Taxation and the Common Council on or before the first Day of August in each year.

**(6) Election Expenses<sup>95</sup>.** The Board of Estimate and Taxation must appropriate sufficient sums to cover the expenses of all elections, including the expenses of each voting precinct and voting place<sup>96</sup>.

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Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>93</sup> 2023 adaptation, modification and recodification of current Article VI – Board of Estimate and Taxation §1-289 (Ninth through eleventh sentences). Derived from (Sp. Laws 1913, No. 352, § 89; Sp. Laws 1915, No. 367, § 3; Sp. Laws 1921, No. 189, § 8; Sp. Laws 1921, No. 400, § 6; Sp. Laws 1933, No. 328; Sp. Laws 1933, No. 335, § 3; Sp. Laws 1953, No. 267; Sp. Laws 1967, No. 197, § 6; Charter Amendment 11-7-1972; Charter Amendment 8-13-1974 [Editor's Note: Approved by the electorate at the general election held 11-5-1974.] Charter Amendment 8-17-1976 [Editor's Note: Approved by the electorate at the general election held 11-2-1976.]; Charter Amendment 11-5-1996; Charter

<sup>94</sup> 2023 recodification and revision of current Article VI – Board of Estimate and Taxation §1-289 (Thirty-third sentences).

<sup>95</sup> 2023 recodification of current Article III – Part 1. In General, §1-182. Derived from Sp. Laws 1945, No. 134, §4.

<sup>96</sup> 2023 repeal of current Article VI – Board of Estimate and Taxation §1-289: (a) First clause of the thirty-fourth sentence) which addresses the Annual Appropriation for District Library and Sinking Funds for the First, Second, Third and Fifth Districts; (b) (Second clause of the thirty-fourth sentence which addresses Investment and Reinvestment of Funds Collected and Appropriated of the First, Second and Third Taxing Districts; and, (c) Third clause of the thirty-fourth sentence which addresses Investment and Reinvestment of Funds Appropriated and Collected for the Fifth Taxing District.