

Received 1/14/26
1:47 PM Jodi Moore, ATC

Town of Durham
Charter Revision Commission
Wednesday, January 7, 2026
Community Center Meeting Room 1, and Remote via Zoom
Meeting Minutes

https://us02web.zoom.us/rec/share/Gc4Xv0hmlGiTrHgySRCIkg1zA-5D7XX_J0wNUrc811qBtTbVsyn8kFB9bVY87GD.rnh0r8-rvf4Cg7tn

Passcode: V40h^0nW

1. Call to order

Co-chair Laura Francis called the Special Charter Revision Commission meeting of Wednesday, January 7, 2025 to order at 7:00 p.m. Also present: Al DiVincentis, Matt LaFayette, Christian Godbout, John Bugai, Martin Anderson, and Nicole Charest, Town Clerk and Recording Secretary.

Absent: Eileen Buckheit

Members of the public present: Richard Parmelee and Roger Kleeman

2. Pledge of Allegiance

3. Approval of Agenda

- a. **MOTION BY MARTIN ANDERSON SECONDED BY SEVERAL, TO APPROVE THE AGENDA AS PRESENTED. ALL AYE, MOTION PASSED.**

4. Approval of Minutes

a. December 17, 2025

- i. **MOTION BY CHRISTIAN GODBOUT, SECONDED BY JOHN BUGAI TO APPROVE THE DECEMBER 17, 2025 MEETING MINUTES AS PRESENTED. ALL AYE. MOTION PASSED**

5. Public Comment

- a. Richard Parmelee reiterated that the residents should be able to see changes made to the charter and that the hiring practices of the town should be reviewed. Stated opinion that employees should not be permitted to work from home
- b. Laura Francis noted that the town not following equal opportunity hiring practices is a serious allegation
- c. Roger Kleeman noted that he has attended many meetings, also noted that the Charter Revision Commission meetings do not have much public input. He suggested the commission take that into consideration.

6. Presentation or Guests

- a. none

7. Correspondence
 - a. none
 8. Old Business
 - a. None
 9. New Business
 - a. Approval of Recording Secretary Invoice
 - i. **MOTION BY MARTIN ANDERSON, SECONDED BY SEVERAL TO APPROVE PAYMENT OF AN INVOICE FOR NICOLE CHAREST FOR SECRETARY SERVICES IN DECEMBER FOR THE AMOUNT OF \$212.50. ALL AYE, MOTION PASSED**
 - b. Al DiVincentis requested a folder be made for invoices on the Microsoft Teams app and that invoices be printed for the packet in the future
 10. Commission Work Session
 - a. **Chapter 3 - Town Meeting**
 - b. **Section 3.1.1 Legislative powers**
 - i. Current Language

The legislative powers of the town shall be vested in the Town Meeting.
 - ii. Proposed Language

The legislative powers of the Town of Durham shall be vested in the Town Meeting, which is the Town's legislative body under CGS § 7-193(a)(1). Acting in accordance with this Charter and the Connecticut General Statutes, the Town Meeting shall have authority to:

 1. Adopt, amend, or repeal ordinances and resolutions not inconsistent with state law or this Charter.
 2. Adopt the annual budget and capital improvement program and make or authorize appropriations as provided in this Charter.
 3. Authorize the issuance of bonds or notes, or other long-term obligations of the Town, when required by law or this Charter.
 4. Authorize the acquisition or disposition of real property owned or to be owned by the Town, unless otherwise provided herein; and
 5. Transact any other business lawfully brought before it that is not expressly delegated by this Charter to another board, commission, or official.

Where this Charter assigns specific legislative or fiscal powers to another body—such as the Board of Selectmen or Board of Finance—those delegations shall be exercised in a manner consistent with the authority of the Town Meeting and the Connecticut General Statutes.
- MOTION BY MARTIN ANDERSON, SECONDED BY AL DIVINCENTIS TO ACCEPT SECTION 3.1.1. ALL AYE, MOTION PASSED.**
- c. **Section 3.1.2 Annual and Special Meetings**
 - i. Current Language

The Annual Town Meeting shall be held on the first Monday of October of each year unless changed by vote of a town meeting or by referendum.

Special meetings may be called by the Board of Selectmen, in the manner provided by the General Statutes, whenever it deems it necessary, or on a petition of not less than one hundred (100) electors, qualified to vote at town meetings, such meetings to be held within twenty one (21) days after such petition is received by the Selectmen. In order to expedite the petition process and ensure due representation, the Town Clerk shall provide the petitioner with guidelines.

ii. Proposed Language

A) Annual Town Meeting

The Annual Town Meeting shall be held on the first Monday in October each year, unless another date is established by vote of a Town Meeting or by referendum.

The Board of Selectmen shall issue a call and warning stating the date, time, place, and specific business to be considered. The warning shall be signed by the Selectmen and posted and published in accordance with the Connecticut General Statutes (CGS § 7-3). Only the business described in the call may be acted upon.

B) Special Town Meetings

- 1) The Board of Selectmen may call a Special Town Meeting whenever it determines one is necessary, following the same notice requirements as for the Annual Town Meeting.
- 2) A Special Town Meeting shall also be called upon the filing of a petition signed by at least one hundred (100) qualified electors of the Town.
 - a. The Town Clerk shall make available petition guidelines and forms to assist petitioners.
 - b. The Registrars of Voters shall verify the validity of petition signatures as required by law.
 - c. After a valid petition is received, the Board of Selectmen shall call and hold the meeting within twenty-one (21) days and issue the statutory warning.
- 3) A Special Town Meeting may consider only the business set forth in its call.

C) Conduct of Meetings

Town Meetings shall be conducted in accordance with the Connecticut General Statutes, including notice and open-meeting requirements of the Freedom of Information Act, and any additional procedures adopted by the Town consistent with this Charter.

MOTION BY MARTIN ANDERSON, SECONDED BY AL DIVINCENTIS TO ACCEPT SECTION 3.1.2. ALL AYE, MOTION PASSED

d. Section 3.1.3 Call of Special Meetings

i. Current Language

The matters which the petitioners for a special town meeting desire acted upon, if they are legally proper subjects for action at a town meeting as determined by Town Counsel (at the request of the Selectmen), shall be put in proper form for the call of a town meeting and for a town meeting resolution with the assistance of the Town Counsel, if or when necessary, and those matters shall come first in the call of the meeting. The Board of Selectmen, at its discretion, may add other matters to the call of the meeting.

ii. Proposed Language

When a Special Town Meeting is called based on a valid petition under this Charter and the General Statutes, the Board of Selectmen shall place on the call all items requested in the petition, provided they are legally proper subjects for Town Meeting action.

The Board of Selectmen may request a determination from the Town Counsel as to whether any petitioned item is lawful and suitable for Town Meeting action. If needed, Town Counsel may assist in drafting the wording of the call and any proposed resolutions to ensure they comply with the General Statutes.

The petitioned items shall appear first in the call of the meeting. The Board of Selectmen may add additional items to the call, provided those items are also proper subjects for Town Meeting action and are included in the warning in accordance with state law.

- iii. Noted that selectmen can also call special town meetings base on petition, changed title to "Call of special Town Meetings by Petition." Made it clear that the Board of Selectmen can add to an agenda even if the meeting was called by petition. Briefly discussed the petition process.

**MOTION BY LAURA FRANCIS, SECONDED BY MARTIN ANDERSON TO APPROVE
SECTION 3.1.3. ALL AYE, MOTION PASSED**

e. Section 3.1.4 Legal Notice

i. Current Language

Legal notice of all town meetings shall be placed in a newspaper having circulation in Durham, and a copy posted on the bulletin board at the Town Hall, at least five (5) days prior to date of meeting. Warnings for town meetings shall be keyboarded and printed and a copy shall be filed with the Town Clerk in the Town Meeting Record Book. Warnings must contain place, date, and hour of meeting and list all articles to be acted upon.

ii. Proposed Language

All Town Meetings shall be noticed, warned, and posted in accordance with the Connecticut General Statutes, including CGS §§ 7-1, 7-3, and the Freedom of Information Act (CGS § 1-225).

A. Publication and Posting Requirements

A legal notice and warning of every Town Meeting shall:

1. Be signed by the First Selectmen;

2. Be published in a newspaper published in such town or having a circulation therein, such posting and such publication to be at least five (5) days previous to holding the meeting, including the day that notice is given and any Sunday and any legal holiday which may intervene between such posting and such publication and the day of holding such meeting, but not including the day of holding such meeting;
3. Be posted at the Town Hall and any other public posting locations designated by the Board of Selectmen; and
4. Be posted on the Town's website when practicable, to improve public access.

B. Filing with the Town Clerk

A copy of the warning shall be filed with the Town Clerk at the time it is issued. The Town Clerk shall maintain the warning in the official records of Town Meetings, in accordance with applicable records-retention statutes.

C. Contents of the Warning

Each warning shall state clearly:

1. The date, time, and place of the meeting); and
2. A complete list of all items or articles to be considered or acted upon.
3. Only items included in the warning may be taken up at the meeting.

D. Accessibility and Transparency

The Town Clerk shall make posted warnings available for public inspection, both in person and electronically, and shall ensure compliance with the Freedom of Information Act, including requirements for timely posting of agendas and public access.

- iii. Discussed whether to remove reference to state statute which requires that legal notices be posted in the newspaper. It was noted that the state has not removed that requirement yet. It was suggested that the commission add language which allows for the requirement to be waived if the state statute is repealed in the future.
- iv. Removed remote meeting language because Town Meetings do not allow remote voters due to required verification of voters' elector status. Added "To be signed by the first selectman" under Publication and Posting Requirements. Added language to clarify that the legal notice should be posted 5 calendar days before the meeting. Also added language referring to posting on the website

MOTION BY MATT LAFAYETTE, SECONDED BY CHRISTIAN GODBOUT TO APPROVE SECTION 3.1.4 WITH CHANGES. ALL AYE, MOTION PASSED

f. **Section 3.2 Organization and Procedure**

i. Current Language

The First Selectman shall call the meeting to order at the advertised time and the meeting shall choose a moderator. The Town Clerk or Assistant Town Clerk shall serve as clerk. In their absence, the meeting shall choose a clerk.

ii. Proposed Language

no changes were made

g. **Section 3.2.1 Voting Qualifications**

i. Current Language

Electors of the town and other persons qualified to vote in accordance with the General Statutes may vote at town meetings. Unless otherwise required by this Charter, substantive town meeting action shall be by majority vote of those present and voting. Town meetings shall be conducted in accordance with procedures as set forth in the General Statutes and in the manual entitled "The Connecticut Town Meeting."

ii. Proposed Language

A Town Meeting shall be organized and conducted as follows:

A. Call to Order

The First Selectman, or in their absence the Acting First Selectman, shall call the Town Meeting to order at the time and place stated in the legal notice and warning.

B. Election of Moderator

Immediately after the meeting is called to order, the electors present shall elect a Moderator to preside.

The Moderator shall

1. Maintain order and fairness;
2. Recognize speakers;
3. Ensure that only warned business is considered; and
4. Rule on procedural questions, subject to override by a majority vote of those present.

C. Clerk of the Meeting

The Town Clerk shall serve as Clerk of the meeting. If unavailable, the Assistant Town Clerk shall serve; if neither is available, the meeting shall elect a Clerk pro tempore.

The Clerk shall:

1. Keep accurate minutes;
2. Record all votes;
3. File minutes in accordance with the Freedom of Information Act (CGS § 1-225); and
4. Certify all official actions requiring filing or transmission.

D. Voting Eligibility

Those entitled to vote at Town Meetings are:

1. Electors of the Town of Durham, and
2. Qualified taxpayers as defined by General Statutes § 7-6, except for the election of Town officers.

Only individuals meeting these legal criteria may vote on Town Meeting business.

E. Voting Requirements and Methods

Unless otherwise required by this Charter or the General Statutes:

1. **Substantive Town Meeting actions** shall be decided by a **majority vote** of those present and voting.
2. Votes may be taken by voice vote, show of hands, or another lawful method, unless:
 - a. a statute or this Charter requires a different method, or
 - b. A majority of voters present request a counted vote or paper ballot.

If the meeting votes to refer a question to a **machine vote (referendum)** under **CGS § 7-7, the Moderator shall announce the date, time, and place of the referendum.**

F. Rules of Procedure

Town Meetings shall be conducted in accordance with:

1. The General Statutes;
2. This Charter;
3. The Freedom of Information Act; and
4. Generally accepted rules of parliamentary procedure.

G. Order of Business

Only matters included in the call and warning may be considered.

The order of items may be changed by a majority vote of those present

H. Adjournment

A town meeting may adjourn to a date, time, and place certain by a majority vote, provided any adjournment complies with the notice requirements of the General Statutes

- iii. Changed title to "Organization, Procedure, and Voting Qualifications."
- iv. Laura Francis noted that the Secretary of State stopped distributing guides to town meetings
- v. Explained that taxpayers who are not electors of the town cannot vote on officers in town meetings. It was clarified that the rule allowing taxpayers to only vote on money questions is a misconception. Added language to clarify that the voting body can decide the method of voting: voice, paper ballot, show of hands, etc. Also added that a motion can be made to adjourn the meeting to a machine or referendum vote. The Board of Selectmen may also call for a machine vote in advance

MOTION BY MARTIN ANDERSON, SECONDED BY AL DIVINCENTIS TO APPROVE SECTION 3.2.1 WITH CORRECTIONS. ALL AYE, MOTION PASSED

h. Section 3.3 Annual Budget

i. Current Language

Adoption of the annual budget shall be by majority vote of those qualified to vote at the Annual Budget Meeting. The meeting shall have the power to

decrease or delete any appropriation or item in an appropriation, but it may not increase or add to any appropriation or item in an appropriation, or make any appropriation for a purpose not recommended by the Board of Finance.

ii. Proposed Language

The Annual Budget shall be adopted by a majority vote of those qualified to vote at the Annual Budget Meeting, unless this Charter requires that the vote be taken by machine vote (referendum).

At the Annual Budget Meeting, the voters may decrease or eliminate any appropriation or line item in the proposed budget.

They may not increase any appropriation, add new appropriations, or fund any purpose that has not been recommended by the Board of Finance, as required by the Connecticut General Statutes.

The action of the Annual Budget Meeting shall constitute the Town's official appropriation for the ensuing fiscal year, subject to any referendum requirements of this Charter or state law.

- iii. It was noted that the proposed language adds clarification but does not change the content of the section. Discussed adding language which would add the ability for voters to add or increase appropriations. Added language which required public comment for some types of meetings

**MOTION BY MARTIN ANDERSON, SECONDED BY MATT LAFAYETTE TO TABLE
SECTION 3.3. ALL AYE, MOTION PASSED**

i. Section 3.3.1 Annual Budget Meeting

ii. Current Language

The Annual Budget Meeting shall be held at least thirty (30) days prior to the end of the fiscal year. Said date shall be set at the Annual Town Meeting of the prior year or at a special town meeting

ii. Proposed Language

The Annual Budget Meeting shall be held no later than thirty (30) days before the end of the fiscal year. The date of the Annual Budget Meeting shall be set either at the Annual Town Meeting for the upcoming fiscal year, or by a Special Town Meeting called for that purpose.

The Board of Selectmen shall issue a call and warning for the Annual Budget Meeting in compliance with the General Statutes, stating the date, time, place, and specific items of business to be acted upon.

Only the business listed in the warning—specifically the consideration and adoption of the annual budget—may be taken up at the Annual Budget Meeting, except as otherwise required by this Charter or the General Statutes.

- iii. The Commission discussed difficulties with conforming to the 30-day window due to delays at the state level

MOTION BY CHRISTIAN GODBOUT, SECONDED BY MARTIN ANDERSON TO APPROVE SECTION 3.3.1 AS DRAFTED. ALL AYE, MOTION PASSED

a. Section 3.4 Special Appropriations

i. Current Language

Per section 5.1.9 of this Charter, a special appropriation and a payment into or appropriation from the reserve fund for capital and nonrecurring expenditures, requiring town meeting approval, may be decreased by the town meeting but may not be increased. A town meeting may make no special appropriation or transfer of funds not recommended by the Board of Finance.

ii. Proposed Language

A Special Town Meeting may act on any special appropriation or any payment into, or appropriation from, the Reserve Fund for Capital and Nonrecurring Expenditures, when such action is authorized by this Charter.

A Town Meeting may decrease or delete any special appropriation or transfer placed before it, but it may not increase any such item or create a new appropriation that has not been recommended by the Board of Finance.

No special appropriation, transfer of funds, or reserve-fund action may be approved unless it has been recommended by the Board of Finance, as required by Section 5.1.9 of this Charter.

All special appropriations shall comply with the fiscal procedures in this Charter, unless prohibited by the General Statutes, or any Town ordinances adopted under their authority.

iii. **Proposed New Section**

Section xx Emergency Appropriations

In the event of an emergency affecting public health, safety, welfare, or essential Town operations, the Board of Selectmen may request an emergency appropriation when funds are not otherwise available in the approved budget.

A. Request for Emergency Appropriation

The Board of Selectmen shall identify:

1. The nature of the emergency,
2. The amount of funding required,
3. The source of funds proposed, and
4. The reasons why the expenditure cannot wait for the next regular budget cycle.

The request shall be submitted to the Board of Finance, which shall review the request as required by the Connecticut General Statutes.

B. Approval of Emergency Appropriation

1. If the amount requested does not exceed the limits set by state law or this Charter, the Board of Finance may approve the appropriation directly, in accordance with CGS § 7-348 and any local fiscal policies.
2. If the amount exceeds those limits, or if state law requires voter approval, the Board of Finance shall forward the request to a Town Meeting (or referendum, if required) with its recommendation.
3. A Town Meeting may decrease the requested appropriation but may not increase it, consistent with state law.

C. Use of Reserve or Contingency Funds

Emergency appropriations may be funded from:

1. the General Fund,
2. the Contingency Fund, or
3. the Reserve Fund for Capital and Nonrecurring Expenditures, consistent with CGS § 7-360 and this Charter.

D. Documentation and Reporting

All emergency appropriations shall be:

1. Voted on in a public meeting,
2. Recorded in the minutes of both boards involved, and
3. Filed with the Town Clerk for public inspection.

The Board of Selectmen shall provide a written report describing the use of the emergency funds and the status of the emergency to the Board of Finance within 60 days of expenditure.

E. Limitations

Emergency appropriations shall be used only for immediate and unforeseen needs that cannot be reasonably addressed through the normal budget or special-appropriation process. They shall not be used to fund new programs or ongoing operating expenses unless it is necessary to respond to the emergency.

- iv. Laura Francis clarified that special appropriations are for items that were not anticipated, including revenue. Proposed a section which includes emergency appropriations. Discussed the distinction between a special and an emergency appropriation. Funds may not be taken from reserve or capital non-recurring expenditures fund for emergency appropriations. All funds would be taken from contingency funds that are not otherwise allocated

- v. Added “unless prohibited by general statutes, or any Town ordinances adopted under their authority” to last paragraph of section 3.4
- vi. The new section on Emergency Appropriations will be reviewed by Board of Finance before approval

MOTION BY AL DIVINCENTIS, SECONDED BY MARTIN ANDERSON TO APPROVE SECTION 3.4 (NOT INCLUDING NEW SECTION) AS AMENDED. ALL AYE, MOTION PASSED

b. Section 6.2 Regional Planning Agency

- i. Postponed

c. Discussion Regarding approach to develop recommendations regarding: form of government, appointed vs elected positions, definisitons of board, commission, committee and their places in the charter

- i. Martin Anderson presented 4 topics for discussion
 - a. Explore a recommendation that the Charter include a professional town administrator with defined qualifications and responsibilities to focus on town administration, giving the Board of Selectmen the ability to focus more on vision, policy, and building community
 - b. Explore a recommendation to the Board of Selectmen that the Town of Durham Charter reduce the number of elected officials through the adopted use of appointed officials for the positions of Town Clerk, Tax Collector, and Treasurer, with defined qualifications and responsibilities
 - c. Explore a recommendation to the Board of Selectmen that where practicable and of benefit to the town, Boards, Commissions, and Committees in the charter or created after the last charter, be evaluated for combination or elimination in light of professional paid positions currently doing work since the last charter revision, and to achieve economies of scale and effort and reduce the number of volunteers needed to run the town
 - d. Explore a recommendation to the Board of Selectmen that the Town of Durham Charter adopt a more consistent use of Board, Commission, and Committee, and have streamlined methods for the creation or elimination of these bodies to meet the ongoing needs of the town
- ii. Discussed research to be done on the topics presented
- iii. Discussed adding a quorum to town meetings as Madison has done in their charter

11. Commissioner Reports

- a. none

12. Next Steps and Assignments

- a. Schedule discussion with other town managers: Mary Calorio and Mark Walter
- b. Research other towns operating using elected versus appointed officials
- c. Review charters from similar small towns

13. Next Meeting- January 21, 2026

14. Adjourn

MOTION BY MARTIN ANDERSON SECONDED BY SEVERAL TO ADJOURN. ALL AYE

Meeting adjourned at 8:57 p.m.,
Respectfully submitted,
Nicole Charest