

Received 3/9/26
2:30 PM Jodi Moore, ATC

Town of Durham
Charter Revision Commission
Wednesday, March 4, 2026 7:00pm
Community Center Meeting Room 1, and Remote via Zoom
Meeting Minutes

<https://us02web.zoom.us/rec/share/MjOSM265MAslHgwUzjeNBQ-jC34IFFdYlWrhfNKLmqbU1lhrpeJdHgDnexDGclaf.aUAEwxOUvOnuk4wa>

Passcode: M*?%5?G1

1. Call to order

Co-chair Laura Francis called the Special Charter Revision Commission meeting of Wednesday, March 4, 2026 to order at 7:00 p.m.

Also present: Matt LaFayette, Christian Godbout, Eileen Buckheit (Arrived Late), Martin Anderson (via Zoom), and Nicole Charest: Town Clerk and Recording Secretary.

Absent: Christian Godbout, Al DiVincentis

Members of the public present: Richard Parmelee, Roger Kleeman, Chuck Stengel, and other members of the public

2. Pledge of Allegiance

3. Approval of Agenda

a. **MOTION BY EILEEN BUCKHEIT SECONDED BY MATT LAFAYETTE, TO APPROVE THE AGENDA WITH CORRECTIONS. ALL AYE, MOTION PASSED.**

i. Noted that the date of minutes to be approved should be February 18th, not January 21st. Date of next meeting should be March 18th, not February 18th

4. Approval of Minutes

a. February 18, 2026

i. **MOTION BY EILEEN BUCKHEIT SECONDED BY MATT LAFAYETTE TO APPROVE THE FEBRUARY 18, 2026 MEETING MINUTES AS PRESENTED. ALL AYE. LAURA FRANCIS ABSTAINED. MOTION PASSED**

5. Public Comment

a. Richard Parmelee questioned whether, in the event of a vacancy, if an alternate must be moved up to fill the full seat vacancy. Stated that finance director should not take minutes. Suggested that bills for recording secretary and legal services be submitted monthly for accounting purposes

b. Roger Kleeman asked for amounts and explanations for the invoices to be approved. Also noted that the recording button should be pressed and the date on the agenda

for the next meeting incorrectly reads February 18th, 2026. Stated that he does not support removing steps in processes. Expressed that it takes away powers of residents and makes it easier for the town to bypass those processes. Suggested the commission review that topic

- c. Richard Parmelee stated he does not want the commission to change the \$20,000 spending threshold

6. Presentation or Guests

- a. none

7. Correspondence

- a. none

8. Old Business

- a. Proposals to address section 6.9.2 civilian fire trustee appointment limitations by amending 6.9.2 and section 4.4 from prior discussions

- i. **Proposed Language**

- There shall be a Board of Trustees consisting of three (3) voters of the town, and not members of the Durham Volunteer Fire Company, Inc., one (1) of whom shall be elected at each Annual Town Meeting for a term of three (3) years or until his replacement has been elected. These Trustees are to work with the three (3) Trustees elected by the Durham Volunteer Fire Company, Inc., in formulating rules governing the use of and maintenance of the Fire Department buildings. In the event of a vacancy in the Board of Trustees, the Board of Selectman, by majority vote, may appoint an interim trustee.

- ii. Reviewed situation which led to this proposed language. Noted that Special Town Meetings are not on a consistent basis, so a replacement may not be elected for months. Briefly discussed making the position appointed rather than elected

- iii. **MOTION BY JOHN BUGAI, SECONDED BY MATT LAFAYETTE TO APPROVE PROPOSED SECTION 6.9.2.**

- iv. Laura Francis noted that the language should include the time period the interim is to be appointed for. Commission agreed to amend language which allows the appointment of an interim trustee for three years or until the replacement is elected. Matt Lafayette suggested using "shall" rather than "may" to be consistent with other sections

- v. **MOTION BY MATT LAFAYETTE SECONDED BY JOHN BUGAI TO APPROVE SECTION 6.9.2 WITH ADDITION OF LANGUAGE WHICH STATES THE BOARD OF SELECTMEN SHALL APPOINT AN INTERIM TRUSTEE UNTIL A REPLACEMENT IS ELECTED. ALL AYE, MOTION PASSED**

- b. Proposal to update section 4.4 to better reflect boards, commissions and committees in current operation from prior discussions

- i. **Proposed Language**

Unless otherwise specified in this Charter or in the General Statutes as amended, the Board of Selectmen shall make all appointments to the following town offices: 911 Coordinator, Animal Control Officer, Building Code Board of Appeals, Building Official, Burning Officials, Conservation Commission, Constables, Director of Emergency Management, Director of Health, Economic Development Commission, Fire Marshal and Deputy Fire Marshal, Fire Wardens, Historic District Commission, Inland Wetlands and Watercourses Agency, Municipal Agent for Elderly, Ordinances Committee, Public Safety Committee, Recreation Committee, Regional Planning Agency, Senior Citizen Board, Special Constables, Street Naming Committee, Tax Assessor, Town Counsel, Town Engineer, Town Sanitarian, Tree Warden, Water Commission, and interim Fire Trustee.

- ii. Martin Anderson noted the addition of new boards, commissions, and committees that were formed since the previous edition of the charter. Noted the commission will have to revisit the section
 - iii. **MOTION BY MATT LAFAYETTE, SECONDED BY LAURA FRANCIS TO APPROVE THE PROPOSED SECTION 4.4 LANGUAGE AS AMENDED TO ADD INTERIM FIRE TRUSTEE. ALL AYE, MOTION PASSED**
- c. Proposals to address Declaration of Public Emergency (new section) and Emergency Appropriations (3.4.1) as revised from prior discussions
- i. **Proposed Language:**
 - New Section XX Declaration of a Public Emergency

The First Selectman may declare a Public Emergency and take such action deemed advisable whenever a Public Emergency threatens the lives, health, safety, or property of residents of the Town, or materially impairs an essential function of Town government. Having declared a Public Emergency, the First Selectman will consult with Emergency Personnel on the appropriate course of action. Any such declaration shall automatically stand repealed at the end of five days, unless earlier terminated or extended by the Board of Selectmen. Expenditures to meet such costs as incurred in addressing the Public Emergency shall be made in accordance with Section 3.4.1 of this Charter.
 - Section 3.4.1 Emergency Appropriations

Emergency expenditures may be made for the purposes of meeting a public emergency threatening the lives, health, safety, or property of Town residents, or related to the essential functions of Town government. Such expenditures may be made upon the recommendation of the First Selectman and approval by a majority vote of the Board of Selectmen. In the absence of sufficient general fund resources to meet such appropriation, additional means of financing shall be provided in any manner consistent with the General Statutes.
 - ii. Noted that example regulations require public hearings with the option to waive requirement with 2/3 vote in the event that delay would jeopardize the lives, health, or property of citizens

iii. **MOTION BY JOHN BUGAI, SECONDED BY MATT LAFAYETTE TO APPROVE SECTION 3.4.1 EMERGENCY APPROPRIATIONS AS REVISED FROM PREVIOUS DISCUSSIONS**

- d. Any other old business
i. none

9. New Business

- a. Approval of Invoice- Halloran & Sage for \$45.00 for legal conference with Al DiVincentis
i. **MOTION BY MARTIN ANDERSON, SECONDED BY JOHN BUGAI TO APPROVE AN INVOICE IN THE AMOUNT OF \$45.00 FOR HALLORAN & SAGE FOR A LEGAL CONFERENCE WITH AL DIVINCENTIS. ALL AYE, MOTION PASSED.**
- b. Approval of Invoice – Nicole Charest for \$262.50 for 10 hours 30 min of recording secretary work for CTC by Nicole Charest
i. **MOTION BY MARTIN ANDERSON SECONDED BY EILEEN BUCKHEIT TO APPROVE AN INVOICE IN THE AMOUNT OF \$262.50 FOR NICOLE CHAREST FOR 10 HOURS 30 MIN OF RECORDING SECRETARY WORK. ALL AYE, MOTION PASSED**
- c. Any other new business
i. none

10. Commission Work Session

- a. **Section 3.6 Sale, Purchase, or Disposition of Real Estate (Revised Draft)**
i. **Current Language:**
Subject to the provisions of Section 3.7 of this Charter, the discontinuance of roads by the town, the sale or other disposition of real estate of the town used or reserved for town purposes, and except as provided in Section 4.6, the purchase or other acquisition of real estate for such purposes, shall require approval of a town meeting. The sale of real estate not used or reserved for town purposes shall be in accordance with an ordinance adopted by town meeting.
- ii. **Proposed Language:**
Section 3.6 Sale, Purchase, or Disposition of Real Estate (Revised Draft)
A. Town Meeting Approval Required
Except as otherwise provided in this Charter, the following actions involving Town-owned real property shall require approval at a Town Meeting:
a. The sale, lease, or other disposition of Town-owned real estate that is used or reserved for Town purposes;
b. The purchase, acquisition, or acceptance of real estate for Town purposes (except as authorized under Section 4.6 for small acquisitions[RR1.1]);
c. The discontinuance or partial discontinuance of a Town road, in accordance with the Connecticut General Statutes.
B. Property Not Currently Used for Town Purposes

The sale or disposition of Town-owned real estate not used or reserved for Town purposes shall be conducted in accordance with a Town Meeting–adopted ordinance establishing procedures for appraisal, notice, public hearing, and method of sale.

C. Required Process and Transparency

Any proposed sale, purchase, or disposition of Town real estate brought to Town Meeting shall include:

- i. A description of the property by street address or assessor’s map lot number;
- ii. A statement of purpose for the action;
- iii. A report or recommendation from the Board of Selectmen; and
- iv. Any additional materials required by ordinance or state law.

b. **NEW Section 3.7 Easements, Rights-of-Way, and Temporary Construction Access**

i. **Current Language:**

Any action of the town requiring 1) a special appropriation or the borrowing of one hundred thousand dollars (\$100,000.00) or more, or 2) the acquisition or taking of any property through Eminent Domain proceedings shall be the subject of a referendum conducted according to the General Statutes.

ii. **Proposed Language:**

The granting or acceptance of any easement, right-of-way, or temporary The granting or acceptance of any easement, right-of-way, or temporary construction access by the Town of Durham shall follow the procedures below, unless otherwise required by state law or another provision of this Charter.

A. Granting Easements or Rights-of-Way on Town Property

The Town may grant an easement, right-of-way, or temporary construction access across Town-owned property upon approval of the Board of Selectmen and the Town Meeting, except as provided in subsection C of this section.

Such conveyances shall be made in writing, describe the land affected, state the purpose and duration of the easement, and comply with all applicable requirements of the Connecticut General Statutes, including CGS § 7-148(c)(3).

B. Acceptance of Easements or Rights-of-Way for Town Use

The Town may accept easements, rights-of-way, or temporary construction access needed for:

- a. public improvements,
- b. infrastructure installation or repair,
- c. highway or sidewalk purposes,
- d. public utilities,
- e. stormwater management, or
- f. other municipal functions.

Acceptance shall require approval by the Board of Selectmen, unless state law requires additional approval.

C. Temporary Utility Work Easements Agreements on Town Property or Rights of Way

The Board of Selectmen may approve administrative or routine easements that:

- a. are temporary in nature,
- b. do not materially affect the use of Town property,
- c. do not convey exclusive or permanent rights, and
- d. are necessary to complete construction, repair, or maintenance work by a utility provider.

Such agreements shall be reported to the Town Clerk and kept on file for public inspection.

D. Public Notice and Transparency

All proposed permanent easements or rights-of-way requiring Town Meeting approval shall be included in the call of the meeting, describing the affected property, purpose, and terms.

The Town Clerk shall make all related documents available for public review at least five (5) days prior to the meeting.

E. Recording

All easements, rights-of-way, or temporary construction access agreements granted to the Town shall be recorded in the land records by the Town Clerk.

c. **Section 5.1.5 Preparation of the Budget**

i. **Current Language:**

At such time and in such manner as the Board of Finance may require, but not later than January 15, every agency and office of the town supported wholly or in part by town revenues, or for which a specific town appropriation is or may be made, shall present to the Board of Selectmen and to the Board of Finance an itemized estimate of the expenditures to be made by that agency/office and all revenues other than town appropriations to be received by it for its use during the ensuing fiscal year. The estimates shall be accompanied by such other reports and data as the Board of Finance or the Board of Selectmen may require. Each agency/office may also be required to submit a statement of its program or programs showing services, activities, and work to be accomplished during the ensuing year. These data and reports will be compiled into a preliminary proposed general town budget.

At such time and in such a manner as the Board of Finance may by regulation require, but not less than forty five (45) days prior to the annual budget meeting, the Board of Selectmen shall present the proposed preliminary budget, with its recommendations, to the Board of Finance for review and final preparation. After reviewing the budget as presented by the Board of Selectmen and Education, the Board of Finance shall prepare the final proposed town budget for presentation at a public hearing. The Board of Finance may require any agency or office, including the Board of Selectmen, to meet with it and explain the requests for funds. Any agency/office shall be entitled to be heard by the Board of Finance in respect to the estimates of proposed expenditures submitted by that agency or office.

ii. **Proposed Language:**

At such time and in such manner as the Board of Finance may require, but not later than January 15, every agency, department, and office of the Town supported wholly or in part by Town revenues, or for which a specific Town appropriation is or may be made, shall present to the Board of Selectmen and to the Board of Finance an itemized estimate of the expenditures to be made by that agency, department, and/or office and all revenues other than Town appropriations to be received by that agency, department, or office for their use during the ensuing fiscal year. The estimates shall be accompanied by such other reports and data as the Board of Finance or the Board of Selectmen may require. Each agency, department, and office may also be required to submit a statement of its program or programs showing services, activities, and work to be accomplished during the ensuing year. This data and reports will be compiled into a preliminary proposed general Town budget.

At such time and in such a manner as the Board of Finance may by regulation require, but not less than 45 days prior to the annual budget meeting, the Board of Selectmen shall present the proposed preliminary budget, with its recommendations, to the Board of Finance for review and final preparation. After reviewing the budget as presented by the Board of Selectmen and the Board of Education, the Board of Finance shall prepare the final proposed Town budget for presentation at a public hearing. The Board of Finance may require any agency, department, or office, including the Board of Selectmen, to meet with it and explain the requests for funds. Any agency, department, and office shall be entitled to be heard by the Board of Finance in respect to the estimates of proposed expenditures submitted by that agency, department, or office.

iii. Briefly discussed current budget timeline

iv. **MOTION BY EILEEN BUCKHEIT, SECONDED BY MATT LAFAYETTE TO APPROVE SECTION 5.1.5 AS PRESENTED. ALL AYE, MOTION PASSED**

d.

e. **Section 5.1.6 Public Hearing on Proposed Budget**

i. **Current Language:**

The Board of Finance shall hold one or more public hearings not later than fourteen (14) days before the Annual Budget Meeting. At these hearings, the Board of Finance shall present an itemized statement, by classification, with the following information:

- (1) Actual expenditure for the prior fiscal year;
- (2) Appropriation for current year;
- (3) Estimated expenditure for current year;
- (4) Appropriation requested -- ensuing year;
- (5) Appropriation proposed -- ensuing year;

In addition to the appropriation budget, estimated revenue for the current and ensuing years should be presented (for information only) showing:

- (1) Estimated cash surplus at beginning of each year;
- (2) Estimated grants and other revenue available - except local property tax;
- (3) Estimated local tax receipts required to balance budget.

After the hearings, the Board of Finance shall then revise the estimates as it deems desirable and shall prepare a recommended appropriation budget, as well as its estimate of anticipated revenue (except for local property taxes) available for the ensuing year.

ii. **Proposed Language:**

The Board of Finance shall hold one or more public hearings not later than 14 days before the Annual Budget Meeting. At these hearings, the Board of Finance shall present an itemized statement, by classification, with the following information:

- (1) Actual expenditure for the prior fiscal year;
- (2) Appropriation for current year;
- (3) Estimated expenditure for current year;
- (4) Appropriation requested — ensuing year;
- (5) Appropriation proposed — ensuing year;

In addition to the appropriation budget, estimated revenue for the current and ensuing years should be presented (for information only) showing:

- (1) Estimated cash surplus at the beginning of each year;
- (2) Estimated grants and other revenue available - excluding local property tax;
- (3) Estimated local tax receipts required to balance budget.

After the public hearings, the Board of Finance shall then revise the estimates as it deems desirable and shall prepare a recommended appropriations budget, as well as its estimate of anticipated revenues (excluding local property taxes) available for the ensuing year.\

iii. **MOTION BY MATT LAFAYETTE, SECONDED BY EILEEN BUCKHEIT TO APPROVE SECTION 5.1.6 AS PRESENTED. ALL AYE, MOTION PASSED**

f. **Section 5.1.7 Annual Budget Meeting**

i. **TABLED**

g. **Section 6.11 Animal Control Officer**

i. **Current Language:**

The Board of Selectmen shall appoint, for a term of two (2) years, an Animal Control Officer who shall have powers and duties in accordance with the General Statutes.

ii. **Proposed Language:**

The Town shall provide animal control services in accordance with the Connecticut General Statutes.

iii. Noted that animal control officers are governed by state statute. It was suggested that the language in the charter refer to statute

iv. **MOTION BY EILEEN BUCKHEIT, SECONDED BY MATT LAFAYETTE TO APPROVE SECTION 6.11 ANIMAL CONTROL AS AMENDED WITH ADDITION THAT ANIMAL CONTROL SERVICES WILL BE PROVIDED IN ACCORDANCE WITH STATE STATUTE AND A TITLE CHANGE TO “ANIMAL CONTROL SERVICES”. ALL AYE, MOTION PASSED**

h. **Section 6.10 Fire Marshal**

i. **Current Language**

The Board of Selectmen shall appoint a Fire Marshal and such deputies as may be necessary all in accordance with the General Statutes.

ii. **Proposed Language**

The Town shall have a Fire Marshal and such deputy fire marshal(s) as may be authorized, appointed and serving in accordance with the Connecticut General Statutes.

iii. **MOTION BY EILEEN BUCKHEIT SECONDED BY JOHN BUGAI TO APPROVE SECTION 6.10 FIRE MARSHAL AS PRESENTED ALL AYE MOTION PASSED**

i. **Timeline for Completion**

- i. Briefly discussed timeline for noticing referendum and public outreach. Noted that questions on the ballot are due in September and the charter must be reviewed by the Board of Selectmen prior to referendum
- ii. Jaclyn Lehet created a spreadsheet detailing which chapters are completed
- iii. Noted that work ended at section 6.6 and section 6.10 and 6.11 were completed

11. **Commissioner Reports**

- a. none

12. **Next Steps and Assignments**

- a. Review Ellington Charter

13. **Next Meeting- March 18, 2026**

14. **Adjourn**

MOTION BY LAURA FRANCIS SECONDED BY SEVERAL TO ADJOURN. ALL AYE

Meeting adjourned at 8:40 p.m.,
Respectfully submitted,
Nicole Charest