

Received 3/26/26
8:47 AM Jodi Moore, ATC

Town of Durham
Charter Revision Commission
Wednesday, March 18, 2026 7:00pm
Community Center Meeting Room 1, and Remote via Zoom
Meeting Minutes

https://us02web.zoom.us/rec/share/wAnI9t1p1JelO1elpTo_A4nycW-hhImiasHiaO58iiaaPad05BxDLSgXLaxSM0O9.uPxrOQH4qfe3aYf

Passcode: 7BCNN#Yg

Call to order

Co-chair Laura Francis called the Special Charter Revision Commission meeting of Wednesday, March 18, 2026 to order at 7:00 p.m.

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

Absent:

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

1. Pledge of Allegiance
2. Approval of Agenda
 - a. **MOTION BY EILEEN BUCKHEIT SECONDED BY JOHN BUGAI, TO APPROVE THE AGENDA AS PRESENTED. ALL AYE, MOTION PASSED.**
3. Approval of Minutes
 - a. March 4, 2026
 - i. **MOTION BY JOHN BUGAI SECONDED BY SEVERAL TO APPROVE THE MARCH 4, 2026 MEETING MINUTES AS PRESENTED. ALL AYE. MOTION PASSED**
 1. Martin Anderson clarified that the invoice approved under item 9 was not a conference with Al DiVincentis. Payment was for counsel, Al only brought questions to attorney
4. Public Comment
 - a. none
5. Presentation or Guests
 - a. none

6. Correspondence

a. none

7. Old Business

a. none

8. New Business

a. none

9. Commission Work Session

a. **Section 6.5 Zoning Board of Appeals**

i. **Current Language**

There shall be a Zoning Board of Appeals consisting of five (5) regular members and three (3) alternate members. Each regular member shall have one (1) vote.

Regular members and alternates shall be elected in accordance with Sections 2.1 and 2.3 of this Charter at the General Town Election, and shall serve for a term of four (4) years, beginning on the first Monday of December following the election. The membership of the Board and the alternates shall be considered separately for the purposes of Section 2.3 of this Charter.

The Board of Selectmen shall fill within thirty (30) days any vacancy which occurs among the regular members from among the alternate members. Said appointee shall serve until the next General Town Election.

No regular or alternate member of this Board may be a member of the Planning and Zoning Commission.

The Zoning Board of Appeals shall possess all of the powers and duties in accordance with the General Statutes that are not inconsistent with this Charter.

ii. **Proposed Language**

There shall be a Zoning Board of Appeals consisting of five (5) regular members and three (3) alternate members.

Each regular member shall have one vote. Alternate members may vote only when seated in place of a regular member who is absent or disqualified, in accordance with the Connecticut General Statutes.

Regular members and alternate members shall be elected at the General Town Election in accordance with Sections 2.1 and 2.3 of this Charter.

Members shall serve four-year terms, beginning on the first Monday in December following their election, and shall serve until their successors are elected and qualified.

For purposes of minority representation under Section 2.3 of this Charter and the Connecticut General Statutes, the regular members and alternate members shall be considered separately.

If a vacancy occurs among the regular members, the Board of Selectmen shall fill the vacancy within thirty (30) days by appointing one of the alternate members.

The appointee shall serve until the next General Town Election, when the unexpired portion of the term shall be filled by election.

If a vacancy occurs among the alternate members, the Board of Selectmen shall fill the vacancy within thirty (30) days, and the appointee shall serve until the next General Town Election.

No regular or alternate member of the Zoning Board of Appeals may simultaneously serve as a member of the Planning and Zoning Commission.

The Zoning Board of Appeals shall exercise all powers and duties granted by the Connecticut General Statutes, including the authority to hear and decide appeals, grant variances, and perform such other functions as provided by law, except as limited by this Charter.

- iii. Discussed adding conflict of interest clause, determined that is included in code of ethics
- iv. **MOTION BY MATT LAFAYETTE SECONDED BY AL DIVINCENTIS TO ACCEPT THE ALTERNATE LANGUAGE FOR SECTION 6.5 ZONING BOARD OF APPEALS AS PRESENTED. ALL AYE, MOTION PASSED**
- v. Noted that number of members required to pass variance is set by statute, since recent zoning regulations change there has only been one variance request according to Zoning Board of Appeals

b. **Section 6.6 Director of Health**

i. **Current Language**

A Director of Health shall be appointed by the Board of Selectmen, with the approval of the State Public Health Council. The Director shall have all of the powers and duties in accordance with the General Statutes and shall serve for a period of four years.

ii. **Proposed Language**

The Town shall obtain public health services and environmental health services through participation in a district health department in accordance with the Connecticut General Statutes. The district health department shall exercise within the Town all powers and duties assigned by law to local directors of health and local health departments.

The Board of Selectmen is authorized to enter into and maintain agreements for participation in such district health department and to appoint representatives to the district board or governing body as provided by law.

- iii. Noted that town is now part of a Health District. Removed section 6.6.1 Town Sanitarian as that function is handled by the Health District. Discussed keeping language for appointment in case the Town reverts back.
- iv. **MOTION BY AL DIVINCENTIS, SECONDED BY MARTIN ANDERSON TO ACCEPT THE PROPOSED LANGUAGE FOR SECTION 6.6 DIRECTOR OF HEALTH AS PRESENTED. ALL AYE, MOTION PASSED**
- v. **MOTION BY MARTIN ANDERSON, SECONDED BY MATT LAFAYETTE TO REMOVE SECTION 6.6.1 TOWN SANITARIAN. ALL AYE, MOTION PASSED**

c. **Section 6.7 Town Clerk**

i. **Current Language**

There shall be a Town Clerk who shall perform all of the duties and functions in accordance with the General Statutes, and whose term of office shall be set forth in Section 2.1 of this Charter.

ii. **Proposed Language**

There shall be a Town Clerk who shall perform all powers and duties prescribed by the Connecticut General Statutes, and whose term of office shall be set forth in Section 2.1 of this Charter.

iii. **Other Proposed New Language**

Upon completion of the elected term of office held that coincides with the effective date of this Charter revision, the Board of Selectmen, by majority vote, and following a full and fair consideration of candidates, shall appoint a Town Clerk by majority vote who shall have all powers and duties prescribed by the Connecticut General Statutes and be responsible for obtaining or holding all required credentials for the performance of their duties. The Town Clerk shall be a department head may only be removed for cause. The Board of Selectmen may make an interim appointment prior to a candidate achieving all necessary certifications. The Town Clerk may appoint an Assistant Town Clerk capable of serving the town in their absence and assisting with ongoing office operations.

- iv. Discussed at length the limits of the Town Clerk's authority for hiring and firing an assistant town clerk. Noted that assistant town clerk is a union member, discussed whether union status would impact ability to remove assistant for cause. Noted that the assistant is a position required by statute and the town clerk should be able to select their own assistant. Discussed potential for the town clerk to be appointed, elected, or removed based on political party. Discussed choosing appointment authority.

d. **Section 6.1.4 Building Code Board of Appeals**

i. **Current Language**

There shall be a Board of Building Code of Appeals which shall function in accordance with the General Statutes and the State Building Code, as amended.

ii. **Proposed Language**

There shall be a Building Code Board of Appeals established in accordance with the Connecticut General Statutes and the State Building Code, as amended. Members of the Board shall be appointed by the Board of Selectmen. The Board shall exercise such powers and duties as are prescribed by the Connecticut General Statutes and the State Building Code. The Town may participate in a joint or regional building code board of appeals as permitted by the Connecticut General Statutes.

iii. Noted that Building Code Board of Appeals has not ever met. State statute states that the building code cannot be appealed but the requirement for a building code board of appeals has not been repealed

iv. **MOTION BY LAURA FRANCIS SECONDED BY MATT LAFAYETTE TO APPROVE SECTION 6.1.4 BUILDING CODE BOARD OF APPEALS AS PROPOSED. ALL AYE, MOTION PASSED**

e. **Section 6.15 Building Official**

i. **Current Language**

There shall be a Building Official appointed by the Board of Selectmen. The Building Official shall perform duties in accordance with the provisions of the State Building Code. The Board of Selectmen shall have the authority to discharge said Building Official for due cause.

ii. **Proposed Language**

There shall be a Building Official appointed by the Board of Selectmen in accordance with the Connecticut General Statutes. The Building Official shall possess the qualifications required by law and shall exercise the powers and duties prescribed by the Connecticut General Statutes and the State Building Code, as amended.

The Board of Selectmen may remove the Building Official for cause. The Town may enter into intermunicipal or regional agreements for building inspection services as permitted by the Connecticut General Statutes.

iii. Laura Francis noted that this position is difficult to fill and some towns are choosing to join local councils of governments or to share building officials. Language was added to allow these options.

iv. **MOTION BY MATT LAFAYETTE, SECONDED BY EILEEN BUCKHEIT TO APPROVE SECTION 6.15 BUILDING OFFICIAL AS PRESENTED. ALL AYE, MOTION PASSED**

v. Discussed adding language to specify that the town may enter into an agreement in lieu of appointing a building official. Agreed to add language which states "The town may enter into intermunicipal agreements for building inspection services as permitted by the statutes which shall act as the building official"

vi. **MOTION BY AL DIVINCENTIS, SECONDED BY JOHN BUGAI TO APPROVE SECTION 6.15 BUILDING OFFICIAL AS AMENDED. ALL AYE, MOTION PASSED.**

f. **Section 6.16 Economic Development Commission**

i. **Current Language**

There shall be an Economic Development Commission which shall operate in accordance with the General Statutes. The Commission shall consist of seven electors of the town who shall be appointed by the Board of Selectmen. The term of office shall be for two years. All terms shall begin on January 1.

ii. **Proposed Language**

There shall be an Economic Development Commission established in accordance with the Connecticut General Statutes. The Commission shall consist of seven electors of the Town appointed by the Board of Selectmen. Members shall serve for two years beginning January 1 and until their successors have been appointed and qualified. The Commission shall exercise the powers and duties prescribed by the Connecticut General Statutes.

The Commission may study, recommend, and advise the Board of Selectmen and other Town boards and commissions on policies, programs, and initiatives to promote economic development and the vitality of the Town's commercial and industrial areas.

iii. Additional language proposed to clarify charge and powers of the Commission

iv. **MOTION BY MATT LAFAYETTE, SECONDED BY AL DIVINCENTIS TO APPROVE SECTION 6.16 ECONOMIC DEVELOPMENT COMMISSION AS PRESENTED. ALL AYE, MOTION PASSED.**

g. **Section 6.17 Board of Library Directors**

i. **Current Language**

The Board of Library Directors shall consist of nine members elected at the Annual Town Meeting for terms of three years. The Board shall have the responsibility for providing library services, library personnel, for setting hours of operation and for maintaining the buildings and grounds.

The Board shall have the responsibility of acting as trustees of and administering the endowment funds established for the library.

ii. **Proposed Language**

There shall be a Board of Library Directors consisting of nine electors of the Town elected at the Annual Town Meeting to serve for terms of three years and until their successors have been elected and qualified.

The Board of Library Directors shall exercise the powers and duties prescribed by the Connecticut General Statutes and shall oversee the operation of the Town's public library, including library services, policies, collections, and library personnel.

The Board shall serve as trustees of and administer any trust or endowment funds established for the benefit of the library in accordance with applicable law.

- iii. Received comment from Robert Booz, long-term member of the Library Board of Directors. "Trustee" and "Director" historically used interchangeably. Referred to as trustees in the state statute and bylaws. It was noted that the Board of Trustees is not mandatory if ordinance or local provision specifies a different structure. Discussed charge and powers of the Board of Trustees. Discussed adding language which states "The Library Director shall exercise the powers and duties prescribed by the Connecticut General Statutes, and shall oversee the operation of the Town's public library, including library services, policies, collections, and library personnel, provided they are compliant with Town administrative policies, personnel policies, and applicable agreements."
- iv. Noted that Statute 11-21 and 11-33 reference board of trustees but specify different powers and duties. Need to request clarification

h. **Timeline for Completion**

- i. Reviewed timeline, noted that draft report must be completed before public hearing. Discussed adding additional meetings or longer sessions. Suggested sending out a poll to members for availability.

10. **Commissioner Reports**

- a. Al DiVincentis stated he will send correspondence on language for Emergency Management Director

11. **Next Steps and Assignments**

- a.

12. **Next Meeting- April 1, 2026**

13. **Adjourn**

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

Meeting adjourned at 8:56 p.m.,
Respectfully submitted,
Nicole Charest