

Received 4/28/26

11:03 AM Jodi Moore, ATC

Town of Durham

Charter Revision Commission

Saturday, April 11, 2026 8:00am

Community Center Meeting Room 1, and Remote via Zoom

Meeting Minutes

https://us02web.zoom.us/rec/share/MBC4M9X2gxJjGO_Riq6gS9KVP6qXU3js7bkCL3xfop1Akf-moEGWcb5kRi11eQEM._GLZTC-gjlipFy8s

Passcode: *H91.Z1.

Call to order

Co-chair Laura Francis called the Special Charter Revision Commission meeting of Saturday, April 11, 2026 to order at 8:00 am

Also present: Matt LaFayette, Christian Godbout, Eileen Buckheit, Martin Anderson, Christian Godbout, Al DiVincentis

Absent:

Members of the public present: other members of the public

1. Pledge of Allegiance
2. Approval of Agenda
 - a. **MOTION BY CHRISTIAN GODBOUT SECONDED BY EILEEN BUCKHEIT, TO APPROVE THE AGENDA AS PRESENTED. ALL AYE, MOTION PASSED.**
3. Correspondence
 - a. Letter from Matt Lafayette with language suggestions including a definition section, a gender-neutral section, existing laws and ordinance section, and Department of Emergency Management section for consideration
4. Approve Invoice Dated 3-31-26 – Nicole Charest – Secretarial Services \$225.00
 - a. **MOTION BY MARTIN ANDERSON SECONDED BY EILEEN BUCKHEIT TO APPROVE AN INVOICE FOR NICOLE CHAREST FOR SECRETARIAL SERVICES IN THE MONTH OF MARCH IN THE AMOUNT OF \$225.00. ALL AYE, MOTION PASSED.**
5. Commission Work Session
 - a. **Section 2.2 State Elections**
 - i. **Current Language**
Nomination and election of state and federal officers and other elective

officers of the town, including two (2) registrars of voters shall be conducted in the manner prescribed in the Constitution of the United States and the General Statutes. The nomination or appointment of (18) Justices of the Peace shall also be conducted in this manner. The Registrars of Voters shall prepare lists of electors qualified to vote in accordance with said laws.

ii. **Proposed Language**

Elections for state and federal officers, and for any other offices required by law—including the Town’s two (2) Registrars of Voters—shall be conducted in accordance with the Constitution of the United States, the Constitution of the State of Connecticut, and the General Statutes.

The nomination and appointment of Justices of the Peace shall also follow the procedures established by State Statutes and Durham Code of Ordinances as amended.

The Registrars of Voters shall prepare and maintain the lists of electors qualified to vote in all elections, consistent with the requirements of state election law.

iii. Laura Francis discussed changing Justice of the Peace allotment to match the state statute allotment based on population. Commission generally agreed to remove current limit in charter and reference ordinance and statute.

iv. **MOTION BY MARTIN ANDERSON, SECONDED BY EILEEN BUCKHEIT TO ADOPT SECTION 2.2 AS PRESENTED. ALL AYE, MOTION PASSED**

b. **Chapter 4: Board of Selectmen**

i. **Section 4.3 General Powers and Duties**

1. Current Language

Section 4.3.1 Affairs of the Town

The Board of Selectmen shall be responsible for supervising the affairs of the town, and shall guide all town officers, boards, agencies, commissions, and committees toward accomplishing the objectives of the town’s long-range comprehensive plans.

Section 4.3.2 Capital Expenditures

The Board of Selectmen shall be responsible for presenting to the Board of Finance the amount, purpose, and proposed method of financing projected capital expenditures. The Board of Selectmen may, in order to carry out its duties and responsibilities, require such information from, or joint meetings with, any town officer, board, commission, or agency.

Section 4.3.3 Joint Meeting With Other Town Agencies

The Board of Selectmen shall be responsible for holding joint meetings at least two (2) times a year with one or more members of all boards, commissions, and agencies to coordinate the planning and action of such. The items discussed shall be appropriately recorded.

Section 4.3.4 Town Budget

All agencies shall submit to the Board of Selectmen for its review in recommending a general government budget to the Board of Finance,

copies of the itemized estimate of the expenditures to be made by that agency, and all revenues, other than town appropriations, to be received by it during the ensuing fiscal year; such itemized estimates along with supporting data to be submitted to the Board of Selectmen at such time as the Board of Finance, under Section 5.1.5 of this Charter, may require for the preparation of the annual budget.

Section 4.3.5 Financial Planning

The Board of Selectmen shall be responsible for reviewing the current and projected administrative and fiscal needs of the town and shall develop, maintain and update annually a long range comprehensive financial plan. Said plan shall be filed with the Town Clerk.

Section 4.3.6 Town Procurement Policy

The Board of Selectmen shall be responsible for implementing a Town Procurement Policy and review such policy on an annual basis.

2. MOTION BY MARTIN ANDERSON, SECONDED BY EILEEN BUCKHEIT TO ADOPT SECTION 4.3 AS PROPOSED. ALL AYE, MOTION PASSED

ii. **Section 4.5 Powers with Respect to Ordinances**

1. **Current Language**

The Board of Selectmen may propose to a town meeting duly called, ordinances consistent with the General Statutes and this Charter on any matter which the General Statutes or this Charter authorize to be legislated by ordinance, and which in general would serve to aid in the preservation of the good order, health, welfare and safety of the town.

2. Added the power to amend

3. MOTION BY MARTIN ANDERSON, SECONDED BY EILEEN BUCKHEIT TO ADOPT SECTION 4.5 AS PROPOSED. ALL AYE, MOTION PASSED

iii. **Section 4.6 Additional Powers and Duties of Board of Selectmen**

Current Language

Except for the powers committed to the Board of Finance by the General Statutes, the Selectmen shall have the power, subject to the provisions of the General Statutes and this Charter:

(1) To incur indebtedness in the name of the town, and to provide for the due execution of contracts and evidences of indebtedness issued by the town;

(2) To purchase, lease, sell, or convey real or personal property of or for the town; and also with the approval of the Planning and Zoning Commission under General Statutes, or any successor statute of similar import, the Selectmen may accept any of the following without town meeting approval: new roads constructed to town standards and interests in land reserved as open space or otherwise protected from development pursuant to a development plan approved by the Planning and Zoning Commission.

- (3) To institute, prosecute, defend, or negotiate any legal action or proceeding by or against the town;
- (4) To enter into contractual arrangements with other municipalities to obtain needed services provided such arrangements meet with provisions set forth in Section 5.1.9 of this Charter;
- (5) To put out to public bid all contracts in amounts in excess of (\$5,000.00); in accordance with the Town Procurement Policy;
- (6) To pay all town bills and record all town expenditures against appropriations.

1. Noted multiple sections described as additional and other duties. Refined language on indebtedness to specify that the Selectmen have ability to incur indebtedness in the name of the town after such approval as provided for in the charter.
2. Added language which states that the first selectman may purchase, sell, lease, or convey real personal property of or for the town in accordance with the town's purchasing policy; with the approval of the Planning and Zoning Commission under the general statutes or any successor statute of similar import and any applicable ordinance. Added language which specifies that the selectmen must follow applicable ordinances, charter, and state statutes.
3. **MOTION BY AL DIVINCENTIS, SECONDED BY MARTIN ANDERSON TO ACCEPT SECTION 4.6 AS AMENDED. ALL AYE, MOTION PASSED.**

iv. **Section 4.7 Other Powers and Duties**

1. **Current Language**

The Selectmen shall have such other powers and duties as are provided by the General Statutes and this Charter.

2. Discussed combining section 4.7 with section 4.6 by adding proposed section 4.7 language as the final bullet point in section 4.6

3. **MOTION BY MARTIN ANDERSON, SECONDED BY AL DIVINCENTIS TO APPROVE SECTION 4.7 AS AMENDED. ALL AYE, MOTION PASSED.**

v. **Section 4.8 The First Selectman**

1. **Current Language**

The First Selectman shall be:

- (1) The chief executive and administrative officer of the town, and shall have the powers and duties of First Selectman conferred upon that office by the General Statutes and by this Charter;
- (2) An ex-officio member, without vote, of all town boards, commissions, and committees. The First Selectman may attend all sessions, both public and executive, of said boards, commissions, and committees. In the event the First Selectman is unable to attend said sessions, he or she may, in writing, appoint a Selectman to be his or her representative at any of said sessions, also without vote. The

First Selectman shall be given reasonable notice of all meetings of all boards, commissions, and committees;

(3) Chief of Police of the town, supervising the duties and responsibilities of the constables and other police or/and public safety officers.

2. Laura Francis suggested changing language to allow First Selectman to delegate responsibilities as warranted

3. MOTION BY LAURA FRANCIS, SECONDED BY MARTIN ANDERSON TO ACCEPT SECTION 4.8 AS PRESENTED. ALL AYE, MOTION PASSED

vi. **Section 4.9 Duties of the First Selectman**

1. Current Language

The First Selectman shall be responsible for:

(1) Executing and carrying out all ordinances, resolutions, policies and other action approved by the Board of Selectmen or a town meeting;

(2) Coordinating administration of the agencies, boards, and commissions of the town, except those functions expressly reserved or delegated to such agencies by law;

(3) Guiding the Board of Selectmen in the discharge of all the Board's duties and responsibilities;

(4) Directing and supervising the activities of town employees, and where the First Selectman deems advisable, working with town employees, except employees of the Board of Education and employees whose employment is otherwise provided by law;

(5) Keeping full and complete records of the activities of this office;

(6) Providing monthly written financial reports and analysis to the Board of Selectmen and the Board of Finance; such report shall be filed with the Town Clerk by the end of the following month;

(7) Keeping or causing to be kept complete books of account showing the financial transactions of the town, and all other accounts and records as may be prescribed by the Board of Selectmen, the General Statutes, this Charter, and a town meeting.

2. Discussed consequences of allowing First Selectman to delegate duties to a town administrator in the event that the First Selectman changes. Discussed Organizational hierarchy of Durham and hiring process

vii. **Section 4.9.1 Delegation of Duties**

1. Current Language

The First Selectman may from time to time assign and delegate his or her duties and powers to another Selectman.

2. Proposed Language

The First Selectman may assign and delegate his or her duties and powers to another Selectman, or Town Administrator, if any, unless prohibited by the General Statutes.

3. Suggested methods for proposing a town administrator form of government at referendum without drafting two separate charters. Noted that tasks can be delegated but the First Selectman would remain responsible
4. **MOTION BY AL DIVINCENTIS, SECONDED BY MARTIN ANDERSON. SECONDED BY TO TAKE A VOTE CONCERNING THE INCLUSION OF A TOWN ADMINISTRATOR TO BE PRESENTED AT REFERENDUM. ALL AYE, MOTION PASSED**
5. **MOTION BY AL DIVINCENTIS, SECONDED BY MARTIN ANDERSON TO INCLUDE LANGUAGE TO BE PRESENTED AT REFERENDUM TO THE TOWN CONCERNING A TOWN ADMINISTRATOR. ALL AYE, MOTION PASSED**

c. **Section 5.1 Board of Finance**

i. **Current Language**

There shall be a six-member Board of Finance which shall exercise the powers and duties granted to such Board under the General Statutes and this Charter. The members of the Board of Finance shall be elected in accordance with Sections 2.1 and 2.3 of this Charter.

- ii. **MOTION BY MARTIN ANDERSON, SECONDED BY AL DIVINCENTIS TO APPROVE SECTION 5.1 AS PRESENTED. ALL AYE, MOTION PASSED.**

d. **Section 5.1.7 Annual Budget Meeting**

i. **Current Language**

The Annual Budget Meeting shall be held at least thirty (30) days prior to the end of the fiscal year, as provided for in Section 3.3.1 of this Charter. At the meeting the Board of Finance shall recommend its proposed budget to the town. Sufficient copies of the said annual budget shall be made available for general distribution in the office of the Town Clerk at least five (5) days prior to said budget meeting. The budget shall become official when approved by the Annual Budget Meeting, provided no appropriation shall be made exceeding that for the same purpose recommended by the Board of Finance, and no appropriation shall be made for any purpose not recommended. By a majority or more of the qualified voters present and voting at such meeting, an amount of money less than that recommended may be appropriated. The appropriations recommended by the Board of Finance and the amendments thereto, if any, shall be construed as having been appropriated when approved as herein above prescribed. An official copy of the budget, as finally approved, shall be filed with the Town Clerk.

ii. **Proposed Language**

At the Annual Budget Meeting, the Board of Finance shall present and recommend a proposed annual budget for consideration by qualified Voters and other persons entitled to vote thereon.

A copy of the proposed budget shall be filed in the office of the Town Clerk and made available for public inspection, including by electronic posting on the Town's website, not less than five (5) days prior to the Annual Budget Meeting.

The budget, as recommended by the Board of Finance, may be reduced by a majority vote of those present and voting at the meeting. No appropriation shall exceed the amount recommended by the Board of Finance for any purpose, nor shall any appropriation be made for a purpose not included in the recommended budget.

The budget, including any reductions duly approved at the meeting, shall become the official budget upon approval at the Annual Budget Meeting.

A final, approved copy of the budget shall be filed with the Town Clerk and shall constitute the official record of appropriations for the fiscal year.

- iii. Reviewed previous discussions on allowing reduction of line items at a town meeting. Discussed timeline for public posting of budget, confirmed that posting is within 5 calendar days, not business days. Removed first line which is repeated in section 3.1. Matt Lafayette suggested changing “elector” to “qualified voter” to account for voters who vote their property rights but are not residents
- iv. **MOTION BY MARTIN ANDERSON, SECONDED BY AL DIVINCENTIS TO APPROVE SECTION 5.1.7 AS AMENDED. ALL AYE, MOTION PASSED**

e. **Section 5.1.9 Special Appropriations**

i. **Current Language**

The Board of Finance, on request by town agencies or officials, may make special appropriations from surplus revenue or from an approved contingency fund. Such a special appropriation in excess of \$20,000.00 shall require approval by a vote of town meeting. Not more than one special appropriation for any town agency, official, or any department may be made by the Board of Finance in each fiscal year, without approval of town meeting.

ii. **Proposed Language**

The Board of Finance may approve special appropriations during a fiscal year, upon request from a Town department, board, commission, or official, to meet unanticipated or non-recurring expenses.

Special appropriations may be funded only from:

1. surplus revenue, or
2. an approved contingency or reserve fund,
as permitted by the Connecticut General Statutes.

A. Town Meeting Approval Required

Any special appropriation in excess of forty thousand dollars (\$40,000) shall require approval by a Town Meeting, following a recommendation by the Board of Finance.

B. Restrictions

A special appropriation may not:

- increase the total Town budget beyond amounts authorized by law,
 - be used to fund ongoing operating expenses, or
 - be made for any purpose not permitted under the Connecticut General Statutes.
- iii. Noted current threshold is \$20,000 to trigger a town meeting. Currently town will bundle multiple items into one meeting which delays expenditure of funds, while prices increase dramatically in the meantime. Martin Anderson suggested raising threshold to \$50,000 and removing frequency limit. Discussed whether a frequency limit was necessary or if additional appropriations can be made with cause. Laura Francis suggested removing the frequency limitation and adding language which states the special appropriation may not increase the total town budget beyond the amounts authorized by the annual budget meeting.
- iv. **MOTION BY MARTIN ANDERSON SECONDED BY MATT LAFAYETTE TO ADOPT SECTION 5.1 WITH THE REMOVAL OF THE FREQUENCY RESTRICTION AND THE INCREASE OF THE THRESHOLD FROM \$20,000 to \$40,000. ALL AYE, MOTION PASSED**

f. **Section 5.3 Board of Assessment Appeals**

i. **Current Language**

The Board of Assessment Appeals shall function in accordance with the General Statutes and this Charter.

ii. **Proposed Language**

1 Establishment

There shall be a Board of Assessment Appeals, which shall exercise the powers and duties prescribed by the Connecticut General Statutes and this Charter.

The Board of Assessment Appeals shall act as an independent, quasi-judicial body in hearing and deciding appeals of property assessments.

2 Composition and Election

The Board of Assessment Appeals shall consist of three (3) members, elected by the Voters of the Town at the regular municipal election, in accordance with the General Statutes.

Members shall serve four-year terms and shall hold office until their successors are elected and qualified.

The provisions of CGS § 9-167a (minority representation) shall apply.

3 Qualifications

Each member of the Board of Assessment Appeals shall:

1. Be an elector of the Town;
2. Be a taxpayer of the Town;
3. Be sworn to the faithful performance of the duties of office; and
4. Not hold any salaried Town office during service on the Board.

4 Organization and Meetings

The Board shall organize annually by electing a Chair and such other officers as it deems necessary.

The Board shall meet at the times required by the General Statutes to hear assessment appeals and may hold additional meetings as permitted by law.

All meetings shall be conducted in accordance with the Freedom of Information Act.

5 Training Requirement

Each member of the Board of Assessment Appeals shall complete assessment-law training as required or made available by the State of Connecticut, including training offered by the Office of Policy and Management or other state-recognized providers.

Training shall be completed within one year of taking office.

6 Conflict of Interest – Revaluation Services

No member of the Board of Assessment Appeals shall:

1. Participate in, negotiate, or vote on any Town contract for property revaluation services; or
2. Have any direct or indirect financial interest in a firm or individual providing revaluation or assessment-related services to the Town.

Any such conflict shall require recusal, and persistent or willful violation may constitute cause for removal in accordance with this Charter and state law.

7 Vacancies

Vacancies on the Board of Assessment Appeals shall be filled by the Board of Selectmen, in accordance with the Connecticut General Statutes and this charter.

An appointee filling a vacancy shall serve until the next regular municipal election unless otherwise provided by law.

8 Annual Report

The Board of Assessment Appeals shall submit an annual written report to the Board of Finance summarizing:

- the number of appeals heard,
- general categories of issues addressed, and
- any recommendations regarding assessment procedures or public information.

The report shall be informational only and shall not limit the independence or decision-making authority of the Board.

9 Independence

In carrying out its duties, the Board of Assessment Appeals shall act independently and shall not be subject to the direction or control of any other Town officer, board, or commission, except as provided by law.

- iii. **MOTION BY MARTIN ANDERSON, SECONDED BY MATT LAFAYETTE TO ADOPT THE PROPOSED NEW LANGUAGE FOR SECTION 5.3 BOARD OF ASSESSMENT APPEALS. ALL AYE, MOTION PASSED**

g. **Chapter 6 Boards, Commissions, Committees**

i. **Section 6.12 Conservation Commission**

1. Current Language

There shall be a Conservation Commission consisting of nine (9) members appointed by the Board of Selectmen. Terms of office shall be for a period of three (3) years, three (3) members being appointed each year. Each member's term shall begin on January 1.

The Conservation Commission shall function in accordance with the General Statutes.

In addition to the duties and responsibilities specified in the General Statutes, the Commission shall have overall authority to administer and regulate open space property acquired under the provisions of the General Statutes.

The Commission is authorized and empowered to negotiate any and all leases for the rental of such open space land, to develop and execute plans and programs for the conservation and use of such open space land, and to delegate responsibility for the intensive management of any part of these lands to other public and private organizations for the benefit of the public.

2. Proposed Language

There shall be a Conservation Commission consisting of nine members appointed by the First Selectmen. Terms of office shall be for a period of three years, three members being appointed each year. Each member's term shall begin on January 1.

The Conservation Commission shall function in accordance with the General Statutes, as may be amended from time to time.

3. Noted commission is statutory. Al DiVincentis suggested referencing statute only. Charter has given commission power to make decisions rather than advisory only.

4. MOTION BY MARTIN ANDERSON SECONDED BY AL DIVINCENTIS TO ADOPT NEW PROPOSED LANGUAGE FOR SECTION 6.12. ALL AYE, MOTION PASSED

ii. **Section 6.13 Recreation Committee**

1. Current Language

The Durham Recreation Committee shall be constituted and shall operate as provided in the Articles of Authority of the Durham Recreation Committee as recorded by the Town Clerk. The Committee shall be responsible to the Board of Selectmen.

2. Proposed Language

There shall be a Recreation Committee. The Recreation Committee shall be constituted and shall operate in accordance with its Articles of Authority, as adopted, amended, or repealed by the Board of Selectmen from time to time and filed with the Town Clerk.

3. Previous Articles of Authority written in the 80s. Legal opinions conflict as to how those articles can be amended or repealed. Changed language to include "repealed" to read "adopted, amended, or repealed"

4. MOTION BY MARTIN ANDERSON, SECONDED BY EILEEN BUCKHEIT TO ADOPT SECTION 6.13 AS PROPOSED. ALL AYE, MOTION PASSED

6. Next Meeting- April 15, 2026

7. Adjourn

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

Meeting adjourned at 11:00 a.m.,
Respectfully submitted,
Nicole Charest