

Received 5/15/26
3:24 Pm Jodi Moore, ATC

Town of Durham
Charter Revision Commission
Wednesday, May 13, 2026 7:00pm
Community Center Meeting Room 1, and Remote via Zoom
Meeting Minutes

<https://us02web.zoom.us/rec/share/yfne7H-fcntjGlziEG9XozWT7gzVJxb03K3kRpXhhSbrUASuIV1oJ-F70VlhHWu0.HKyBew8hY6psYr5O>

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Call to order

Co-chair Laura Francis called the Special Charter Revision Commission meeting of Wednesday, May 6, 2026 to order at 6:00 pm

Also present: Matt LaFayette, Christian Godbout, Eileen Buckheit, Christian Godbout, Al DiVincentis, Martin Anderson, Nick Charest: Town Clerk and Recording Secretary

Absent:

Members of the public present: Maya Perry Liss, Eileen Bob Booz, Lynn Johnson, other members of the public

1. Pledge of Allegiance
2. Approval of Agenda
 - a. **MOTION BY AL DIVINCENTIS SECONDED BY MATT LAFAYETTE TO APPROVE THE AGENDA AS PRESENTED. ALL AYE, MOTION PASSED.**
3. Approval of Minutes
 - a. May 6, 2026
 - i. **MOTION BY MATT LAFAYETTE, SECONDED BY AL DIVINCENTIS TO APPROVE THE MINUTES OF THE MAY 6, 2026 MEETING AS PRESENTED. ALL AYE, MOTION PASSED**
4. Public Comment
 - a. Bob Booz made a public comment expressing that the Library Board is concerned about proposed changes to the charter which states that town buildings and their contents are owned by the town. Used example of Suffield mayor wanting to remove books from library, also used example of Old Lyme where administration intended to sell artwork in the library for cash. The library is concerned that something similar could occur in a worst-case scenario
5. Correspondence
 - a. none

6. Old Business

- a. None

7. New Business

- a. none

8. Commission Work Session

a. **Section 6.9.1 Fire Department**

i. **Current Language**

The Durham Volunteer Fire Company, Inc. shall be the custodian of all Fire Department equipment and shall be responsible for its maintenance. It will be responsible for the prevention, control, and extinguishment of fires, and shall perform all functions usually associated with the town Fire Department.

ii. **Proposed Language**

Section 8.2 Fire Protection Services[CC105.1]

The Town shall provide fire protection and emergency response services in accordance with the General Statutes. The Town may, by agreement, designate the Durham Volunteer Fire Company, Inc. or another qualified entity to provide such services on behalf of the Town. The custody, maintenance, and use of Town owned real property, fire apparatus and equipment, and the provision of fire protection services, shall be governed by such agreements, the General Statutes, and this Charter.

iii. **MOTION BY CHRISTIAN GOUBOUT, SECONDED BY AL DIVINCENTIS TO ACCEPT SECTION 6.9.1 AS AMENDED. ALL AYE, MOTION PASSED**

iv. **Section moved to chapter 8**

b. **Section 6.12 Conservation Commission**

i. **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.

ii. **Proposed Language**

There shall be a Conservation Commission consisting of nine members appointed by the First Selectmen. Terms of appointment 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. The Conservation Commission shall possess only those powers and duties granted by the General Statutes and shall serve in an advisory and statutory capacity only. Except as otherwise provided by the General Statutes, the Conservation Commission shall not possess independent authority over Town-owned property, capital projects, expenditures, contracts, or Town assets.

- iii. **MOTION BY EILEEN BUCKHEIT, SECONDED BY CHRISTIAN GODBOUT TO APPROVE SECTION 6.12 CONSERVATION COMMISSION AS PRESENTED.**
- iv. Noted change to term of appointment rather than term of office
- v. **MOTION BY AL DIVINCENTIS, SECONDED BY CHRISTIAN GODBOUT TO AMEND MOTION TO APPROVE AS AMENDED. ALL AYE MOTION PASSED**

c. **Section 6.17 Board of the Library Trustees**

i. **Current Language**

The Board of Library Directors shall consist of nine (9) members elected at the Annual Town Meeting for terms of three (3) 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**

The Board of Library Trustees shall consist of nine (9) members elected at the Annual Town Meeting for terms of three (3) years. The Board of Library Trustees shall have the responsibility for providing library services, library personnel, for setting hours of operation and for maintaining the buildings and grounds.

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

In the event of a vacancy in the Board of Library Trustees, the Board of Selectman shall call a special Town Meeting to elect a Library Trustee for the remainder of the term.

The Board of Library Trustees shall possess only those powers and duties granted by the General Statutes.

- iii. Noted redundant section on town owned property which is covered by new section. Agreed to remove

- iv. **MOTION BY MARTIN ANDERSON, SECONDED BY AL DIVINCENTIS TO APPROVE SECTION 6.17 BOARD OF THE LIBRARY TRUSTEES AS PROPOSED. ALL AYE, MOTION PASSED**

d. **NEW Section Town Ownership and Control of Property**

i. **Proposed Language**

Section 7.8 Town Ownership and Control of Property[CC1.1]

(a) All real and personal property owned by the Town, including but not limited to buildings, facilities, land, equipment, vehicles, furnishings, infrastructure, and capital assets, shall remain under the custody and control of the Town.

(b) No board, commission, committee, trustees, department, Board of Library Trustees, Fire Trustees, Conservation Commission, or other subordinate entity shall possess independent ownership or capital authority over Town property except as expressly required by the General Statutes.

(c) The Town shall retain exclusive authority over capital improvements, major repairs, maintenance, construction, renovation, acquisition, disposition, and management of Town property and assets regardless of the funding source.

(d) Operational authority granted to any board, commission, or trustees shall not be construed to include ownership or capital control of Town property unless expressly authorized by the General Statutes, this Charter, or ordinance.

(e) Notwithstanding the foregoing, the Town will honor the intention of the grantor with respect to any gifts or donations to the Town.

(f) The Town shall establish procedures for the identification, inventory, preservation, and disposition of historically significant, rare, donated, or otherwise valuable Town-owned personal property and artifacts. No such item shall be disposed of except in accordance with ordinances or policies adopted by the Town Meeting intended to protect the historical, cultural, educational, or monetary value of such property.

- ii. Discussed implication of proposed language for situations where funds or items are donated to the town. Agreed to add language which states the town must honor the intent of the grantor. Added language to protect historically significant or valuable town owned items or artifacts
- iii. **MOTION BY EILEEN BUCKHEIT, SECONDED BY MATT LAFAYETTE TO ACCEPT NEW SECTION TOWN OWNED PROPERTY AS PROPOSED. ALL AYE, MOTION PASSED**

e. **New Section: Emergency Control of Public Facilities**

i. **Proposed Language**

Section 7.9 Emergency Control of Public Facilities[CC1.1]

(a) The Town may restrict access to, close, secure, or suspend operations in any Town-owned building or facility whenever necessary for public safety,

emergency management, maintenance, construction, public health, or protection of property.

(b) Such authority may be exercised by the Board of Selectmen, First Selectman, Town Administrator, Emergency Management Director, or other official designated by ordinance.

(c) All boards, commissions, trustees, and subordinate entities occupying Town facilities shall comply with any directive issued pursuant to this section.

- ii. Noted that town cannot infringe on operational aspects or statutory authority, provision is for emergencies only
- iii. **MOTION BY EILEEN BUCKHEIT, SECONDED BY CHRISTIAN GODBOUT TO APPROVE NEW SECTION EMERGENCY CONTROL OF PUBLIC FACILITIES AS PRESENTED. ALL AYE, MOTION PASSED**

f. **New Section: Town Administrator**

- i. Reviewed example language from Columbia, CT and Ellington, CT
- ii. Discussed hiring process of town administrator and removal for cause. Briefly discussed changes to Selectmen hours and compensation
- iii.

g. **New Chapter: Transition Provisions**

- i. Discussed timeline and procedures for transition

h. **New Chapter: Public Safety CHAPTER 8**

- i. Includes Fire Protection Services, Fire Marshal, Emergency Management, Emergency Medical Services, and Animal Control Services.
- ii. **MOTION BY AL DIVINCENTIS, SECONDED BY CHRISTIAN GODBOUT TO COMBINE PUBLIC SAFETY LANGUAGE RELATED SECTIONS. ALL AYE MOTION PASSED**

i. **Gender Neutral Language Section**

i. **Proposed Language**

Section 7.10 Words in Headings; and Terms Denoting Number[CC1.1] and Gender

The singular form of a word shall include the plural, and vice versa, as the context may require. Article, section, subsection and paragraph headings or captions appearing in this Charter are for convenience of reference only and are not intended to limit the meaning or effect of the text. All references in this Charter to a person, officeholder, employee, board member, or other individual shall be construed in a gender-neutral manner. Words importing one gender shall include all genders, and the use of gender-specific titles or pronouns shall not be interpreted to limit or exclude any individual on the basis of gender. The provisions of this Charter shall be interpreted and applied in a manner consistent with principles of equal opportunity, inclusiveness, and applicable Federal law and the General Statutes.

- ii. Briefly reviewed proposed language

j. **Definitions Section**

- i. Discussed definition of officer and elected official. Martin Anderson suggested officer be any officer of the town elected or appointed

k. **Any Section needing a second look as recommended by commissioner**

- i. Briefly reviewed draft Existing Laws and Ordinance Section, agreed to discuss further at next meeting.
- ii. Briefly discussed process for establishing ordinances and establishment of growth funds

l. **Notes for Additional Changes**

- i. 2.1 – deleted treasurer and clerk from elected positions
- ii. 3.4.A.2 – added Saturday to the definition of “day”
- iii. 4.1 – expanded BOS to 5
- iv. 4.8.1 – removed “chief administrative officer” from what the first selectman is
- v. 5.1.9 – struck old special appropriations language
- vi. 5.6.1 – Town Administrator appoint finance director instead of first selectman
- vii. 5.6.6 – changed first selectman to town administrator
- viii. 6.9.1 – deleted old fire department language – moved to chapter 8 with new approved language

m. **Public Hearing Preparation**

- i. Briefly discussed schedule and formatting of proposed charter

9. **Next Meeting- May 20, 2026**

10. **Adjourn**

MOTION BY AL DIVINCENTIS SECONDED BY SEVERAL TO ADJOURN. ALL AYE

Meeting adjourned at 8:55pm,
Respectfully submitted,
Nicole Charest