

Received 5/6/2026  
11:21 AM Jodi Moore, ATC

## **CALL TO SPECIAL TOWN MEETING TOWN OF DURHAM**

The eligible voters of the Town of Durham are hereby warned that a **SPECIAL TOWN MEETING** will be held in the Gym of the Durham Community Center, 144 Pickett Lane, on Monday, April 27, 2026, at 7:00 p.m., to consider the following items:

1. To fill 1 vacancy for the term expiring 2028 on the Compensation Review/Personnel Policy Board
2. To elect one member to a five-year term on the Compensation Review/Personnel Policy Board expiring 2029
3. To adopt an Ordinance Establishing the Use of Automated Traffic Enforcement Safety Devices (ATESD)
4. To Transfer \$6,507 from #8800105-57503 Old Indian Trail Generator to #9491005-57000 CIP Misc Old Indian Trail for Durham's portion of expense related to the purchase and installation of a generator at the Old Indian Trail pump house as recommended by the Board of Finance at their 12/20/2022 meeting
5. To transfer \$124,961 from #8430305-57324 Highways & Streets Vehicles Reserve to #9430305-57208 CIP-Highways & Streets Vehicles for the purchase of a 2026 Ford F-550 Reg Cab 4x4 as recommended by the Board of Finance at their 3/12/26 meeting
6. To transfer \$310,007 from #8430305-57324 Highways & Streets Vehicles Reserve to #9430305-57208 CIP-Highways & Streets Vehicles for the purchase of a 2027 Freightliner 114SD Plus Single Axle Plow Truck with ES Body & Plow Package as recommended by the Board of Finance at their 3/12/26 meeting
7. To transfer \$150,000 from #8420325-57202 Fire Trustee-Fire House Expansion Reserve to #9520068-57205 CIP Buildings – Fire Department for the installation of new roof as recommended by the Board of Finance at their 4/2/26 meeting
8. To transfer \$75,000 from #8430305-57502 Major Culvert Repair Reserve to #9430305-57502 CIP

Major Culvert Repair for engineering costs required for Parmelee Hill Road Culvert Repair as recommended by the Board of Finance at their 4/2/26 meeting

Brendan Rea  
First Selectman

Robert Chadd  
Selectman

Thomas Hennick  
Selectman

Dated in Durham, Connecticut, this 6<sup>th</sup> day of April 2026

### **RETURN OF THE CALL**

Return is hereby made, that the Undersigned, on the 7<sup>th</sup> day of April 2026 caused to be posted on the Public Signpost in the Town of Durham, a written warning by the Selectmen, and on the 9<sup>th</sup> day of April 2026 caused to be published in the Middletown Press, a newspaper having a circulation in the Town of Durham, a like warning of the **SPECIAL TOWN MEETING** to be held the 27<sup>th</sup> day of April 2026.

Call to order was delayed until 7:02 to allow Registrars to sign in attendees

**Motion:** Motion by Brendan Rea Jr. seconded by Chuck Stengel to nominate Norm Hicks for Moderator. All aye, Motion passed.

The moderator requested that all those present who are ineligible to vote so signify. 4 people raised their hands

Date: April 27, 2026  
Time: 7:00 pm  
Place: Community Center Gym  
Moderator: Norm Hicks  
Clerk: Nicole Charest, Town Clerk  
Call: The call was accepted as read by the clerk

### **Synopsis of Action**

**Item 1: To fill 1 vacancy for the term expiring 2028 on the Compensation Review/Personnel Policy Board**

**Motion:** There were no nominations.

**Action:** Motion by Richard Parmelee, seconded by Bob Guynn to postpone item 1 to the next town meeting. With none in opposition, the moderator declared the motion passed

**Item 2: To elect one member to a five-year term on the Compensation Review/Personnel Policy Board expiring 2029**

**Motion:** There were no nominations

**Action:** Motion by Richard Parmelee, seconded by Bob Guynn to postpone item 2 to the next town meeting. By a voice vote with none in opposition, the moderator declared the motion passed

<b>Item 3: To adopt an Ordinance Establishing the Use of Automated Traffic Enforcement Safety Devices (ATESD)</b>
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**Motion:** by Brendan Rea, seconded by Bob Guynn

**Discussion:** Brendan Rea spoke to the motion. Explained that Complete Streets Committee completed a survey which showed residents are in favor of ATESDs. The Board of Selectmen then recommended the motion to town meeting after an informational session and subsequent public hearing.

Laura Francis spoke in support of the Ordinance, citing evidence of ATESDs as a proven countermeasure to change behavior based on her own experience and data. In response to security concerns, noted that cell phones keep more data which can be purchased by companies or used by the public

Camila Zamboni spoke in support, referred to the success of speed cameras in Italy. Asked who will decide the locations, if the cameras will have signage, and what the fee schedule will be

Brendan Rea explained that the traffic study and state trooper provided location suggestions. DOT and State Traffic Admin will ultimately decide locations. Explained that fee starts at \$50 and increases to up to \$75 after 3 infractions. Information is wiped after 30 days, resetting the number of infractions. Noted that signage regarding speed cameras is outlined in the CT State Statutes. Also noted that resident car insurance would not be impacted

Jim Frazier spoke in support of the ordinance, recounting his own life experience of being severely injured by a speeding driver which left him in the ICU for 4 months

A resident from Pine Ledge Trail in Durham spoke in support of the ordinance, citing his IT and cybersecurity experience. Expressed that the impact of the cameras on the privacy of residents is negligible compared to cell phones. Also noted that troopers are often in danger of being struck by cars when pulling offenders over

Heather Petit asked where revenue will be spent.

Cheryl Salva asked if the cost of the program is offset by the fines. Suggested extra revenue be used for other projects

Brendan Rea stated that statutes limit what the funds may be spent on. Cost of the cameras is violator funded

George Eames spoke in support of the ordinance, stating that 62 miles of roads is too much for the resident state troopers to cover. Noted that ordinances in town are considered law. Briefly reviewed appeal process and legal defenses. Suggested amending section to make it more consistent with state law and reviewing the hearing, appeal, and personnel standards for clarity

Laura Francis noted that the state has held training for town officials to handle violations. Asked if town counsel reviewed language

Brendan Rea replied that the language has been reviewed and is based on examples from other towns in CT

Richard Parmelee suggested that the names of violators be published. Asked about fees and labor costs

Brendan Rea explained that the job description would be drafted after the approval of the ordinance

Pat Nelson asked if data shows whether traffic cameras placed in one area slow traffic in other areas

Brendan Rea replied that Middletown Police explained at the informational session that in their experience there was a calming effect

**Action:** By a voice vote with one in opposition, the moderator declared the motion passed

**PROPOSED ORDINANCE  
ESTABLISHING THE USE OF AUTOMATED TRAFFIC ENFORCEMENT SAFETY  
DEVICES (ATESD)**

- I. Authorization for Use of Automated Traffic Enforcement Safety Devices**  
Pursuant to the authority granted to municipalities under Section 14-307c of the Connecticut General Statutes, the Town of Durham (the "Town") hereby authorizes the use of automated traffic enforcement safety devices within the Town for the purpose of improving traffic safety and enforcing the motor vehicle

laws of the State of Connecticut. The Town shall install and operate such devices at designated locations including, but not limited to, school zones, pedestrian safety zones, and other areas within the boundaries of the Town, provided that the locations of such devices are identified in a plan submitted to and approved by the Connecticut Department of Transportation

## **II. Definitions**

For purposes of this ordinance, the following definitions shall apply:

- Automated Traffic Enforcement Safety Device (or “ATESD”) means a device designed to record images or video of motor vehicles for the purpose of detecting alleged violations of traffic control signals or violations involving the operation of a motor vehicle that (i) is in excess of ten (10) miles per hour over the posted speed limit, or (ii) fails to stop such vehicle when facing a steady red signal on a traffic control signal.
- ATESD Operator means a certified individual trained in the operation and management of automated traffic enforcement safety devices, as approved by the Connecticut Department of Transportation.
- Pedestrian Safety Zone means an area identified by the Office of State Traffic Administration or the Towns local traffic authority pursuant to CGS 14-307a.
- Personally Identifiable Information means information that identifies or can be used to identify a specific individual or motor vehicle owner, including, without limitation, name, address, license plate number, photograph, bank account information, credit card number, debit card number, registration data, and information concerning a vehicle’s movement or travel.
- School Zone means an area designated by the Office of State Traffic Administration or the Traffic Authority of the Town pursuant to C.G.S. 14-212b.
- Vendor means any private entity contracted by the Town to provide equipment, services, software, or data management related to automated traffic enforcement safety devices.
- “Driver”, “motor vehicle”, “number plate”, “owner”, “traffic authority”, “traffic control sign”, and “traffic control signal” shall all have the same meanings as provided in C.G.S. 14-297

## **III. Contracting for Services**

The Town may enter into contracts with vendors for the design, installation, operation, maintenance, or data management of automated traffic enforcement safety devices. Such contracts shall comply with applicable local and state

procurement requirements but may be executed independently of competitive bidding if done through the Connecticut State Department of Administrative Services' procurement program or another approved method. No vendor shall be compensated based on the number of citations issued or fines collected from automated traffic enforcement. All vendor contracts must be approved by the Town's Board of Selectmen.

#### **IV. Operation of Devices**

Each automated traffic enforcement safety device shall be operated only by a certified ATESD operator. Devices shall be regularly maintained and calibrated to ensure accuracy and shall comply with all operational standards set forth by the Connecticut Department of Transportation.

#### **V. Violations and Enforcement Procedures**

A violation subject to enforcement under this ordinance occurs when:

1. A motor vehicle operates more than ten (10) miles per hour over the posted speed limit; or
2. A motor vehicle fails to stop when facing a steady red signal on a traffic control signal.

For the first thirty (30) days following the installation of a device at a new location, only warnings shall be issued for violations.

All images or video recorded by an automated traffic enforcement safety device shall be reviewed by a sworn member of the Connecticut State Police or an authorized Town employee, as designated by the Local Traffic Authority ("ATESD Official"). Upon verification that there are reasonable grounds to believe that a violation occurred, a citation shall be issued and sent by first-class mail to the registered owner of the vehicle.

Each citation shall include the following:

- a. The name and address of the registered vehicle owner;
- b. The license plate number of the vehicle involved;
- c. The violation charged;
- d. The location, date, and approximate time of the violation;
- e. Instructions for accessing recorded images or video evidence online;
- f. A statement or electronically generated affirmation by the sworn member or employee who viewed the recorded images and determined that a violation occurred;
- g. A sworn statement by the reviewing officer confirming that the device was properly functioning and that a violation occurred;
- h. The amount of the fine and instructions for payment; and
- i. Notice of the right to appeal the citation.

In the case of an alleged violation involving a motor vehicle registered in Connecticut, the citation shall be sent by first class mail not later than thirty (30)

days after the identity of the owner is determined and shall be mailed to the address of the owner that is in the records of the Department of Motor Vehicles. In the case of an alleged violation involving a motor vehicle registered in another jurisdiction, the citation shall be sent by first class mail not later than thirty (30) days after the identity of the owner is determined and shall be mailed to the address of the owner that is in the records of the official in the other jurisdiction issuing such registration.

## **VI. Penalties and Use of Funds**

The following penalties shall apply:

1. A fine of fifty (\$50) dollars for a first violation.
2. A fine of seventy-five (\$75) dollars for each subsequent violation.

Payment may be made by electronic means, and an additional processing fee of fifteen (\$15) dollars shall be assessed for such transactions.

All revenues collected under this ordinance shall be used solely for transportation and traffic-related improvements within the Town, including roadway repairs, signage upgrades, and pedestrian safety enhancements, or paying the costs associated with the use of automated traffic enforcement devices within the Town.

## **VII. Appeals**

The registered owner of a motor vehicle who receives a citation may contest the violation by filing an appeal within ten (10) days of receipt of the citation. Appeals shall be processed in accordance with Section 7-152c of the Connecticut General Statutes and shall be heard by a designated citation hearing officer appointed by the Town.

## **VIII. Legal Defenses**

A registered owner may assert the following defenses to a citation:

1. The vehicle was operated by a law enforcement, emergency, or fire services agency in the performance of official duties;
2. The traffic signal or signage was malfunctioning or not visible, as evidenced in the recorded footage;
3. A law enforcement officer directed the vehicle to proceed through the intersection;
4. The vehicle was moving to allow passage of an emergency vehicle;
5. The vehicle was reported stolen prior to the violation, and documentation of the report can be provided;
6. The automated traffic enforcement safety device was not properly calibrated.

## **IX. Privacy and Data Protection**

All personally identifiable information collected by automated traffic enforcement safety devices shall be kept confidential and may only be used for the purpose of administering this ordinance.

Such information shall not be disclosed to any third party, including law enforcement agencies, except where necessary for the issuance or adjudication of a citation.

Vendors and the Town shall securely destroy or anonymize all personally identifiable information within thirty days of the payment of the fine or resolution of the citation, whichever is later.

Statistical data related to the use of traffic enforcement devices may be made available to the public under the Freedom of Information Act, provided that no personally identifiable information is included.

**X. Conformity with State Law**

This ordinance shall be construed in conformity with Section 14-307c of the Connecticut General Statutes and any applicable regulations issued by the Connecticut Department of Transportation. If any provision of this ordinance is inconsistent with state law, the state law shall control.

**XI. Severability and Repeal**

If any provision of this ordinance is determined to be invalid or unenforceable by a court of competent jurisdiction, the remainder of the ordinance shall remain in full force and effect.

Any prior ordinances, rules, or regulations inconsistent with the provisions herein are hereby repealed to the extent of such conflict.

**XII. Automatic Amendment**

This ordinance shall be deemed automatically amended to incorporate any changes to the provisions of Section 14-307c of the Connecticut General Statutes, or any related statutes or regulations, upon their effective date.

**Item 4: To transfer \$6,507 from #8800105-57503 Old Indian Trail Generator to #9491005-57000 CIP Misc. Old Indian Trail for Durham's portion of expense related to the purchase and installation of a generator at the Old Indian Trail pump house as recommended by the Board of Finance at their 12/20/2022 meeting**

**Motion:** by Brendan Rea, seconded by several

**Discussion:** Brendan Rea spoke to the motion. Explained the agreement between Middlefield and Durham to add a generator to power the pump at Old Indian Trail which is affected by the landfill

**Action:** By a voice vote with none in opposition, the moderator declared the motion passed

**Item 5: To transfer \$124,961 from #8430305-57324 Highways & Streets Vehicles Reserve to #9430305-57208 CIP-Highways & Streets Vehicles for the purchase of a 2026 Ford F-550 Reg Cab 4x4 as recommended by the Board of Finance at their 3/12/26 meeting**

**Motion:** By Brendan Rea, seconded by Laura Francis

**Discussion:** Road Foreman John Jenkins spoke to the motion. This vehicle would replace a 2012 F350 quad cab with 7,500 engine hours. The current vehicle often needs repairs and is becoming increasingly expensive to fix

Roger Kleeman and Richard Parmelee requested clarification on the specifics of the truck and the reason for the cost

John Jenkins noted rapidly increasing prices and explained that the vehicle will have a utility body, plow package, and sander

**Action:** By a voice vote with none in opposition, the moderator declared the motion passed

**Item 6: To transfer \$310,007 from #8430305-57324 Highways & Streets Vehicles Reserve to #9430305-57208 CIP-Highways & Streets Vehicles for the purchase of a 2027 Freightliner 114SD Plus Single Axle Plow Truck with ES Body & Plow Package as recommended by the Board of Finance at their 3/12/26 meeting**

**Motion:** by Brendan Rea, seconded by Heather Petit

**Discussion:** John Jenkins spoke to the motion. Explained that the price increased over the past year from \$275k to \$310k. This vehicle would replace a 2010 truck with 6,500 engine hours and a transmission issue. Transmission would cost \$25k to replace. Vehicle is the same model as purchased two years ago, includes plow, sander, and dump body

**Action:** By a voice vote with none in opposition, the moderator declared the motion passed

**Item 7: To transfer \$150,000 from #8420325-57202 Fire Trustee-Fire House Expansion Reserve to #9520068-57205 CIP Buildings – Fire Department for the installation of new roof as recommended by the Board of Finance at their 4/2/26 meeting**

**Motion:** By Phil Muzio, seconded by Alex Infield

**Discussion:** Phil Muzio spoke to the motion, explaining one half of the firehouse roof is damaged and leaking. After this allocation, \$100,000 will remain in account for the firehouse expansion

Kristen Kleeman, Fire Trustees Chair noted that the Fire Trustees requested \$250,000 for the replacement of the entire roof and were not informed of the discussion or decision that took place at the Board of Finance meeting. Noted that portion of roof with solar panels is 15 years old

Brendan Rea noted that the cost estimate to remove and replace solar panels was \$1,000 per panel for 60 panels. The project will replace the flat part and northern part of the roof

George Eames reiterated that the Fire Trustees were not aware of the actions of the Board of Finance. Cited FOI statutes and suggested the decision be made void

Richard Parmelee expressed support for the Fire Department and the Fire Trustees and echoed George Eames' comments.

**Action:** By a show of hands vote with 18 in favor, 16 opposed and 1 abstaining, the moderator declared the motion passed

**Item 8: To transfer \$75,000 from #8430305-57502 Major Culvert Repair Reserve to #9430305-57502 CIP Major Culvert Repair for engineering costs required for Parmelee Hill Road Culvert Repair as recommended by the Board of Finance at their 4/2/26 meeting**

**Motion:** by Phil Muzio, seconded by Bob Guynn

**Discussion:** Phil Muzio spoke to the motion, explaining the deterioration of the Parmelee hill road culvert and that engineering must be completed first

Roger Kleeman requested the last inspection report for the bridge. Noted that line item is culvert repair rather than bridge repair. Noted report from the state in 2016 which showed no issue except for

collapsing walls, missing wing walls, and waterflow issues. Asked who is responsible for waterways. Suggested the town inspect the structure.

**Action:** by a show of hands vote with 20 in favor and 15 opposed the moderator declared the motion passed

**Adjourn:** Brendan Rea motioned and several seconded to adjourn. The moderator declared the meeting adjourned at 8:23pm

**Attest:** Nicole Charest, Town Clerk