

**TOWN OF BEDFORD
CHARTER COMMISSION MEETING MINUTES
August 23, 2023
10 Meetinghouse Road**

ROLL CALL: A meeting of the Bedford Charter Commission was held on Wednesday, August 23, 2023, 10 Meetinghouse Road. Participating were Terry Wolf (Chair), Kelleigh Gleason (Vice Chair) and members: Jeff Kerr, Susan Labrie, Linda Camarota, Bryan Lord, Matt McLaughlin, and Lori Radke. Paul Brock was absent. Also present was Town Manager Rick Sawyer and Town attorney Michael Courtney of Upton & Hatfield.

2. PLEDGE OF ALLEGIANCE – Led by Mr. Lord.

Article 2: A formation of Charter Commission proposed by citizen’s petition

Shall a Charter Commission be established for the sole purpose of establishing official ballot voting under the current form of government? **Yes – 2304** No – 891 72% approval

All materials and presentations to the Commission are available on the Town of Bedford website at Bedfordnh.org – Boards & Commissions – Charter Commission.

3. NEW BUSINESS

a. Proposed changes to the Town Charter – The town attorney will review proposed draft changes to the charter

Chairwoman Wolf stated that they’ve had two rounds of potential draft changes. They shared it with Atty. Courtney and she, Vice Chair Gleason and Mr. Sawyer participated in a call. Atty. Courtney gave them a blue-lined document. She thought they should go over the draft changes and then the differences of the default. They might get answers to the email questions as they go through the discussion. A question was asked about a warrant article and what their responsibilities were for pulling that together.

Vice Chair Gleason stated that most of the changes were just to conform to the State statute, so viewing it in that light would be helpful. Chairwoman Wolf thought they did a great job. It was mostly clarifying questions, but there were a few things in there that they weren’t sure really belonged there.

Atty. Courtney thought the Commission did a very good job with the changes that they were proposing. The overall issue was, if they wanted to, making sure it was consistent with RSA 40:13, so that if there’s a question or ambiguity, they could rely on the statute and case law. There were cases where the Supreme Court interpreted RSA 40:13. If they follow the statutory language, they could refer to the Supreme Court cases and rely on that guidance. That’s one of the reasons they felt it made more sense to follow the statute.

C1-3 Construction.

The powers of the municipality under this Charter are to be construed liberally in favor of the Town, and the specific mention of particular powers is not intended to limit in any way the general

powers of the municipality as stated in § C1-1. Any word in this Charter which may be construed to be either masculine or feminine gender shall be considered gender free.

Any conflict of requirements shall be resolved in accordance with the following order of precedence.

1. The New Hampshire constitution.
2. New Hampshire statutes are required to apply to municipalities that have adopted the Official Ballot Town Council form of government.
3. This Charter.
4. Provisions of New Hampshire general laws that are optional for towns adopting the Official Ballot Town Council form of government and legislature that have been adopted by enactment of this Charter, to the extent that such provisions have been adopted by this Charter.
5. Provisions of New Hampshire general laws that are optional for towns adopting the Official Ballot Town Council form of government and legislature that have been adopted in accordance with provisions of this Charter.
6. Other ordinances adopted in accordance with provisions of this Charter.

Atty. Courtney didn't think it was necessary to put an order of the constitution, State statutes and Charter. The purpose of this Commission is official ballot voting. He didn't think they needed to add it, and if they don't need to add it, they usually want to be concise so there's no ambiguity. They recommend striking that priority. The constitution will apply regardless of whether they say it applies.

C5-3 Official Ballot Voting Budget hearings Process.

- A. The Town of Bedford shall utilize the official ballot for voting on all budgetary issues before the voters.
- B. The warrant for the annual meeting shall prescribe the place, day and hour for the Deliberative Session and the Official Ballot session and notice shall be given per State statute.
 1. Number of hearings. As prescribed by RSA 40:13,II-a(c), or as amended, The Town Council shall hold ~~in convenient places~~ as many public hearings on the budget as it deems necessary, ~~in a convenient place~~, but at least ~~one~~ ~~two~~ public ~~hearing~~ ~~hearings~~ on the budget shall be ~~held on or before the third Tuesday in January~~ ~~scheduled at least fourteen~~ ~~14 days~~ ~~prior to the Deliberative Session.~~ ~~One or more supplemental budget hearings may be held at any time before the first session of the annual meeting.~~ ~~before its final adoption by the Budgetary Town Meeting at such time and place, convenient to the public, as the Council shall direct.~~

Atty. Courtney stated that regarding '40:13 II-a(c) or as amended', the global change was to follow RSA 40:13 and how it prescribes when the budget hearings would be. The statute specifically says 'one public hearing held on or before the third Tuesday in January.' He didn't think that was too much of a change. They were still having budget hearings; you're just prescribing them as the statute has them.

- C. The Deliberative session shall be held between the first and second ~~Wednesday~~ ~~Saturdays~~ following the last Monday in January, inclusive of those ~~Saturdays~~, and consist of an explanation, discussion, and debate of each warrant article. A vote to restrict reconsideration shall be deemed to prohibit any further action on the restricted article until the Official Ballot Session, and RSA 40:10,II shall not apply. Warrant articles may be amended at the Deliberative Session subject to the following limitations:

1. Warrant articles whose wording is prescribed by law shall not be amended.
2. Warrant articles that are amended shall be placed on the official ballot for a final vote on the main motion, as amended.
3. No warrant article shall be amended to eliminate the subject matter of the article. An amendment that changes the dollar amount of an appropriation in a warrant article shall not be deemed to violate this subparagraph.
- ~~3. All votes of the Town Council regarding warrants shall be recorded votes, and the numerical tally of any such vote shall be printed in the town ballot next to the affected warrant article~~

Atty. Courtney stated that they took the language, which requires ‘the deliberative session be held between the first and second’, instead of Wednesday, the statute requires that it’s ‘Saturdays following the last Monday in January’. RSA 40:10 was to restrict reconsideration; they’re just adding it in clarification. They wouldn’t want someone to be able to reconsider the first session and then have a session 1a and reconsider it. It is clear that they were restricting reconsideration.

Mr. McLaughlin wanted to know about restricting reconsideration. Atty. Courtney stated that at Town Meeting they would vote on articles. The budget was the first one and then a couple of important ones. Four hours in, most of the people leave. Then they have 20 or 30 stragglers that reconsider the budget and they vote it down or vote it to the way they want. If restrict reconsideration before all of those people leave, that can’t happen.

3. No warrant article shall be amended to eliminate the subject matter of the article. An amendment that changes the dollar amount of an appropriation in a warrant article shall not be deemed to violate this subparagraph.

Atty. Courtney stated that they added number 3, a requirement under RSA 40:13, IV(C). The Charter as proposed had RSA 40:13 for ‘A’ and ‘B’, but they wanted to add that ‘C’ would be applicable. He cited, ‘Cady vs. Deerfield’; they could refer to the Supreme Court about what it means when you eliminate the subject matter. You can change it, but you can’t eliminate it. About 10 years ago, if at Town Meeting in the 1st session the warrant article says, ‘To see if the Welfare Director will receive \$50K.’ They would amend it, and say, ‘To see’ and delete all the text, so when they would go to the polls in the 2nd session, they would be faced with a warrant article that says, ‘To see’ and it wouldn’t pass. They wanted to make sure that when they got to the polls you didn’t just have a ‘To see’. Chairwoman Wolf stated that the way this is written was somebody could amend it to be \$10K and Atty. Courtney responded yes. Chairwoman Wolf stated that that’s where the clarification was; changing the monetary amount was not changing the subject matter.

- E. The Town Clerk shall prepare an official ballot for all warrant articles. Wording shall be substantively the same as the main motion, as it was made or amended at the Deliberative Session, with only such minor textual changes as may be required to cast the motion in the form of a question to voters. All votes of the Town Council regarding warrants shall be recorded votes, and the numerical tally of any such vote shall be printed in the town ballot next to the affected warrant article. The Town Council shall state whether said article is or is not recommended, including a tally vote on such items where a tally vote was taken on said article. If an article is amended at the Deliberative Session, the Town Council shall then re-

vote the amended language, such that the tally on the ballot accurately reflects the vote of the Town Council, including the amendment.

Atty. Courtney stated that they cut and pasted the recorded votes into the next paragraph, because they thought that it read better. It didn't change the effect of that paragraph. They just placed it in there, because they thought it was more concise and read easier.

Atty. Courtney stated that the Commission spent a lot of time on the definitions of operating and default budget. He commended them for tackling such a tough issue.

1. "Operating budget" means "operating budget" as defined in RSA 32:3,III, exclusive of "special warrant articles", and exclusive of all other appropriations voted separately RSA 40:13,IX (a), or as amended.

2. "Default Budget" means "default budget" as defined in RSA 40:13, IX (b), or as amended, which is the amount of the same appropriations as contained in the operating budget authorized for the previous year, reduced and increased, as the case may be, by debt service, contracts, and other obligations previously incurred or mandated by law, and reduced by one-time expenditures contained in the operating budget and by salaries and benefits of positions that have been eliminated in the proposed budget. For the purposes of this paragraph, one-time expenditures shall be appropriations not likely to recur in the succeeding budget, and eliminated positions shall not include vacant positions under recruitment or positions redefined in the proposed operating budget, as determined by the governing body. In calculating the default budget amount, the governing body shall follow the statutory formula which may result in a higher or lower amount than the proposed operating budget. ~~the amount calculated by starting with the amount of the appropriations contained in the Town of Bedford operating budget authorized for the previous fiscal year, reduced and increased as the case may be by 1) debt service, 2) contracts previously incurred, 3) salary and other related employee costs (benefits, taxes) previously incurred, and 4) other obligations previously incurred or mandated by law, and reduced by one time expenditures contained in the previous operating budget. For the purposes of this paragraph, one-time expenditures shall be appropriations not likely to recur in the succeeding budget, as determined by the Town Council.~~

Atty. Courtney stated that the global issue was they wanted to cite how operating budget was defined in RSA 40:13. The same with the default budget.

Atty. Courtney stated that he submitted a WORD document explaining the comparison of the default budgets. The proposed definition of default budget by the Commission was a good succinct way to define it, but when you look at RSA 40:13 IX (b), there is the added bold language that clarifies the difference between whether vacant positions or eliminated positions would be in the default budget, 'and eliminated positions shall not include vacant positions under recruitment or positions redefined in the proposed operating budget, as determined by the governing body. In calculating the default budget amount, the governing body shall follow the statutory formula which may result in a higher or lower amount than the proposed operating budget.' They felt that it made more sense to stick to the statutory language. In the next paragraph, the Board did a good job of explaining it:

3. The "Default Budget" is the amount that will be raised if the proposed Operating Budget is defeated. If the Default Budget is adopted because of the defeat of the proposed Operating Budget, the amount raised and appropriated may be expended for any purpose

contained in the defeated proposed Operating Budget. The total amount available for expenditure when operating under the Default Budget will not exceed the default amount plus the amount appropriated by separate and special warrant articles except as otherwise provided by laws such as, but not limited to RSA 32:9-11.

Atty. Courtney stated that they deleted the quotations around Default Budget, because it looked like they were defining Default Budget again, and they wouldn't want there to be two definitions of the same word; that would create ambiguity. He believed the intent was simply explain to the residents what the effect was of the default budget versus the operating budget. This was consistent with the statutory language. He believed there was a question on this specifically. Chairwoman Wolf stated that it was line 145 through 148.

H. The wording of the article on the operating budget shall be as follows:

"Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles, the amounts set forth on the budget posted with the warrant, for the purposes set forth therein, totaling \$ _____..."

"Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$ _____ ? Should this article be defeated, the default budget shall be \$ _____ , which is the same as last year, with certain adjustments required by previous action of the Tow or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only."

Chairwoman Wolf stated that the question was to make sure that if a field was passed, but they were in a default budget; the money couldn't be taken from the field warrant article to be used in the operating budget. Atty. Courtney stated that special warrant articles couldn't be used for the budget articles, but they also wanted to make sure when they cite 32:9-11, the purpose of that was RSA 49:B, which requires that if they're going to adopt official ballot they have to be precise. One of those precisions was whether they could transfer throughout the year. The statute, in the case of 'Sullivan vs. Hampton Board of Selectman', allows the governing body to transfer throughout the budget throughout the year as you could under 32:10. He thought they would want to include that kind of language in there, because the statute wants them to be precise about whether they need to allow transfer of appropriations. He didn't think the intent of the language they proposed was if there was a special warrant article to buy a fire truck, not part of the operating budget, that can't be taken to pay for something in the budget like personnel. It was important to keep that section in the Charter. Chairwoman Wolf wanted to know if he was saying they should add a little bit of a clarification at line 148, because there was no intention to restrict the ability for the Council to be able to transfer within accounts. She wanted to know if it needed to be explicit. Atty. Courtney thought it was explicit by referring to 32:9-11. He didn't think they needed to add language to it.

Mr. Kerr referred to page 6 and thought the strikeouts was the language they had and he was pasting in the definition of the default budget per what was on the comparison on RSA 40:13. One of the concerns they had was that if, in the future, the legislature changes 40:13, that means they had to go back in and change the Charter since the language was cut & pasted. He wanted to know if that was a concern. Atty. Courtney thought it was

always a concern what the legislature would do. When NHMA presented to the Commission, they explained that there's always an amendment to the RSA 40:13 and how they define default and operating budgets. He didn't think that was a reason they would want to go out on their own and start defining things. He thought they could also rely on the legislative history if they amend it or they would have to change the Charter. He didn't think that was a sufficient reason to go out on their own and pave their new law. They were kind of in no man's land about what their Charter means if they can't rely on Supreme Court decisions or legislative history. He understands that they don't know what the legislature would do in the future. If they change the definition to the extent they aren't comfortable with it, they would have to revise the Charter again, but he would continue to recommend that they follow the language as it is proposed now.

Ms. Camarota stated that when Londonderry was there, they leaned towards 49:D to give them more flexibility. She's brought this to the Commission's attention a couple of times. She needs clarification from him as to how 40:13 was the best route for Bedford versus 49:D. She wasn't advocating either way; she just remembers them saying it gave them more flexibility on the default budget. Atty. Courtney stated that he was looking 49:D-2, and would have to have the Londonderry Charter in front of him to answer that question sufficiently, but he thought if there was an issue with Londonderry and how you interpret their charter, they can't rely on the laws that they have at the State level. They'd look at these meeting minutes and say 'what did the Charter Commission intend' or look at the Town Meeting minutes. That was only a small amount of what they could rely on if they follow the statutory language. There is a risk that if you go out on your own, and say you want more flexibility; that creates more ambiguity about how this was going to be handled. It makes it harder for your lawyer to advise you on things. Anytime you get lawyers more involved, that's not good for any municipality. Ms. Camarota stated that he reassured her. She knows the Commission has looked at it; she just wanted clarification from him.

Mr. Lord stated that on the spectrum between a simple cross reference to statute and going it on their own, he appreciates both. He sees that there is some additional drafting in addition to just a straight cross reference. He's trying to understand what exactly, with his advice to simply cross reference to lift what the statute is, what they were getting for the additional words that had been added to the proposed language. Atty. Courtney stated that for the bond votes, they have to choose between 2/3 and 3/5, so they're making a choice. He admitted that when he got the proposed Charter language at first, he drafted a paragraph that just said they cross reference it. RSA 49 requires them to be precise with the language, and Bedford is unique in that it's a Budgetary Town Meeting. He thought Mr. Lord's example was adopting the statute and going on their own. He would also say they are unique in their doing just the Official Ballot Town Meeting or looking into it. He thought they were required to do a little more than just cross referencing it.

Ms. Radke stated that Ms. Camarota brought up a good point regarding Londonderry and she was able to pull up their charter. In their default budget, they never mention RSA 40. They do mention 32:9-11. She wanted to know why they wouldn't refer to 40 like he's suggesting they do. She wanted to know why they were doing it that way and he's suggesting they do it this way. Atty. Courtney stated that he asked Bart (Mayer) about what a court would do if they don't put RSA 40 in there, and he said the likely scenario was the court would look at the language they were using, default operating budget, and

say the town likely meant RSA 40:13 and the court would likely adopt from RSA 40 as that was the intent of the Commission. It's important to make clear anything can happen when the court interprets a charter or law. That's why they wanted to be clear; the clearer the better. Ms. Radke stated that 32:9-11 says, 'exemptions, transfer of appropriations, and emergency expenditures and over expenditures.' She wanted to know if they are protected under RSA 40. All of those things; they will still be able to do all of that. Atty. Courtney stated that by citing in their explanation of their default budget definition, 32:9-11, they are giving them protection under that. He could think about it some more, but the intent was by citing that, they're being precise and they're affording themselves the protections of that. He was happy to look at 40:13 on his computer at the office.

Ms. Camarota stated that she was looking at the Londonderry Charter and interestingly, they literally struck out RSA 40:13-9(b) and just cleared it out and said as described in section 5.4. As long as they're comfortable that 40:13 does allow flexibility; as long as he flushes it out. Atty. Courtney stated that in the Hampton Board of Selectmen court case, the argument was that the default budget was passed and therefore the Selectmen couldn't make transfers throughout the year. The Supreme Court said no, they can, they're still allowed to; they just have to work under that budget. It's that case that he's relying on to say Bedford can rely on that. That's why they would want to include the statutory language, so they could say they adopted this to rely on the cases. Ms. Camarota stated that he started that by saying that case was 40:13; it relies on that. Atty. Courtney responded yes. He could give them that cite. Ms. Camarota stated that she would like to know the case. Atty. Courtney stated that it's 'Sullivan vs. Town of Hampton Board of Selectmen' and the citation was '153 NH 690'.

Atty. Courtney stated that one of the reasons why they wanted to add that article wording was because the end of that warrant article talks about a special meeting. The question was if the Town Council has a special meeting, was there a hearing and how many sessions were there. The statute requires under RSA 40:13 XVI, that there are sessions, so there is a 1st session and a 2nd session of the special meeting. Although the statute is silent about whether there is a budget hearing, because it is a revised budget, they would interpret the Town Council under the statute having a budget hearing before that.

I. The capital reserve budget shall be voted on as its own warrant article or articles, clearly enumerating each capital reserve fund category. The ~~creation~~ establishing of a new category of funding capital reserve fund, discontinuing of an existing fund or changing the purpose of an existing capital reserve fund shall be a separate warrant article for each newly created line item. The wording of the article or articles on the capital reserve budget shall be as follows:

"Shall the Town raise and appropriate as a capital reserve budget, the amounts set forth in the warrant article, for the purposes set forth therein, totaling \$ _____."

Atty. Courtney thought this was a well thought out proposal. He's seen it in many towns how they combine the capital reserve funds, the existing ones if they're just adding money. He wanted to make sure that when they are establishing, changing a purpose or discontinuing, those should be separate articles, because it's different than just adding in money. He believed that the votes required were different. They would advise that they make an exception for those changes. That's not going to increase their ballot too much every year. He didn't expect them to establish, discontinue or change purposes too much.

Ms. Radke stated that they have quite a few capital reserves. The total amount of that this past warrant was about \$3M. She wanted to know if that \$3M would be in there and that would cover all of them. Atty. Courtney responded yes, but the Town Council also has the discretion, because in the first line it says, 'as its own warrant article or articles', so there could be an interpretation that there's one that should be separate, because it's controversial. Ms. Radke thought they did it plural for that very reason. She wanted to know if capital reserves were also part of the operating budget or was it separate. Atty. Courtney thought it would be separate from the operating budget. Ms. Radke wanted to know if it requires its own warrant article; they couldn't combine them. Atty. Courtney stated that under this, correct. Mr. Radke wanted to know if they could add it into the operating budget. Atty. Courtney responded no, he didn't think they would add it into the operating budget. He was thinking about the operating versus the default budget. If they put in \$100K one year and the default budget is passed, the next year they wouldn't automatically add in the \$100K, because it's a special warrant article under RSA 32. He didn't think they would want to make it part of their budget. Ms. Radke wanted to clarify that capital reserves were a special warrant article and Atty. Courtney responded that he believes so. Chairwoman Wolf thought that they could get the capital reserves passed and have a default budget. Ms. Radke wanted to reiterate that a capital reserve was a special warrant and Atty. Courtney responded yes, under RSA 32. The operating budget laps, the capital reserve funds are there to accumulate year over year.

M. The warrant for any special meeting shall prescribe the date, place and hour for a Deliberative Session and Official Ballot Session if required. The Deliberative Session and Official Ballot Sessions shall conform to RSA 40:13, XVI State statutes and applicable provisions of this Charter.

Atty. Courtney mentioned clarifying the language for special meeting and citing RSA 40:13, XVI; that's the section of the statute that talks about special meetings and the timeline. RSA 40:13, XVI sets out the timeline of between 28 and 60 days. They would want to have that language in there. They didn't quote the whole statute, but he thought referencing 'shall conform to RSA 40:13, XVI' was enough that when someone is reviewing the Charter and they need to have a special meeting, they just need the statute cite and read the statute about how the process was supposed to unfold.

Chairwoman Wolf thought the outstanding question was the definition of default. The last question was since the Bedford School District is SB2, should the definition 'default' be the same between the Town and School; it could be confusing for the community. Atty. Courtney's answer was they were following the statutory definition of default budget. He stated that he researched the Bedford School District and they took advantage of SB2 the first year it became law in 1996. He didn't see a provision in the law where it can change like Londonderry can change it. When he looked at the warrant from last year for the School District, it tracked language of the statutes. His understanding was that the School District follows that. He admitted that it was difficult to find much information online about the School District. They were advised by NHMA and the Secretary of State that they can have their own interpretation of it. They don't think that's the best and most efficient way to run the Town. They can if they want it different from the School, but the 'should' was more of a policy question. He didn't think NHMA or the Secretary of State answered policy questions. Chairwoman Wolf stated that they didn't take any position.

Chairwoman Wolf stated that when Londonderry was here, what was appealing was the way they had it in their charter was to protect it from the whims of a legislature. They were trying to keep the definition simple and saying this is what our town feels they think the definition should be and they didn't want to be dealing with that. At the same time, under the statutory definition of the clarification such as the eliminated vacant positions, this provided a clarity that she thought a lot of places would actually want. She didn't know if they didn't put the statute in there if it would still be implied. She wanted to know if there were objections to just going with the proposed language at this point for default budget.

Mr. McLaughlin thought the wording as it came out in this draft was very good.

Ms. Camarota stated that she would do whatever was best legally. She is comfortable with whatever the Commission decides.

Mr. Kerr stated that in Londonderry's example they were talking about the whims of the legislature. He was assuming they were a fairly early adopter and changes that were happening in the legislature were happening early in the process. He looked it up and it's been modified 13 times since 1995. He was trying to find out the last time it was modified. If every few years it's being modified, it's a concern. If it was modified 13 times in the first 13 years and it's been steady for the last 20 years, maybe it's not so big of a concern.

Chairwoman Wolf stated that Londonderry went through this charter process in 2011, so they were one of the more recent communities Bedford's size in Southern NH to adopt SB2. Vice Chair Gleason thought it was modified as recently as two years ago. Ms. Camarota stated that it was 2020.

Chairwoman Wolf mentioned the vacant positions language. The school district she works in has 47 openings for paraprofessionals. That is a huge amount in their budget; she estimated it's \$250K. If they go into default next year, they would still be allowed to carry those 47 positions. Some people would argue no, because they weren't employed; they should be eliminated. That's what the language protects. If it was in the budget, even though they hadn't been hired or there is a department head who retired and they were going through the hiring process during the budget, they would still be calculated into the default. She thought it was a protective in the definition. Ms. Camarota wanted to clarify that she was talking 40:13 and Chairwoman Wolf responded yes, the definition that's proposed in the document that clarifies between them both. At the end it says, ['...eliminated positions shall not include vacant positions under recruitment or positions redefined in the proposed operating budget, as determined by the governing body...'](#)

Mr. Kerr wanted to know what happens if the legislature changes, but their Charter has the older language. Chairwoman Wolf stated that it says, 'as defined by RSA 40:13, IX (b) or as amended.' Mr. Kerr wanted to know what the point would be of having the language in their Charter. Chairwoman Wolf thought it helped the lay person who goes to read the Charter not to have to go look up all the references. Ms. Radke thought adding the language was appropriate in that particular point.

Mr. Lord thought to Mr. Kerr's point, if those dozen amendments been constructive or have they been mischief laden. He wanted to know if they find that to be helpful, where

they say good, glad that's helping and we'd like to opt in to that type of work that's been going on or do they say Bedford has done well to separate from the pack a little bit and think a little bit differently and therefore they want to opt out of it.

Ms. Camarota stated that she was looking at the Londonderry charter and all those revisions were regarding the entire charter; not just the finance part. She didn't know what they amended in the charter, but it's not all related to what they were doing there. Mr. Lord didn't understand the comment and asked her to repeat it. Ms. Camarota stated that if Londonderry's charter was 90 pages long and it's about hiring town managers and all of this stuff, those amendments were related to the whole charter; not to their finance piece. Mr. Lord thought he may have misunderstood Mr. Kerr's point. He wanted to know if Mr. Kerr was saying that there had been 12 amendments to the Londonderry charter or 12 amendments to the SB2 language. Mr. Kerr stated that it was to the SB2 language. Ms. Camarota stated that she misunderstood. Chairwoman Wolf stated that she was looking at that statute and that's under all of section 40:13 unless he's seeing it specifically under the definition of default. Mr. Kerr responded no.

Mr. Lord stated that there was a section where there was a cut and paste, line 102, 103, and 104, so the cut and paste went from 93 – 95 and he pasted it in 100 – 102. The following sentence was struck. That was something they talked about; having that editorializing be accompanying on the ballot. He wanted to know if that was struck, struck, or replaced somewhere else.

Atty. Courtney stated that he thought it was repetitive. When he cut & pasted it seemed like they were kind of saying the same thing twice.

E. The Town Clerk shall prepare an official ballot for all warrant articles. Wording shall be substantively the same as the main motion, as it was made or amended at the Deliberative Session, with only such minor textual changes as may be required to cast the motion in the form of a question to voters. All votes of the Town Council regarding warrants shall be recorded votes, and the numerical tally of any such vote shall be printed in the town ballot next to the affected warrant article. The Town Council shall state whether said article is or is not recommended, including a tally vote on such items where a tally vote was taken on said article. If an article is amended at the Deliberative Session, the Town Council shall then re-vote the amended language, such that the tally on the ballot accurately reflects the vote of the Town Council, including the amendment.,

Mr. Lord stated that it's inheriting the vote as to whether it's recommended or not. Atty. Courtney stated that he wanted to be more concise. Mr. Lord stated that they had both sentences in the first draft. They were envisioning that there would be both, but the argument would be were both necessary. They were talking about there being more than just a vote; a comment that would be made to say that there would be an opportunity for some editorializing on a particular position. Mr. McLaughlin stated that all they said was the numerical vote. Vice Chair Gleason stated that the only prior discussion was an up or down and then the tally. Mr. McLaughlin stated that there was no chance for them to editorialize on the ballot. Vice Chair Gleason stated that they said they wanted specifically

to avoid a situation where the phrasing of the question or the way editorializing was done sways the public in a certain direction. Ms. Radke thought it almost electioneering.

Ms. Camarota went back to line 69, Notice of Budget Hearings. 'Notice of such public hearing **the Deliberative Session and the Official Ballot Vote...**' She wanted to know if they needed to include "dates". Chairwoman Wolf thought there was a word missing. Ms. Camarota stated that if there is, she would like to look at line 75, 'In addition, notice of such public hearing **the Deliberative Session and the Official Ballot Vote...**' She wanted to know if adding "dates" clarified it or was it unnecessary. Vice Chair Gleason thought it would be "date (s)". Mr. McLaughlin didn't think so. He thought it was just notice of the public hearing. Ms. Camarota wanted to know if they think that was clarification or extra verbiage. Mr. McLaughlin thought it was extra verbiage. He thought #2 (a) was just saying that the Town has to post in two places, a notice of the public hearing, the deliberative session, the ballot vote and a copy of the budget. Vice Chair Gleason stated that the only edit she could see making sense was after 'Notice of such public hearing' adding (s) to the extent that they were going to schedule more than one. Mr. McLaughlin thought it needed a comma between 'hearing' and 'the'. 'Notice of public hearing, the Deliberative Session and the Official Ballot Vote...' They are three separate things. Chairwoman Wolf stated that a notice is defined as the date, location, what it is, etc. That's probably why you wouldn't need to add the word 'date', so add the comma.

Chairwoman Wolf stated wanted to know if they take the entire Charter or just the sections that they were making recommended changes to and include it in the report. Atty. Courtney wanted to clarify the preliminary and the final report. Chairwoman Wolf stated that the final report is the one that goes to the Secretary of State. She wanted to know if the final report was the one that they give to the Town Clerk. Atty. Courtney thought that they give the preliminary report also to the Town Clerk. The next step is a public hearing and a preliminary report. They give the preliminary report to the Town Clerk. Chairwoman Wolf wanted to know if they needed to take their entire Charter or only the sections, because the entire Charter was significantly longer. Atty. Courtney stated that this was an important issue and they want to make sure they are clear as to what they were doing. There was no reason not to include the entire Charter. It is voluminous, but he would rather have a complete document to the Town Clerk. Mr. Lord wanted to clarify that if they were only making changes to Article 3 and Article 5, he was saying they should also include Article 2 and Article 1. Or they include the entire text of Article 3 and Article 5. Mr. McLaughlin stated that it was the entire Charter, Articles 1 - 9. Atty. Courtney stated just so there's no question about what they've done. Vice Chair Gleason didn't agree. She thought it was an unnecessary and over burdensome amount of paper to put together. She thought they could link to the full Charter on the website, but just say that these were the proposed changes by section. Atty. Courtney stated that as someone who wastes hundreds of pages of paper a day, he thought this was worth wasting paper. He thought that if they were going to waste paper, something to waste it on is the Charter. Chairwoman Wolf thought they could do both. They could provide the full thing and then they could do a little link that says for those who don't want to look at the entire thing, but only the changes, here is what it is. Mr. McLaughlin thought every time they do a change it should be the entire section. Chairwoman Wolf didn't realize sections had been cut.

Vice Chair Gleason stated that her concern was if they put the whole Charter in, the changes were going to get lost in the volume of the document and it's going to be even more confusing. Chairwoman Wolf didn't think there was any reason they couldn't write an introduction that says these are the sections where the changes are. Vice Chair Gleason was thinking down the line where they as a Commission need to work the grassroots effort to educate the voters in advance of voting on this topic. She thought if they say here's the whole Charter, find the changes or here are the changes, and here's also the whole Charter, they are going to look at the volume and say it's way too confusing and they're going to vote against it. Mr. McLaughlin thought she was also asking what has to be submitted to Concord versus what they create for the citizens of Bedford. Chairwoman Wolf stated that she was talking about what had to be submitted to Concord. In an email from Atty. Courtney said, 'The Charter Commission shall submit to the municipal officers its final report, which shall include the full text and explanation of the proposed new Charter, such as comments the Commission deems desirable and indication of the major differences between the current form of government and the proposed Charter.' It's a new Charter. Mr. McLaughlin thought what gets submitted should be everything. Chairwoman Wolf stated that a summary could be done later.

Ms. Radke stated that at some point they need to go through the entire Charter to see if any of the changes were reflective in other Chapters. Vice Chair Gleason stated that Mr. Sawyer did that already; he took the time to go through the whole Charter. When they jumped on a Zoom with Town Counsel, they went through those.

Mr. Lord thought they said on numerous occasions that as they talked about the breadth of what their mission and their charter was, it wasn't to actually adopt a new Charter. That would seem to be quite expansive to what folks would think they've been appointed to be able to do. There's a difference between a mechanic that's outlined to say that that's what gets submitted, but in terms of what their report is, they've actually taken rather significant pains including taking out some changes that were made to Article I to say that's not really within our charter; really this is what they should be focusing on is the limited amendments and keep it simple and focus on amendments to Article III and they have some they agreed were germane to Article V. Specifying that what their doing was stitching into these surgical changes as opposed to suggesting that what they're doing was making a wholesale amended and restatement of the Charter could be confusing to what it is that they've been asked to do. Ms. Camarota stated that he's talking scope that they remind themselves. Chairwoman Wolf stated that they aren't writing a new Charter, but they're amending the Charter. Mr. Lord stated that if what they're doing is suggesting that in their report that their providing a new Charter, that's seems to be far broader. Chairwoman Wolf stated that this was just the language that was from 49-B:4-b,l; it used the term new Charter. Mr. Lord wanted to clarify that that's the submission to the Secretary of State. He could see that making sense. Chairwoman Wolf stated that they need to see all of the language. Mr. Lord stated that he didn't want to have to piece together a bunch of piecemeal changes. Mr. McLaughlin thought they would be reviewing it for the same stuff they're reviewing it to make sure they didn't missing anything. If they don't give them the whole Charter, then how would they know they didn't missed something? If they don't submit the whole document, they may not find it.

Ms. Camarota liked Chairwoman Wolf's idea that they have the whole document and then they have a document that just has the articles that were amended. Mr. McLaughlin stated that could go on the website, and if people wanted to look and see it would be color coded, so that would help people. Lines should be numbered so if they want to reference to the Commission they could all get to the same point. This was a fairly easy thing to find; the way it's been color coded in red and blue and line numbers.

Chairwoman Wolf stated that they didn't get a lot of red corrections on it. She wanted to know if they were ready to accept all of the proposed changes. Vice Chair Gleason stated that she would make that motion so it's on the floor.

MOTION by Vice Chair Gleason to accept all of the proposed changes.

Mr. McLaughlin stated that he had some verbiage things that he thought were worth noting. In line 57, they capitalize Deliberative Session and thought Official Ballot session should be capitalized. In line 69, he already talked about putting in a comma, 'public hearing, the Deliberative Session'. In line 70, they use the term 'Official Ballot Vote'. The subcommittee had a discussion of always using the same verbiage 'Deliberative Session' and 'Official Ballot Session'. He thought the word 'Vote' should be changed to 'Session'. He also thought the word 'and' after that should be removed, so it would read, '...Deliberative Session and the Official Ballot Vote, together with a copy of the budget as submitted...' In line 76, change the word 'Vote' to 'Session'. Line 109 uses the word 'bonds' and in line 111 and 182, it uses the term 'bonds and notes'. He thought the words 'and notes' should be added in line 109. Line 165 has the word 'Tow' and it's supposed to be 'Town'. Line 177 says 'official ballot session' and it should be capitalized.

Seconded by Mr. Lord. Vote taken – Motion Passed – 8-0.

Chairwoman Wolf thought they needed to get a new clean copy done of this, so it's their official proposed changes and then they could do a review of that. Mr. McLaughlin stated that the clean copy would be all one color. Mr. Lord wanted to know if they had a WORD version of it. Chairwoman Wolf stated that she formatted a WORD version of the entire Charter, accepted all of the formats, so that they could just start fresh.

b. Commission report – The report subcommittee will share an updated draft of the commission report

Chairwoman Wolf stated that the report was more of a shell, but they've added more and she would like general feedback. Since they have some proposed changes, it's time for them to really put the details to that.

Executive Summary

In 20xx, a citizen's petition was submitted to put the topic of voting on the town's budget as a warrant article. Warrant article appeared on the March 2023 ballot and was approved xxx to xx. Nine commissioners were elected: Paul Brock, Linda Camarota, Kelleigh Gleason, Jeff Kerr, Susan Labrie, Bryan Lord, Matthew McLaughlin, Lori Radke and Terry Wolf.

The commission met x times from April through September 2023. The town attorney provided an outline of the necessary outcomes, not only did the commission think it's a good idea to recommend official ballot voting but how – changes to the charter.

Add statutes, requirements – report due by, two public hearings

Add highlights of people.

Held a preliminary public hearing for feedback.

In June, the commissioners agreed to form two subcommittees. One would review the Bedford Town Charter and propose revisions and one commission would write the report as required by statute.

The commissioners worked during July and August to write, review and update drafts.

The charter commission voted to recommend/not recommend official ballot voting x-x.

The final public hearing was held xxxx.

The intention of the Executive Summary was to be one page. People will understand the whole gist of the idea, recommendation, and then they get into that further.

Introduction

Since its incorporation in 1750, Bedford has governed itself by a form of government usually referred to as 'town meeting.' Viewed by some as the ultimate form of democracy, town meeting allows registered voters, gathered as a body, to discuss, vote, and make decisions about issues and finances affecting the town. When SAU25 (School Administrative Unit 25, responsible for the management of the Bedford schools) was established in xxxxxxxx, Bedford effectively had two governmental organizations, one for the schools and one for all other town matters. Both were managed via 'town meeting' form of voting in which voters would gather to discuss, amend, and vote on Articles proposed by either the Town Council or the School Board.

In 1995, the NH Legislature passed RSA 40:13 (often referred to as SB2 or Official Ballot Referenda) which allowed for a two-session town meeting. Session One (the deliberative session) allowed voters to gather, discuss, receive explanations, and possibly amend the Articles to be voted by official ballot at Session Two.

In 1996, Bedford voters considered whether Bedford should adopt SB2 for SAU25. Prior to this, most school town meetings were attended by less than 100 voters out of a voting population of yyyyyy. Arguments for the vote were mostly centered around achieving a broader voter involvement in school decisions. Arguments against were focused on the belief that town meeting attendees would be more well informed and thus able to make better decisions for the schools. The proposal passed and SAU25 has operated under SB2 since that time. As a result, financial and budgetary decisions are made by everyone who votes in the March election, not just by the small number that turn out for the school version of town meeting.

In 2023, a petitioned article was presented which stated "Shall a Charter Commission be established for the sole purpose of establishing official ballot voting under the current form of government?" The article passed by a vote of 2304 to 891. This report, which follows, represents the results of the work of the aforementioned Charter Commission. It should be noted that this Charter Commission was not charged with deciding the merits of official ballot voting. Rather, the charge was to study the issue and bring forth a report that defined how best to implement official ballot voting in Bedford. This report is the product of the work done by the Commission.

The members of the Charter Commission, as elected by Bedford's voters, are:

Terry Wolf – Chair

Paul Brock – Secretary

Matthew McLaughlin

Susan Labrie

Kelly Gleason – Vice Chair

Jeff Kerr

Bryan Lord

Lori Radke
Linda Camarota

The Introduction has gone into a bit more of the history.

Research

Overview of key pieces of research – keep it simple

- Bedford's Charter
- Basic types of government
- Bedford voting data
- Official ballot voting
- Default budgets
- x

She's not sure if Research was the right word; it's really the meat of the issue.

Meetings – Overview

The Charter Commission held x meetings between April and September 2023.

April 19, 2023

The Charter Commission held its first meeting. Town Clerk Sally Kellar swore in members of the commission.

- Terry Wolf was elected chair, Kelleigh Gleason vice chair and Paul Brock secretary
- Commission members approved the bylaws as presented and reviewed the timeline
- Commission members discussed the process with the Town Attorney Michael Courtney from Upton & Hatfield

May 3, 2023

- Town Manager Rick Sawyer provided background on Bedford's charter and the various governmental structures of towns and cities in NH
- The commission discussed:
 - Pros and cons of official ballot voting
 - Default budgets
 - Future agenda items & guests to invite

May 17, 2023

- The Charter Commission heard from two invited presenters:
 - Secretary of State's Office – Bud Fitch
 - Department of Revenue Administration – Bruce Kneuer
- Review of Bedford voting

May 31, 2023

- Prior to the meeting, commission members reviewed charters and ballots from Bedford, Derry, Durham, Hookset, Londonderry, Merrimack and Newmarket
- Invited Guest Presenters:
 - Town of Durham – Todd Selig, Town Administrator
 - Town of Londonderry – Michael Malaguti, Town Manager
 - PFM Financial Consultants – Stephen Maceroni
 - NH Municipal Association – Katherine Heck and Natch Greyes
- Public Hearing

June 21, 2023

- Public Hearing – members of the public shared their feedback

- Discussion – commission members discussed the merits and drawbacks of town meeting and official ballot voting
- Commission members agreed to form two subcommittees, one to draft proposed ballot changes and one to write the report

July 26, 2023

- Commission members reviewed the first draft of proposed changes to the Town Charter
- Commission members reviewed an outline of the commission report

August 9, 2023

- Commission members reviewed and revised an updated draft of proposed changes to the Town Charter
- Commission members agreed to share the draft change with the town attorney

August 23, 2023

September 6, 2023

September 20, 2023

The Meetings – Overview was the format was bullets of what the main content was, so people could go back to the minutes for every single one.

Recommendation

Commission recommendation and reason.

Note: From the [commission timeline](#) “After obtaining approval, the charter commission shall submit to the municipal officers its final report, which shall include the full text and explanation of the proposed new charter, such comments as the commission deems desirable, an indication of the major differences between the current form of government and the proposed charter, and a written opinion by an attorney admitted to the bar of this state that the proposed charter is not in conflict with the constitution or the general laws.”

Proposed Charter Changes

Include charter changes here

Proposed March 2024 Warrant Article

Include the text of the warrant article which will appear in March 2024

Next Steps

The next set of steps can be broken down into three phases:

1. There will be a public hearing, tentatively set for xxxxxx, at which Bedford voters can ask questions of the Charter Commission Members as well as voice their opinions on this report. This is consistent with the multiple public hearings held throughout the preparation of the report as well as the public input received during the Commission’s meetings.
2. There will likely be opportunities (BCTV et al) for those in support of the conclusions in this report, as well as for opponents, to voice their opinions.
3. In March, 2024, the Warrant Article as it appears in this report will appear on the Ballot. If 50% +1 of the voters approve, Bedford will become an official ballot voting town. If the Article does not achieve a majority, then Bedford’s traditional method of voting at Town Meeting will continue.

Minority Report

Include minority report here

Appendix

Include important supporting info

Mr. McLaughlin wanted to know the 3rd section title about the meat of it. Chairwoman Wolf stated that they originally called it 'Research', but she didn't think that's quite where they want to go; it's more what the key issues are. Vice Chair Gleason suggested 'Process' and talk about what they looked at and how they came to the conclusions that they came to. Chairwoman Wolf thought it was really more pros and cons. Mr. McLaughlin suggested 'Proposed Changes'. Chairwoman Wolf stated that she didn't want to use the words 'pros and cons', but here are all the issues they've talked about; people have said it's voting attendance. Vice Chair Gleason suggested calling it 'Analysis'. Mr. McLaughlin thought that would be more in the history. How they got here would be the history, talking about the petition. Chairwoman Wolf stated that they've been sitting there a lot and people have no idea. Some of this is prompted by reading the minutes. She saw it as being about 1-2 pages. Mr. Sawyer gave a big overview the very first meeting of all the things he's thinking about in his role' there were 7 or 8 items. That's the meat of what the issue is. Maybe 'Considerations' or 'Analysis'. Mr. Kerr stated that she used the word 'background' and that sounded perfect to him. Ms. Camarota stated that they started with research. They did the research and now they're analyzing it.

Vice Chair Gleason thought it was worth it to put language in there about the Town Attorney's analysis of the relevant statutory cites. She thought that was worth a discussion to flush out how they got from the proposal of the subcommittee to what they were actually accepting. She thought tonight's comments were extremely helpful. If the public was looking at it with fresh eyes and wondering where they got that language from; it seems awfully wordy. Saying to them they met with the Town attorney and he directed them to the statutes that were in play, mainly this statute and advised them to use the same language that's used in the statute. That's where they got the language from.

Chairwoman Wolf stated that they don't want it to get too long, but it's important information. If they make it too long, people won't read it, but you need to give it enough content that people will understand it. They will have to work on it, because she thought this was a major piece for their next meeting.

Vice Chair Gleason wanted to know if they were moving into public hearing at the next meeting. In anticipation to the public hearing, she wanted to know if there was supposed to be a preliminary report published. Chairwoman Wolf stated that they should have a draft for the public hearing for people to take a look at. Mr. McLaughlin wanted to know if they should have both a draft Charter and a draft report. Chairwoman Wolf thought so, because the draft proposed changes were part of the report. She saw on the Town website that there's going to be a meeting about housing in Bedford on September 20th at the Library. Ms. Radke stated that she saw that and questioned it, because they had a Charter Commission meeting that night. She thought that was going to be the public hearing, because she didn't think they were going to make it for the 6th. Maybe they should look at a different date that week to have the public hearing. The Council meeting is on the 13th. They should see what other dates the room is available outside of the 20th. She would hate to have it coincide with the housing one. Mr. Lord stated that it would help him if they moved it, because he's going to be out of the country that day.

Chairwoman Wolf stated that based on the calendar and the work that they need to do, they will not have a preliminary report for a public hearing on September 6th, which was

their tentative date. They would need to pick another date. They've had tentative on their calendar September 20th, but there's a housing meeting that night. Mr. Sawyer thought their date was set long before the Commission's, but neither appeared on the Town calendar until recently. The 20th was also the Fire and Police open house. It's over by 7:00 PM, so it wouldn't necessarily impact their meeting, but the housing meeting was a significant all boards meeting. Vice Chair Gleason wanted to know the flex to move it either in the same week or the week prior. Ms. Radke wanted to know the availability of the room on the 18th, 19th or the 21st. Mr. Sawyer thought the 21st was available. Ms. Radke thought the 19th was ZBA. Mr. Sawyer stated that Tuesdays were usually not good, but Wednesdays and Thursdays were typically open. Vice Chair Gleason stated that Thursdays were almost impossible for her. Ms. Radke mentioned October 4th. Vice Chair Gleason wanted to know if they could do it on Tuesday, the 26th. Mr. Sawyer stated that there was a Conservation Commission meeting that night. The Charter Commission could meet in a different room. It's harder to televise. Chairwoman Wolf wanted to know about the 4th. Vice Chair Gleason stated that she couldn't. She would rather just try to make it work in September. She's chaperoning Cardigan and she didn't know which day her daughter was getting assigned to. Mr. Sawyer stated that if the 20th was truly the best date for the Commission, they could try and move the housing meeting. Chairwoman Wolf responded no. Vice Chair Gleason wanted to know why they couldn't move the housing meeting. Chairwoman Wolf stated that a whole bunch of boards probably have had it on their calendar for a long time. Ms. Radke stated that they had contractors coming too. Ms. Sawyer stated that they hadn't done the public notice for it, so it was possible to change; it's just the date that works best in just everybody's calendar, which is the same reason it worked for the Commission. Vice Chair Gleason wanted to know why they couldn't stick to the 20th. Ms. Camarota wanted to know if the housing meeting was televised. Mr. Sawyer thought it would be recorded; there's not live feed at the Library. It could be televised, but he's not aware that's it's proposed to be. Mr. McLaughlin thought they should stay with the 20th and Vice Chair Gleason agreed. Ms. Radke stated that she would have a conflict. Mr. Sawyer stated that the Town Councilors would need to be at both or comment at both. Mr. Lord stated that he would be out of the country and he couldn't do anything about that. Chairwoman Wolf stated that they know they aren't having their public hearing on September 6th. Mr. McLaughlin wanted to know what was limiting September 6th and if it was just the preliminary report. Chairwoman Wolf stated that they don't have a report and they are supposed to share it with the public. Mr. McLaughlin stated that they had a week to get it out, because September 6th was two weeks from today. Vice Chair Gleason stated that they were railroading into Labor Day weekend. Chairwoman Wolf stated that she wasn't writing a report on Labor Day weekend. Vice Chair Gleason wanted to know if there was anything going on Monday the 25th. Mr. Sawyer stated that nothing was on the calendar for that room. Vice Chair Gleason wanted to know if there was a reason they couldn't do it on Monday the 25th. Ms. Radke stated that she wouldn't be able to come; she has to work that night. Ms. Radke mentioned the 21st and Vice Chair Gleason stated that making Thursdays work was very difficult for her. Mr. Sawyer stated that Mr. Lord would be out of town on the 21st so there would be two that couldn't make it. Ms. Camarota wanted to know if they talked about Thursday, the 28th and Mr. Sawyer stated that there was an Energy Commission meeting that night. Chairwoman Wolf stated that she had a meeting that night. They were going to have two missing on the 20th. Vice Chair Gleason and Mr. Lord wanted to know if they could move the Conservation Commission. Mr. Sawyer stated that he didn't know who

applied or how important their projects were. Vice Chair Gleason meant move the Conservation Commission to a different room. Mr. Sawyer stated potentially. Televising those meetings was challenging if it's in a different room. Chairwoman Wolf thought they should leave it 'to be determined'. She would check with Mr. Brock. She stated no Ms. Radke or Mr. Lord on the 20th. Mr. Lord stated that aside from logistics, which he didn't mean to minimize, but the 26th seemed to be a date where they could get everybody together. That would be more important. Vice Chair Gleason stated that the 25th they have no Ms. Radke. If they could bump Conservation Commission on the 26th, they would have the entire Commission. Her preference would be to have everyone there. Mr. McLaughlin stated that was contingent on Conservation Commission accepting a bump. Mr. Lord stated that they were just talking about another meeting room. Mr. Sawyer stated that it becomes his problem to deal with. Chairwoman Wolf stated that they could go to another room; whoever has the biggest audience wins. Vice Chair Gleason thought the Conservation Commission wouldn't be moving to another room. Mr. Sawyer stated that it's all about televising and recording. The SAU was mentioned for use also. Mr. Sawyer stated that it becomes his problem if that's something they choose. Chairwoman Wolf confirmed that Tuesday, September 26th was their preferred date if they could find a location. Mr. Sawyer wanted to know if they were keeping September 6th and 20th or were they cancelling both. Chairwoman Wolf stated that they were keeping the 6th and didn't see any point in doing the 20th. Vice Chair Gleason thought they were cancelling the 6th. Chairwoman Wolf stated that they had to have a meeting on the 6th, but they're not having a public hearing on the 6th. Vice Chair Gleason stated that they had to adopt the preliminary report on the 6th. Chairwoman Wolf stated that they have to agree to the preliminary report to be able to share it with the public.

c. Other New Business

3. **PUBLIC COMMENT** – None

4. APPROVAL OF MINUTES

a. Regular Meeting – August 9, 2023

MOTION by Camarota to approve the minutes of the August 9, 2023 Meeting. Seconded by Vice Chair Gleason. Vote taken –Motion Passed– 7-0-1 (Labrie abstained).

Ms. Labrie wanted to know if the 26th was going to be a public hearing. Chairwoman Wolf stated that the 26th would have to be their public hearing. Ms. Labrie thought the 6th was cancelled. Chairwoman Wolf responded no, they would be holding a regular meeting on the 6th to discuss the report. Mr. Sawyer wanted to know what time they wanted to start on the 26th. Vice Chair Gleason thought if it's a public hearing and this was the major one she would say 6:00 PM. Ms. Radke liked the idea of 6:00 PM, but wanted to know if it's a public hearing it should start at 6:00 PM instead of 7:00 PM. Vice Chair Gleason stated that more people would come to the meeting. In theory, when they hold a public hearing in Bedford, everybody is super fired up. They all come out in droves to speak on this very important issue and they fill the room. They want to give them enough time to talk without being there until midnight, so they start at 6:00 PM; an hour early. Ms. Radke thought

those people that are driving may not be able to get there if they have to work. Chairwoman Wolf stated that they could get at the end of the line. Vice Chair Gleason stated that people were speaking for so long, because the community is so engaged that they have time for them. Mr. McLaughlin wanted to know if they were limiting the time a person can speak. Chairwoman Wolf stated that it will say they welcome comments for up to 5 minutes. Vice Chair Gleason stated that at one time a Councilor had a system installed with lights that allowed for five minutes for speaking and it never gets used.

5. ADJOURNMENT

MOTION by Vice Chair Gleason to adjourn at 8:27 PM. Seconded by Mr. Lord. Vote taken – Motion Passed – 8-0.

Respectfully submitted,

Dawn Boufford