

**TOWN OF BEDFORD
CHARTER COMMISSION MEETING MINUTES
September 6, 2023
10 Meetinghouse Road**

ROLL CALL: A meeting of the Bedford Charter Commission was held on Wednesday, September 6, 2023, 10 Meetinghouse Road. Participating were Terry Wolf (Chair), Kelleigh Gleason (Vice Chair) and members: Susan Labrie, Linda Camarota, Jeff Kerr, Paul Brock, Bryan Lord, Matt McLaughlin, and Lori Radke. Also present was Town Manager Rick Sawyer.

2. PLEDGE OF ALLEGIANCE – Led by Ms. Radke.

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. PRELIMINARY REPORT

Bedford Charter Commission Preliminary Report

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Charter Commission Members

| | |
|------------------------------|--------------------|
| Terry Wolf, Chair | Sue Labrie |
| Kelleigh Gleason, Vice Chair | Bryan Lord |
| Paul Brock, Secretary | Matthew McLaughlin |
| Linda Camarota | Lori Radke |
| Jeff Kerr | |

Executive Summary

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 warrant article appeared on the March 2023 ballot and was approved 2304 to 891. Nine Commissioners were elected: Paul Brock, Linda Camarota, Kelleigh Gleason, Jeff Kerr, Susan Labrie, Bryan Lord, Matthew McLaughlin, Lori Radke and Terry Wolf.

The 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.

Proponents of moving to Official Ballot voting cite the availability of absentee ballots, increased voter participation and the ability to vote on the School and Town budgets at the same time. Fifty-seven people voted this past March for Bedford’s \$38M in Town appropriations, including three collective bargaining agreements and \$3.28M in capital reserve deposits.

Town Meeting proponents say the in-person format provides for more informed debate. There are concerns moving to Official Ballot voting would increase the number of absentee ballots, create a longer voting time and has the potential for a default budget if the budget fails.

The Commission met x times from April through September 2023, inviting managers from towns with Official Ballot voting and subject matter experts in government structure, elections and bond rating. The Town attorney provided an outline of the necessary outcomes and a timeline.

A hearing was held in June for the public to share comments. A second public hearing is scheduled for September 26, 2023 at 6pm to receive feedback on the preliminary report.

In June, the Commissioners agreed to form two subcommittees to review the Bedford Town Charter and proposed revisions and the other wrote the report required by statute. These documents were reviewed by the Town attorney to ensure compliance with the state law.

The Charter Commission voted x-x to accept the recommendations of this report. In March 2024, Bedford voters will vote on the proposed Charter changes. Approval of the changes means that future elections would be by Official Ballot. Non-acceptance means the Town would continue to vote on budgetary items in person at Town Meeting.

The Commission would like to thank everyone who shared their expertise, many of them traveling and patiently answering questions. The Commission is also grateful for the work and support of Town Manager Rick Sawyer and Dawn Boufford.

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.

An official Town Charter was created in 1987, establishing a Town Council form of government with a Budgetary Town Meeting. Town Meeting is held the day after the March election, usually at 7pm, and attendees have the opportunity to debate, amend and vote on budgetary items.

In xxxxxxxx, SAU25 (School Administrative Unit 25, responsible for the management of the Bedford Schools) was established and Bedford had two governmental organizations - one for the Schools and one for all other Town matters. Both were managed via the “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, known as the “Deliberative Session” still allowed voters to gather, discuss, receive explanations and possibly amend the articles to be voted by Official Ballot at Session Two. Session Two is commonly known as Election Day, with all the warrant articles appearing on the ballot and voters have the access to vote across multiple hours and by absentee ballot.

In 1995, the Town Council created a Charter Review Committee to explore moving to Official Ballot voting and decided to stay with Town Meeting.

In 1996, Bedford voters considered whether Bedford should adopt Official Ballot voting for SAU25. Prior to this, most School Town Meetings were attended by less than 100 voters out of a voting population of 14,244. 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 1997. As a result, financial and budgetary decisions for the School district are made by everyone who votes in the March election, not just by the small number that turn out for the Deliberative Session, the School version of Town Meeting.

In 2004, a petitioned warrant article was put on the ballot to adopt Official Ballot voting as well as create districts for the Town Council. Both items failed.

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 and the Commission was created as a result of the petitioned warrant article.

Commission Research

Local Governments in New Hampshire

The New Hampshire Municipal Association provided a detailed presentation to the Commission on the multiple variations of Town government in New Hampshire. In the simplest form:

- Traditional Town Meeting: all items are open to discussion and voted upon at one session
- Town council: the Town Charter details the legislative authority of the council and which items will be approved by voters, either at Town Meeting or through Official Ballot voting
- Mayor-Alderman: the mayor is elected and runs the city (Manchester & Nashua)
- Council-Manager: the mayor is elected or appointed by the council, a city manager is appointed by the council (Berlin, Concord and Dover are a few examples).

The vast majority of towns that are still governed by Town Meeting have a population of 8,000 people or less with the exception of Hanover. Almost all towns in southern New Hampshire use Official Ballot voting. Bedford, with a population of 23,598, is the only town of its size to follow Budgetary Town Meeting, which ranked 11th among New Hampshire's incorporated cities and towns.

Default Budgets

At Town Meeting, the meeting ends once a budget is adopted. In the case of SB2, the legislature created a “default budget” in case the proposed operating budget fails.

The default budget is calculated following statute. If the proposed operating budget fails, the default budget is adopted. The municipality has the option to hold one special meeting to present a new version of the budget. The default budget applies only to the operating budget.

The definition of default budget in the proposed Charter revision:

“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 Commission spent a significant amount of time discussing the definition of default and the implications of a default budget. For context, the Bedford School District has had a default budget once since it adopted SB2 in 1997.

Bond Rating

The Commission has heard concerns that moving to Official Ballot voting could risk the Town's rating. Stephen Maceroni, PFM with PFM Financial Advisors met with the Commission on May 31, 2023. Mr. Maceroni stated that Bedford is the only AAA rated municipality with Moody's in NH. Moody's uses a score card which is broken down by:

- Economy-30% (residential income -10%; full value per capita -10%; economic growth -10%)
- Financial performance - 30% (available fund balance - 20%; liquidity ratio - 10%)
- Institutional framework - 10%
- Leverage - 30% (long-term liabilities - 20%; fixed costs - 10%)

In the AAA definition of institutional framework, “The majority of revenues is not subject to externally imposed caps and the governing body can increase revenue meaningfully without limitations or without approval of voters or other governments.” Mr. Maceroni didn’t believe that a change in voting on the budget would impact the bond rating unless there is a trend of failed budgets and the Town isn’t able to govern prudently under a default budget.

Warrant Articles

The Commission reviewed ballots from Bedford, Derry, Durham, Hooksett, Londonderry, Merrimack and Newmarket. Ballots are create based on a community’s expectations and vary widely in length, with some having four warrant articles and others as many as forty. The Commission was concerned about the length of the ballot and voter fatigue.

The proposed Charter language gives the Town Council the discretion to decide the number of warrant articles for capital purchases and reserves. New capital reserve accounts are required to be a separate warrant article the first year.

March Election Voting Data

Voting on School district and Town ballots is held each year on the second Tuesday in March.

From 2016 to 2023, attendance at budgetary Town Meeting was as low of .2% to a high of .8% of Bedford's voters.

| | Registered Voters | Town Ballots Cast | Town Absentee Ballots | Town Meeting Voters | School Ballots Cast | School Absentee Ballots | School Deliberative Session |
|------|-------------------|-------------------|-----------------------|---------------------|---------------------|-------------------------|-----------------------------|
| 2023 | 16,307 | 3,831 | 462 | 57 | 3,831 | 462 | 51 |
| 2022 | 15,953 | 5,133 | 338 | ~69-72 | 5,133 | 338 | 85 |
| 2021 | 19,304 | 3,018 | 290 | 67 | 3,018 | 290 | 62 |
| 2020 | 18,121 | 3,710 | 178 | 81 | 3,710 | 178 | 87 |
| 2019 | 17,565 | 3,640 | 190 | 153 | 3,640 | 190 | 72 |
| 2018 | 17,062 | 2,448 | 280 | 39 | 2,448 | 280 | 69 |
| 2017 | 17,236 | 2,491 | 235 | 41 | 2,491 | 235 | 179 |
| 2016 | 16,068 | 3,558 | 150 | 30 | 3,558 | 150 | 130 |

Meetings – Overview

The Charter Commission held 9 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 data

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

- Commission members reviewed the proposed changes to the Town Charter with the Town attorney
- Commission members briefly reviewed a draft of the preliminary report

September 6, 2023 – scheduled

- Commission members will review the preliminary report

September 26, 2023 – scheduled

- Commission members will review the preliminary report

Proposed Charter Changes

The Town of Bedford Charter governs the Town and is 42 pages. The Charter Commission has created two versions of the proposed Charter revisions - a redline version focused on Articles V and IX and a redlined version of the full Charter.

- Article I: Incorporation; Town Form of Government; Power
- Article II: Elections; Election Officials; Conduct of Elections
- Article III: Town Council
- Article IV: Administration of Government
- Article V: Finance
- Article VI: Personnel Policies
- Article VII: Conduct of Officials
- Article VIII: Citizen Concerns; Initiative Petition; Referendum; Recall
- Article IX: Town Report; Town Meeting
- Article X: General Provisions
- Article XI: Administrative and Judicial Boards

a redline version of focused on Articles V and IX

a redlined version of the full charter

Proposed March 2024 Warrant Article

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

Next Steps

There are several steps in the process before seeking voter approval in March 2024.

Public Hearing – September 26, 2023

A public hearing is set for Tuesday, September 26, 2023 at 6pm. The public can share feedback with the Commission. 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.

File Preliminary Report – By October 15, 2023

File the preliminary report with the municipal clerk, the secretary of state, the attorney general and the Commissioner of the department of revenue administration to review the proposed Charter revisions to ensure they are consistent with the general laws of NH.

State Officials Approval/Disapproval – By November 29, 2023

The secretary of state, the attorney general and the Commissioner of the department of revenue administration have 45 days after receipt of the report of approval or disapproval.

Update & Resubmit (if necessary) – By December 29, 2023

Upon receiving notice of an objection, the Charter Commission may make such changes as appear necessary and resubmit the proposed Charter within 30 days to the official or officials who raised the objections.

File Final Report – By January 15, 2024

The Charter Commission shall submit the final report to the municipal officers, 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 that the proposed Charter is not in conflict with the constitution or the general laws.

Informational Sessions – January – March 2024

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.

Warrant Article – March 2024 Election

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, if necessary

Attorney Opinion

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.

Mr. Brock wanted to know if they intended to or needed to include the entire new Bedford Charter in the report. Chairwoman Wolf stated that it was recommended by the attorney that they do the whole thing. Mr. Brock wanted to know if that was going to be another section some place in the report. Chairwoman Wolf stated that she would prefer to have summary sections first and then the full Charter available. Because there's so much content in the Charter, they may want to slot those at the very end; people would see the entire report instead of going to the very end of the report to see what the changes were.

Chairwoman Wolf stated that *Executive Summary* was an introduction; a high level of what they've done with a recommendation at the end. She wanted to know if it was the right direction and if it covered the information that everybody felt was necessary.

Chairwoman Wolf stated that *Introduction* was a history and chronological order of what Town Meeting was and the history of the School District going to SB2 and leading up to where they were.

Chairwoman Wolf stated that they spent so much time in the area of *Commission Research*. She was trying to think of overarching themes. They talked about a lot of the stuff many times. They have the minutes that stand if anybody was looking for information. They have the reports. She looked at the NH Municipal Association report again and some of the other reports. There was so much comprehensive information; it didn't make sense to do a super deep dive in the report. The overarching themes are local governments in NH, so they understand the difference between Town Meeting, Town Council, Mayor-Alderman, and Council-Manager. A very brief overview of a default budget, bond rating, and warrant articles. She was struggling with the concept of how

long a warrant article was; they talked about that quite a bit. She thought their ending point on that was they wanted the Council to have the discretion to what that should look like. They achieved what their goals were; to make sure that there was some transparency if there was something new in there. They did that in the proposed Charter change.

Mr. Kerr thought it was good; it had the right level of information without going into too much depth. He mentioned that under *Warrant Articles* it talks about voter fatigue and the length of the ballot. He didn't know if that was clear enough in terms of what their concern was. They talked about traffic, but didn't think they wanted to get down to that lower level of detail. It says that some people have 4 warrant articles and some have 40; he thought there might be a better way to explain their concern and how they came about trying to make it so there was enough granularity without overwhelming the voter. He didn't know if anyone else had an idea of a way to convey that. Vice Chair Gleason thought it was fine and didn't want to create an issue where there isn't one; expound on the voter fatigue issue and give people oppositional the platform to take and run with. Mr. Kerr stated that it's described as ballot fatigue and then it's described as voter fatigue. The word 'ballot' is right in front of that, the length of the ballot and ballot fatigue. Chairwoman Wolf thought she could rework that; make it clearer. Mr. Brock suggested putting the word 'potential' in front of length, 'The Commission was concerned about the potential length of the ballot and voter fatigue.' He thought as it reads, it's almost implying that the ballot was going to get long and it need not. Chairwoman Wolf thought some of the concern was if they have a ballot with 6 or 8 items it might not be that big of a deal, but if Bedford all of a sudden had a ballot with 30, people were going to go into shock, because they didn't have that before as an option. She thought adding 'potential' fixed that. Mr. Kerr thought adding 'potential' and changing voter fatigue to ballot fatigue was good enough.

Chairwoman Wolf wanted to know if there was anything missing from this section; any major component that they could think of. She thought the two big topics, default and the length of the warrant article, were talked about the most. Mr. Kerr stated that the one thing that wasn't there was the concern about the 2nd polling place if the lines were getting too long, but thought it was sort of addressed in that section about potential long ballots and ballot fatigue. Chairwoman Wolf thought that was kind of in the weeds. Mr. McLaughlin thought it was creating a problem that didn't exist. Ms. Camarota didn't think it was related to what they were doing; it was just the population. She read the report and was very pleased with it. She was wondering if special election was in there; default budget and the option of a special election. Chairwoman Wolf stated that it's under 'Default Budget' in the 2nd paragraph on the right column. 'The default budget is calculated following statute. If the proposed operating budget fails, the default budget is adopted. The municipality has the option to hold one special meeting...'

Chairwoman Wolf felt that the *March Election Voting Data* was part of that section. It's just a formatting issue; she didn't want to split that table.

Chairwoman Wolf thought the *Meetings Overview* was pretty straight forward.

Vice Chair Gleason wanted to know why they were unsure about the number of Town Meeting voters in 2022; the approximately 69-72. Chairwoman Wolf stated that that's what was submitted with the data.

Mr. McLaughlin wanted to know if it would be worth adding a column with a percent (%) to show the difference in percent of Town cast and absentee ballots combined versus Town Meeting. There were 4,200 votes if you add up the Town ballots cast and Town absentee ballots versus 57. He wanted to know if it would be worth putting a column that one equaled 25% of registered voters and one equaled 1% of registered voters to emphasize the difference in the two; to know that Town ballots cast and Town absentee ballots represented voting day. Town Meeting voters represented the next night. Chairwoman Wolf thought that column almost shouldn't be there, because it's not relevant to the data. Mr. McLaughlin wanted to know which one wasn't relevant. Chairwoman Wolf stated the Town absentee ballots, because it wasn't on the Budgetary Town Meeting. Mr. McLaughlin stated that it represented the combined number of voters who voted on all the other warrant articles. The Town ballots cast and the Town absentee ballots together were the people who voted on the Tuesday in March. Mr. Brock stated that's the voting population. Vice Chair Gleason thought the Town absentee ballot number was encompassed in the Town ballots cast number. The response was yes. Vice Chair Gleason thought it was duplicative to have that column in there. Mr. McLaughlin stated that may not be true. Town ballots cast may be the people who physically showed up on that Tuesday. Ms. Radke stated that Town ballots cast actually means all of the ballots cast including absentee ballots. You can't have an absentee ballot without it being cast. That's telling you that out of 3,831 ballots cast, 462 of them were absentee ballots. Mr. McLaughlin agreed that they definitely didn't need that column. Mr. Kerr would argue that maybe they do, because they were trying to show that if they go to the ballot election, it shows that 462 people voted absentee where only 57 were in person. Both columns were the same. Chairwoman Wolf stated that they shouldn't be, because not everybody pulls an absentee ballot for both. She was wondering if they should qualify the Town absentee ballot column that those ballots were cast for municipal officers and for zoning amendments; they were not cast on the budget. Mr. McLaughlin stated that most of the Town ballots cast were also not cast on the budget; perhaps only 57 of them were. The 3,800 people who voted on that Tuesday, only 57 of them went and voted Wednesday night. Chairwoman Wolf didn't think those numbers were related to each other; they had nothing to do with each other. Mr. McLaughlin agreed, but his point was that those 57 people who voted on Wednesday night probably also voted on Tuesday. Chairwoman Wolf responded no, not necessarily. They could have, but they're two separate pools. Mr. McLaughlin thought you would assume that if they were a diligent enough voter to show up on Wednesday night they probably also showed up on Tuesday, but it's totally an assumption. The only point he was going to make was did they want to highlight the percentage difference of participation rather than just the numbers in the column. Mr. Lord thought they could get rid of the Town absentee ballots and put a percentage column after the Town ballots cast, percentage of registered voters, and then Town Meeting voters, percentage of registered voters. Mr. McLaughlin stated that 24% of the registered voters voted on Tuesday and not even 1% voted on Wednesday night; it's a huge difference. He's just trying to see if they wanted to highlight that difference at all. Chairwoman Wolf stated that she would create two tables. The 1st table would have the registered voters in it, the School ballots cast, and the School data, and they could do a participation column for the number of votes; they would see that in the School side. In the 2nd table, she was a little concerned about the Town ballots cast, because it's irrelevant. It's irrelevant to Town Meeting. Mr. Kerr wanted to know it was irrelevant. Chairwoman Wolf stated that because they were two totally separate pools. Mr. Kerr stated that the data shows the argument for having official ballot election, because more

people voted on Election Day than showed up at Town Meeting. He thought that was relevant. Chairwoman Wolf wasn't sure people were going to understand. Ms. Camarota thought they were going to have a hard time understanding it. They're not doing this comparison. Vice Chair Gleason suggested they put it in parenthesis in the heading or just asterisk it and say 'Town Meeting is the evening after the Town's election.' Mr. Kerr liked that; explaining what that means. He wanted to know if they needed to have the School information there. Mr. Brock thought it was there just for comparison purposes. Mr. Kerr wanted to know if it muddied the waters or made it something they can compare to. Chairwoman Wolf stated that they were SB2. Mr. McLaughlin thought they were really trying to highlight to the voter, to the citizens that so many more people show up on Tuesday to vote than show up on Wednesday night. Vice Chair Gleason thought that was correct and thought the School data was completely irrelevant to the point they were trying to make. Mr. McLaughlin thought the data that was really important was the 3,800 and the 57. Those were the two numbers that were the whole purpose of them sitting there for all of those weeks. Vice Chair Gleason thought it was unnecessarily confusing and would take that out. Ms. Radke thought it was almost a disservice for the whole thing, because you look at deliberative session and only 51 people and Town Meeting only 57 people. Vice Chair Gleason thought it hurt the cause. Ms. Radke stated that they were trying to do this whole different thing and why should they vote for it when only 51 people go to the deliberative session. She thought it was a disservice to what they were trying to accomplish. Mr. Brock thought if they got rid of the three columns of School data, they could build in a column of percent. Ms. Labrie thought under Town Meeting they could say 'Wednesday'. Chairwoman Wolf stated that she added 'in person'. Mr. McLaughlin suggested Town Budgetary Meeting. Ms. Labrie suggested 'Wednesday Town Meeting'. Mr. Kerr suggested 'In-person Wednesday Town Meeting.' Mr. McLaughlin thought they might want to highlight the 'Town ballots cast' as 'Tuesday in-person voting' 'Wednesday Town Budgetary Meeting'.

| | Registered Voters | Town Ballots Cast | % of Registered Voters | In-person Town Meeting Voters | % of Registered Voters |
|------|-------------------|-------------------|------------------------|-------------------------------|------------------------|
| 2023 | 16,307 | 3,831 | 24 | 57 | < 10 |

Chairwoman Wolf stated after the *Meetings Overview* are the *Proposed Charter Changes*. It outlines what's in the whole Charter so people could understand what the context was. She liked the way they put the header on there and explained everything. At the bottom of that section is says 'a redline version of focused on Articles V and IX' and a redlined version of the full Charter, so they can link to both.

Chairwoman Wolf stated that she would reverse some of the order as they move forward. The next item is *Proposed March 2024 Warrant Article* and would put that after *Next Steps*. *Next Steps* was everything according to that timeline. She added dates, because she thought it was more helpful than 45; that was confusing. She wanted to know from Mr. Sawyer if he thought that 45 was business days or calendar days. Mr. Sawyer thought it was calendar days. She thought it this was really helpful for her understanding what else they may need to do. If they submit a report, hopefully it gets approval. There's a timeline to update. Then filing a final report is a step that they have to take. She assumed they would do some Informational Sessions; that's something they will discuss. She didn't know if that would be a formal or informal piece. Then it would go on the ballot.

Chairwoman Wolf stated that the attorney needed to provide an opinion that the proposed Charter was not in conflict with the Constitution or general laws. She wanted to know from Mr. Sawyer when that would fit into the timeline. Mr. Sawyer stated that if they approve their amendments tonight they could ask for that letter now.

Mr. Brock stated that they jumped over *Minority Report* and wanted to know if there was energy to prepare a minority report or not. Chairwoman Wolf stated that she didn't know. Mr. Brock stated that that was a question for the Commission. Mr. Sawyer stated that it would depend on their vote; they haven't voted yet. They may not have a minority. They may have a unanimous decision.

Chairwoman Wolf went back to the *Executive Summary*. She got a little stuck on what that language would look like at the very end of the *Executive Summary*. She put in the box of what the ballot was, because the wording was just so specific. "Shall a Charter Commission be established for the sole purpose of establishing official ballot voting under the current form of government?" That's what they were supposed to do; establish official ballot voting, put the warrant article on there and let the voters decide. They've done all this homework. That was the second to last paragraph on that page. "The Charter Commission voted to accept the recommendations of this report." That's the basic language she has in there, but she didn't know if there were actually recommendations. Mr. McLaughlin thought it was more recommended to change the Charter based on describing their red-lined changes. Chairwoman Wolf thought 'supports the proposed Charter changes.' Mr. McLaughlin suggested, 'To modify the Town Charter as published' or 'as submitted.' Mr. Brock stated that they could just eliminate 'the recommendations of'. 'The Charter Commission voted x-x to accept this report.' Mr. McLaughlin didn't know if they were accepting the report; they're modifying the Charter. 'The Charter Commission voted x-x to...' Vice Chair Gleason stated that she wouldn't say recommendations either. She would say, 'The Charter Commission voted x-x to accept the proposed modifications to the Charter as detailed in this report.' Mr. Lord stated that obviously if they're unanimous there is no need for a minority report. He was waiting on Vice Chair Gleason's continuing objection to the statutory interpretation language and that might warrant a minority report. He wanted to know if Vice Chair Gleason was going to submit something in that regard. Vice Chair Gleason responded no, she was good.

Mr. Kerr wanted to know where in the *Next Steps* was that vote that they take. Chairwoman Wolf thought they probably do it right now. She was wondering if somebody would like to make a motion.

MOTION by Mr. Brock that this Commission accept the revisions to the Charter as detailed in the report. Seconded by Vice Chair Gleason. Vote taken – Motion Passed – 8-0. (Radke didn't vote).

Ms. Radke was confused and wanted to know if they were voting on the changes they talked about last week. Chairwoman Wolf stated that they were voting to accept the proposed changes to the Charter as detailed in the report. Ms. Radke thought that should happen after their public hearing. Vice Chair Gleason stated that they have to move a document for their public hearing. They have to move a document, so there has to be a vote to move the document to public hearing. Ms. Radke clarified that it could be changed after the public hearing. Chairwoman Wolf responded yes. They have their public hearing

then after their public hearing they would potentially have another little work session where they revise. Ms. Radke suggested motion language that says, 'I make a motion to move forward the proposed language to the public hearing', instead of agreeing with it already. Make a motion to move the proposed language to the public hearing. Mr. Lord thought that was proper. He thought they wanted to stage gate it, so that's the next proper stage gate. It seemed to him that the motion that they took action on was a tantamount to the final, final, final. Their job was sort of done there. He agreed that they should advance it subject to public hearing input. Mr. McLaughlin thought it was immaterial because they voted to move it forward. It didn't mean they couldn't have future motion at a future meeting to modify what they've presented to the public. Ms. Radke stated that she wasn't ready to vote on it yet. She would like to hear what the public says before she makes a decision. She didn't mind moving the proposed language to the public hearing, hear what everybody else has to say, then she'll cast her vote. Mr. McLaughlin stated that they had a motion on the floor. Chairwoman Wolf stated that they had an 8-? Ms. Radke stated that she wouldn't vote for it. She wouldn't support it, because she's not ready to vote on it yet, so she votes no. Mr. Kerr thought they got so excited they forgot about the proper process. Chairwoman Wolf stated that they're negotiating with the process. They have a vote that's 8-1, which as stated can be modified. Ms. Camarota thought she heard somebody say 'abstain'. Vice Chair Gleason stated that the options were you could vote 'yes', 'no', or you can abstain and give your reason for abstention. Ms. Radke stated that if she abstains, the reason why would be she wasn't ready to vote; she wanted to hear after the public hearing. They move the language of the motion. The language of the motion that was made bothered her. Mr. McLaughlin wanted to clarify if Ms. Radke abstained or voted no. Ms. Radke stated that she would abstain based on the fact that she's not happy with the language with the motion. Mr. Lord changed his vote to an abstention. Vice Chair Gleason thought unanimity was important and wanted to know if it would be easier to modify the motion on the table to say that they were accepting the changes for purposes of sending the report to the public for consideration and comment at the upcoming public hearing with a final vote to happen later. Chairwoman Wolf stated that they had a vote that was completed.

Mr. Brock stated that since it was his motion and he voted in the majority, he could also make a motion to reconsider. Chairwoman Wolf confirmed that he could.

MOTION by Mr. Brock to reconsider his previous motion. Seconded by Vice Chair Gleason.

Chairwoman Wolf wanted to know if he wanted to modify the reconsideration. Mr. Brock stated that first that had to come off the table.

Vice Chair Gleason stated that she seconded the motion for purposes of discussion, but they had to vote on the reconsideration.

Vote taken – Motion Passed – 8-0. (Radke couldn't vote, because she didn't vote on the motion).

Vice Chair Gleason stated that they were in a discussion phase only and thought they should finish the discussion before anybody makes another motion.

Ms. Camarota thought they were taking a vote on the preliminary report and just by nature of the term preliminary, it meant that's what they have right now and it may change after the public hearing. It's not like they can only take one vote and she thought they established that already. Wherever they go from here, they're looking at whatever the preliminary report was going to look like that they share with the public on the 26th; an official preliminary report.

Mr. Lord thought Vice Chair Gleason's amended language was the precise change she made to say what they're not doing was approving the report. They were advancing the business of the Commission, and the report reflects that. They were actually taking action on the actual action of what they're doing to advance the vote itself. Vice Chair Gleason thought the truth was in the middle, because they were tasked by statute with submitting a preliminary report then they have the public hearing and then the final report comes out. They can do either or. They can accept the preliminary report and the proposed changes set forth therein and move it to public hearing. They just need to be very specific. They were moving it to public hearing for consideration and comment by the public. After the public hearing, they then need to vote on a final report, which may look very similar to the preliminary report or it could look different. Ms. Camarota stated that it could also look the same. Vice Chair Gleason agreed. Then they vote on a final report. To the extent that they need it to be properly reflected, they just make a very careful motion. Mr. Lord thought the point was valid; it may sound like it's angels dancing on the head of a pin, but he thought it was important that what they do was establish a record that his Commission had taken into account the inputs of the public. If they do that in the wrong order, it would seem like it's a moot point even though they were all going to be listening diligently. He thought if they take 5 minutes to make sure that was part of the record it was worthwhile; he thought that was the smart way to go.

Mr. Kerr stated that was one of the things that was missing in *Next Steps*; what they just discussed. He wanted to know if they needed to add that into the proposed *Next Steps*. Vice Chair Gleason thought they make a very wordy motion that says exactly what they're doing. Mr. McLaughlin thought the highlighted in yellow line in the *Executive Summary* needed to reflect whatever the motion was; with the x-x vote. Mr. Kerr wanted to know if that highlighted section was the pre-next step. It gets them to the next step, because the first next step was the public hearing, but the report had to be there for the public hearing.

Vice Chair Gleason wanted to know the date of the public hearing and the response was September 26th. Chairwoman Wolf wanted to know from Mr. Kerr if he wanted under *Next Steps*, 'The Commission may modify this preliminary report.' Mr. Kerr responded no. He thought it was something that should have been in *Next Steps*. Chairwoman Wolf stated that she assumed they had already taken a vote. There were times she thought they would take a vote earlier. Vice Chair Gleason wanted to know, hypothetically speaking, if the proposed motion was that they move to accept the proposed modifications as set forth in the preliminary report for consideration by the public. The public hearing was scheduled on September 26, 2023. She wanted to know if that was acceptable to everybody. Chairwoman Wolf wanted her to read that again, because she didn't hear it, but at the last meeting they unanimously accepted the proposed changes to the Charter. They're talking about did this Commission accept the changes to the Charter. She saw that as a stepping stone. Then she thought there would be a vote to recommend the report prior to the preliminary hearing so that when the people came in, they understood

the work that was done. Based on that, she wanted Vice Chair Gleason to read a hypothetical motion. Vice Chair Gleason read, 'To accept the preliminary report to include proposed modifications for consideration by the public in the public hearing scheduled for September 26, 2023.' Chairwoman Wolf didn't feel like that said anything. Mr. McLaughlin wanted to clarify that she said they already voted. Chairwoman Wolf stated that last week they all agreed. Mr. McLaughlin added 'to the changes.' He wanted to know if they did a motion and formal vote or did they just all agree and walk out. Mr. Lord stated that they made a motion to approve the changes, but they didn't make a final vote on the actual final comprehensive amendment to the Charter. Vice Chair Gleason stated that they voted to approve the attorney's recommended edits, so it wasn't a motion to approve the language; it was a motion to approve counsel's edits to the document. Mr. McLaughlin thought it was a motion to approve the document in its totality with the recommendations of the lawyer. Vice Chair Gleason thought the issue that Chairwoman Wolf was having with this was the word 'accept' over the word 'approve'. She wanted to know if they said, 'Approve the preliminary report to include the proposed modifications to the Charter for consideration by the public in the public hearing scheduled for September 26, 2023.' Chairwoman Wolf felt it wasn't very clear; the proposed modifications to the Charter. Mr. Lord stated that the first part was the report. Vice Chair Gleason stated, 'Approve the preliminary report, which includes the proposed modifications to the Charter for consideration by the public in the public hearing scheduled on September 26, 2023.' She didn't know what wasn't clear about that. She thought Chairwoman Wolf was right; she didn't think they could up or down vote on a final basis, because then their writing the final report before they send the preliminary report to the public; that seems to be a bit backwards. Chairwoman Wolf stated that's not what she's saying.

Mr. Sawyer stated that he was going back to the timeline that the Town Clerk provided, which spoke to the statute requirement. It says, 'You must hold the two public hearings before you can issue your preliminary report', so he thought it would be premature to actually issue their preliminary report. Ms. Camarota thought it was the other way around. Vice Chair Gleason wanted Mr. Sawyer to read it again. Mr. Sawyer stated that he was reading the section, RSA 49-B:4,VI(b). he was reading the Bedford Charter Commission Timeline that the Town Clerk provided them and it says, 'Preliminary Report: Due October 15, 2023 and in that section it says, 'Hearings Required Before Issuing Preliminary Report', '...the charter commission shall hold at least 2 public hearings, scheduled at its discretion.' He believed it was premature to issue their report until they've heard from the public as Ms. Radke was saying. He thought it appropriate to move the proposed changes to the public hearing, but they shouldn't be actually issuing their report until the public hearing was held, his opinion. There's plenty of time to issue their report after the public hearing and the statute says they should hold a public hearing before issuing their preliminary report. Vice Chair Gleason thought it made sense to her. Chairwoman Wolf stated that basically this was not necessary. To her it's the right thing to do, so that the public could have information, but it's premature. Mr. Lord didn't think it was premature if they make one change. They just identify it as a draft and what they were saying as a group was that they were advancing the draft forward and they're ready for the hearing. If they had a bunch of debate sitting around the table right now, they could debate, but they weren't ready to advance to the hearing. He thought they had a draft they were comfortable advancing to the hearing. He thought it was worthwhile for them to say they had a draft that they're comfortable with. Mr. Sawyer stated that they were advancing the proposed changes, not the proposed report. Ms. Radke stated that there were two

different things. They were not sending the report, they're just sending what they talked about two weeks ago. Vice Chair Gleason stated that they were sending the red-lined changes. Ms. Radke agreed, the red-lined changes; not the report. The report should come after the public hearing. Chairwoman Wolf thought their timeline was to have this done when they walk out of there, so it could be on the website, so people could review it before they came. She would stick with that, so they could understand what the issues were and what their work was. It was going to say 'draft' anyways. It is a preliminary draft. Vice Chair Gleason wanted the statute read one more time. Mr. Sawyer stated that he didn't have the statute in front of him. He had the summary from the Town Clerk that was provided. Vice Chair Gleason wanted to know if he had the number of the statute. Mr. Sawyer stated that it references 49-B:4,VI(b). Mr. McLaughlin wanted to know from Chairwoman Wolf if they should have a motion and a vote on accepting the red-lined changes of the proposed Charter. That way she could put in the *Executive Summary* what their vote was on the red-lined changes of the Town Charter. She has a line in her *Executive Summary* of a vote of x-x. They need to take a vote on something for her to have that line stay in the *Executive Summary*. Vice Chair Gleason stated that they can't publish a draft report. She stated that section 5 of 49:B says, 'before issuing its preliminary report, the Charter Commission shall hold at least two public hearings scheduled at its discretion.' She further read, 'The Commission may, but is not required to, provide a draft of its preliminary report at the latter hearing.' Chairwoman Wolf stated that that's what she had been reading. She remembered that from before, because it made sense; how they could do a report for the 1st hearing. They were just starting it; it's their 1st hearing. For the 2nd hearing she thought they would want people to understand the work that had done. The only change besides the corrections that they made, she would update the draft number and the date. It would still say 'draft'. They would hold the hearing and then at the end of the hearing, they discuss what changes needed to be made. Then they could decide what to do to the report. Ms. Camarota added and to have it in the Secretary's hands by October 15th, because that's their timeline. Chairwoman Wolf stated that it could be done before that. Rereading the timeline, it's not just the Secretary of State; it's also the Department of Revenue and somebody else. It's three different agencies that they were sending it to. Ms. Radke added the Attorney General. Chairwoman Wolf stated Attorney General, Commissioner of the Department of Revenue Administration, Secretary of State, and the Town Clerk.

Chairwoman Wolf liked the idea of voting on the recommended proposed changes. They could reflect that in this version, but they weren't voting on the report itself. She wanted to know if that made sense to the other Commission members. Vice Chair Gleason stated that voting on the proposed changes, meaning voting for the purposes for sending them to the public for consideration of the public hearing or just up or down voting on the proposed changes. Mr. McLaughlin stated just voting on the changes. They've made the changes, they got the lawyer's input, they voted to accept the lawyer's input, but if they're going to put something in the *Executive Summary* of how the 9 Commission members felt about the red-lined changes that they've made; it didn't mean they couldn't modify them after public input. Just a new motion to make more changes. Mr. Kerr stated that just because there was a vote in the *Executive Summary*, it didn't mean they had to vote. They could remove it. Chairwoman Wolf stated that it could stay x's. She thought by this time people would like to know, if they're not watching, what the sense of the Commission was. Not everything needed to be filled in; it could still be highlighted in yellow as a tentative item. This is a draft. Vice Chair Gleason stated that they would need two votes;

one ‘on the changes up or down’ and the other ‘to publish a draft preliminary report for review by the public in advance of the public hearing.’ Chairwoman Wolf suggested ‘publish the draft with changes for the public hearing including the proposed Charter changes.’ Vice Chair Gleason stated that if Chairwoman Wolf was looking for a vote on the Charter changes then they should take that vote first and then send the preliminary report. Chairwoman Wolf stated that she was modifying her concept. Vice Chair Gleason stated that what Chairwoman Wolf was proposing didn’t achieve a vote on the changes. Mr. Brock stated that if the changes were part of the report then it does. Vice Chair responded no, because all you’re doing was publishing the draft preliminary report. She thought one was an action item, up or down votes on approving and the 2nd was simply administrative; they were publishing it in advance of the hearing. Ms. Camarota wanted to know if it could be, ‘After accepting legal counsel’s changes/recommendations, the Commission hereby produces or prints out the preliminary draft for the public’s purview. That’s not a formal motion. She wanted to know if they could put the attorney up front of that sentence instead of two votes. Mr. Brock didn’t see why the attorney opinion needed to necessarily be involved. He didn’t understand why they couldn’t incorporate the Charter changes into the preliminary report and approve the preliminary report stated as ‘draft’ or ‘preliminary’ or whatever for presentation to the voter. Vice Chair Gleason stated that they couldn’t approve a preliminary report, but they could approve a ‘draft’ preliminary report. Mr. Brock stated that implicitly, all of the Charter changes were incorporated in the report. Ms. Camarota stated that she changed her view on that, because they took into consideration the attorney, so they didn’t have to include that. Mr. Lord thought that’s what they did last week or last meeting. Ms. Labrie thought the public would want to know what their vote was. Vice Chair Gleason stated that’s why the cleanest way in her brain was to vote on the language, because she wasn’t quite sure; she just questions whether the vote that they specifically took was an up or down vote on the changes as a whole or a vote to accept the attorney’s. Mr. Brock stated that he just looked it up and it was to accept the attorney’s recommendations. Chairwoman Wolf read a portion of the minutes from the last meeting, ‘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 the proposed changes. Vice Chair Gleason stated that she would make a motion so it’s on the floor. Motion by Vice Chair Gleason to accept all of the proposed changes.’ Mr. Lord stated that that wasn’t an up or down on the amendment itself. Mr. McLaughlin stated that meant that they accepted the entire red-lined changes to the Charter. Mr. Brock wanted to know if it was it accepting the attorney’s changes. Chairwoman Wolf stated that it wasn’t clear. Vice Chair thought the fact that they were having this much discussion about it seemed to indicate to her that they needed a clearer vote. Mr. Kerr thought it sounded like they needed to vote on the changes formally and then make a recommendation to accept the preliminary draft report to make it available to the public for the public hearing. Mr. Lord asked for point of order and wanted to know what was on the remainder of the agenda of the meeting. It appeared that there were some additional things that were circulated last night that were worth discussing. Chairwoman Wolf stated that the other item on the agenda was the proposed Charter changes. What happened was they made a bunch of approvals. They had a red-lined version and then with a blue line on the red line and then they had some typo things that Mr. McLaughlin had caught; some errors. Mr. Sawyer made all of those changes to the full Charter and then made a version of that with just the sections that needed to be changed. That’s what she sent. Mr. Sawyer had mentioned that he would appreciate a 2nd pair of eyes on that and nobody had done that. She didn’t think it was a huge outstanding item; it was more of a housekeeping measure.

Mr. Lord stated that they've spent the last 20 minutes talking about housekeeping and it seemed to him that that was the document that had the culmination of all of the different work that's gone in; attorney changes, everything else, open for 2nd sets of eyes, Mr. Sawyer's work that had gone into it, that's the latest, greatest. They had done nothing with the latest, greatest as of yet. Chairwoman Wolf stated that was correct. Mr. Lord stated that somebody could come there and say they would like to change blah, blah, blah, put a motion on the floor. It's still an open document, as far as it seemed to him, in the process of moving it forward. Mr. Kerr wanted to know if he was suggesting they go through that now as a group and then vote on whether they accept that as it is. Mr. Lord stated that he would defer to the Chair about where their outstanding motions were, which he thought they lost track of, but they rescinded Mr. Brock's motion. Chairwoman Wolf stated that they voted to reconsider and they agreed to reconsider and that's where they were. Mr. Brock stated that that motion had not been rescinded yet. Chairwoman Wolf stated that it had not been rescinded and has not been reworded. They were still in a motion state. Ms. Radke suggested they just to make a motion to move it to public hearing, the proposed changes. It's that simple. Mr. McLaughlin stated that they've already voted 8-0 to put it in the *Executive Summary*. Mr. Lord thought they needed to have a vote on this, a vote on the draft of the report, and they move that to the hearing. Mr. Brock stated that they needed to do things in the proper order. Chairwoman Wolf stated that Mr. Brock had the floor. It was his original motion. He made a motion to reconsider. They all agreed to reconsider the motion. Vice Chair Gleason wanted to know if he could just withdraw it. Mr. Brock stated that he couldn't withdraw it, because it was voted and approved.

MOTION by Mr. Brock to rescind the motion made earlier regarding the approval of the preliminary report. Seconded by Vice Chair Gleason. Vote taken – 9-0.

Chairwoman Wolf stated that she would like to take the draft report and put it aside for the moment and move to the next agenda item, which is the Charter.

MOTION by Mr. Lord that they accept the proposed changes as circulated.

Chairwoman Wolf stated that she would like to hold on a motion and have a little bit of discussion first. Mr. Brock stated on point of order, he thought Mr. Lord was correct. The motion needed to be made and seconded and at that point it there was discussion. They shouldn't be discussing the topic absent the motion.

Seconded by Vice Chair Gleason.

Chairwoman Wolf asked everyone to hold on. She wanted to know if they've moved on to item #4. She hadn't introduced the item. She would like to introduce the item before a motion was made. Mr. Lord apologized; he clearly gun-jumped. She thought everyone needed to simmer down a bit. Mr. Lord stated that Ms. Radke was hungry and he was trying move it forward; don't get hangry.

4. PROPOSED CHARTER CHANGES

Chairwoman Wolf stated that Mr. Sawyer very kindly updated the entire Charter with red-lined changes. She appreciated it; it was a lot of work. They have the sections of that. Before going any further, she was not on that subcommittee and she had not reviewed it. She didn't know if other people had taken the time to go through and make sure that the changes. This was something as far as she was concerned that they could take another deeper look between now and the next meeting and accept them conceptually; that's an option she's willing to do. She wanted to make sure everybody else understood. She didn't think this was the final, final. Nobody had gone through and proofread it. She wanted to know if there was a motion. Mr. Lord wanted to know if she was prepared now; he didn't mean to be snarky. Chairwoman Wolf wanted to know if he was hungry too. Vice Chair Gleason thought they may all be hangry. Mr. Lord wanted to know who hadn't caught themselves in mid-sentence with their spouse and say, 'oh, this isn't coming out the way I wanted it to.' Vice Chair Gleason thought they were all just hangry.

MOTION by Mr. Lord that they accept the Bedford Town Charter proposed changes as circulated last night and prepared by Mr. Sawyer. Seconded by Mr. Brock.

Mr. Lord thought it was fair that people put their eyes on it and go through it. He wanted to know from Mr. Sawyer if he did a good job and pull everything together. Mr. Sawyer believe 100% what they intended including the edits that were made after the motion was made last time. He believed he captured all of those correctly. Mr. Lord wanted to know if all of his changes administrative in nature. He wanted to know if there was anything he would like to flag for them that he thought were open questions that warranted discussion. Mr. Sawyer stated that he didn't make any changes that they didn't approve. He had no additional edits or scrivener errors. Chairwoman Wolf stated that it was clerical. Mr. Sawyer stated that it was simply reformatting it into the document. Vice Chair Gleason stated that if not, she thought they call it a scrivener's error and they go back and fix it. Mr. Sawyer stated that they identify it at the public hearing and move on. Chairwoman Wolf stated that they had time between now and then. They have the spirit of this and it gives time for the attorney to also say yes, they were legal, which was the opinion they need in part for their report. Mr. Sawyer stated that he totally understood why that last document was confusing, because going through it and trying to make sure he was capturing the things that were deleted and the things that were added; he was glad they took this step to do one more document for the public.

Ms. Radke wanted to hear the motion again. Mr. Lord stated that it was effectively to adopt the Bedford Town Charter proposed changes as in the format circulated last night and as prepared by Mr. Sawyer. Ms. Radke wanted to know if he was going to add to move it to the public hearing. She wanted to know if that was part of it or was that a different motion. Mr. Lord thought that was a good question, sure; he thought that was the next step. Chairwoman Wolf stated that he would have to make a motion to revise. The motion was to adopt. Mr. McLaughlin suggested they do it in two steps. Mr. Lord suggested that then they could do the draft report and advance it. Ms. Radke stated they could move them both.

Chairwoman Wolf stated that the motion was to adopt the proposed Charter changes. Mr. Lord stated that it's to accept. Chairwoman Wolf stated to accept the proposed Charter changes as shared last evening.

Vote taken – Motion Passed – 8-1 (Radke-nay).

Ms. Radke stated that she was accepting them; she wasn't approving them. She was just accepting them at this point. They were not at that point where at the end they were going to approve; she wanted to wait until after the public hearing to really approve it.

Vice Chair Gleason stated that she understood the motion to be approving the changes. Ms. Radke stated that he said accepting the changes. Vice Chair Gleason stated that to her, accepting meant approving. Ms. Radke stated that she would just vote no. Chairwoman Wolf stated that they would always allow her to change her mind later if she would like. Ms. Radke stated that she would after a public hearing; she might.

Chairwoman Wolf wanted to know from Mr. Sawyer what the thought their action was on the Charter. She wanted to know if somebody from the subcommittee should go through and reread it. She thought it would be a good thing as a double check. Mr. McLaughlin stated that he would definitely reread it. Chairwoman Wolf wanted to know if they were at a point that they would ask the attorney to look at it or did they want to wait until the public hearing. Mr. Sawyer didn't see any harm in getting him started now prior to the public hearing. If there was a change following the public hearing, he could reissue a letter if one was issued by that point.

Chairwoman Wolf wanted to go back to the preliminary report. They have outstanding on the *Executive Summary* 'The Charter Commission voted x-x to accept the commendation of this report.' She wanted to know if they saw this as draft language. They could leave it as draft language or they could be more granular. She thought people would like to know what they have if they're going to have a public hearing and have people come in. She opened up discussion about any modifications to that language. Vice Chair Gleason stated that because it's a preliminary report draft, a draft of the preliminary report, she thought they needed to be very specific that they what they did was vote 8-1 to accept the...Chairwoman Wolf stated to accept the approved Charter changes. Vice Chair Gleason thought that sounded good. Chairwoman Wolf stated, 'The Charter Commission voted 8-1 to accept the proposed Charter changes.' All were in agreement. Chairwoman Wolf stated that that's the language that replaces that sentence. It's just a factual statement. They weren't approving or disapproving the draft preliminary report. It's just a statement.

Mr. Brock wanted to know if they still had an additional step, which was they would like this draft preliminary early version report to be available to the public prior to the September 26th meeting. Chairwoman Wolf responded absolutely. Vice Chair Gleason thought they needed to separately move that, but thought there were a couple of other highlights. Mr. Lord stated that to record some of the commentary, there were comments about asking for changes to the chart. Chairwoman Wolf stated that there some very minor things that she didn't think, if there was something specific that they think of. Vice Chair Gleason stated that she just wasn't sure if they needed to iron anything else out. Chairwoman Wolf stated that they went through everything that was the big outstanding.

One of the bigger things was to reorder those last things; she has notes on that. They would leave the *Minority Report*. She has the language in there that says, 'Include minority report here if necessary.' Mr. Brock thought there were changes to the table. Chairwoman Wolf responded yes. She would make all of those changes; they weren't that big of a deal. She would try and win the battle against the page numbers. She would get it to them by Monday. They could get it up on the website and then that's plenty of time for people to have that. Mr. Brock wanted to know if the process was that a copy would go to the Town Clerk and be printed and be available at the Town Clerk's office. Chairwoman Wolf stated that that didn't need to be done until after the...Mr. Brock wanted to know how a member of the public, without access to a website, get a copy of the report. Chairwoman Wolf wanted to know if somebody go into the Town Office and get a copy of they needed it and Mr. Sawyer responded absolutely. Mr. Brock wanted to know if they would go to his office, Town Clerk's office, and Mr. Sawyer stated both. It would also be posted on the bulletin board in the lobby and at the Library as well. The draft would be available everywhere the ad was posted, which was typically Town Office Building, Library and BCTV. Chairwoman Wolf wanted to confirm Library, Town Office Building, and BCTV and Mr. Sawyer stated that was correct. Chairwoman Wolf stated that paper copies would be available to people who would want it.

Chairwoman Wolf wanted to know if they needed a motion to move forward with the draft. Vice Chair Gleason thought they needed to move to approve the draft preliminary report and publish it in advance of the September 26, 2023 public hearing as discussed.

MOTION by Vice Chair Gleason to approve the draft preliminary report and publish it in advance of the September 26, 2023 public hearing as discussed. Seconded by Mr. Brock. Vote taken – Motion Passed – 9-0.

Mr. Kerr wanted to know if they needed to do the same thing for the changes to make those available to the public or did they already do that. Chairwoman Wolf stated that they were part of the report. The entire thing was part of the report.

Chairwoman Wolf stated that what she saw happening in the timeline was they would start at 6:00 PM on Tuesday the 26th. They would hold the session. If they have changes to it they would talk about and do those changes immediately following that session. She's hoping, fingers crossed, that there wasn't anything major, so that they would be able to make those updates and walk out of there with the hopes of sending that to all the proper people as soon as possible. That's what she's hoping for in her timeline. Based on feedback from those offices, State officials, whether they would need to reconvene. She thought they would reconvene at will as necessary. Mr. Brock wanted to know who was assembling the final preliminary draft report and wanted to know if it was her, Town Offices; who was assembling the 60 some odd page report. Chairwoman Wolf stated that she was going to negotiate that with Mr. Sawyer, but she thought she would finish that piece and she had some questions about how the Charter components link into the Word component. She just thought she'd do it. Rick and Dawn (Boufford) had been fantastic and very cooperative and just thought why stop now.

5. NEW BUSINESS – None.

a. Other New Business

3. PUBLIC COMMENT

Susan Tufts Moore, Bedford Center Road, stated that they all knew how she felt about the proposed Charter amendment. She just wanted to make some comments. She wanted to clarify that they said the next public hearing was on the 25th. Chairwoman Wolf stated that it's Tuesday, September 26th. Ms. Tufts Moore stated that it showed on the website as Wednesday, the 20th. Chairwoman Wolf stated that they had to move it. They would make sure that got updated. They had hoped to on the 20th, and then they found out there was another meeting the same evening, so they moved. Ms. Tufts Moore stated that everybody else was going to go to the Bedford Historical Society's annual meeting with her that night. One of their local residents was going to be talking about the Houston family associated with the yellow house in the Town center across from the church. They weren't not all patriots apparently. He's been doing a lot of research on them, so it should be a very interesting topic.

Ms. Tufts Moore thought like everybody else on the Commission, she thought people were puzzled as to why so few people were going to the Town Budgetary hearing. She suspects that one reason may be people weren't showing up was that they have so many new residents. This town has exploded in population. She thought they just probably weren't aware that it even gets held and what it entails. She didn't believe that the Town did a very good job at education them, newcomers in Town or reminding people. It's been really tough since the Bedford Journal disappeared. The Bedford Bulletin had almost no local news now. She thought it was really hard for the public to be educated and to be aware of these things like this. For a few years, the Town used to send out a very nice newsletter that was really helpful to a lot of residents. It educated them about things that people would be voting on; it had a lot of information. She didn't remember whether Mr. Sawyer was in the Planning Department at that point or whether it was even before Mr. Sawyer. She knew it was a lot of work, but it was really helpful. She suspected that a lot of the problem was that people were just not aware of the Town Budgetary hearing, which was too bad. People move here and in many ways it's a bedroom community; they weren't really invested in the community. The ones who maybe were invested just may not be aware of what the process was. They think they voted on Tuesday; they're all set. They don't realize about the Town Budgetary hearing. She thought it was regrettable, because she thought it had been a very valuable part of their history and was a good way for the people who came to make comments and have discussion. She thought that was the most valuable thing. It gives people the opportunity to debate. In prior days it could get pretty heated, but sometimes it was very entertaining. She didn't want to see the Town Budgetary hearing go away. She thought it was like Planning Board in January. The two hearings on zoning amendments; many years she's been the only person in the audience.

Ms. Radke thought that was sad and wished more people would be involved. Ms. Tufts Moore thought it would be nice. She thought the boards appreciated it. Someone on the Planning Board once said they wished they had more people show up. Chairwoman Wolf stated that a lot changed when they started televising meetings. When you can sit home in your pajamas and eat dinner while watching a meeting.

4. APPROVAL OF MINUTES

a. Regular Meeting – August 23, 2023

MOTION by Mr. McLaughlin to approve the minutes of the August 23, 2023 Meeting. Seconded by Mr. Kerr. Vote taken – Motion Passed – 8-0-1 (Mr. Brock abstained as he was not present at that meeting).

Mr. Brock stated that he wasn't sure and wanted to know if he could vote on it if he watched the whole meeting on BCTV. Vice Chair thought he had to be physically present. Chairwoman Wolf suggested they just go with the abstention and be safe. Mr. Brock stated that he was just raising a legal issue. Ms. Radke thought he could. Vice Chair Gleason thought they were making Mr. Sawyer's head hurt.

5. ADJOURNMENT

MOTION by Vice Chair Gleason to adjourn at 8:17 PM. Seconded by Mr. Kerr. Vote taken – Motion Passed – 9-0.

Respectfully submitted,

Dawn Boufford