

Bedford Town Charter

Proposed Changes

This document is Bedford's current town charter. A footer has been added with page numbers, the font has been changed with wider spacing to make edits easier to read.

Items proposed to be added to the Charter are shown in red underline

Items proposed to be deleted to the Charter are shown in ~~red strikethrough~~

The Articles amended are:

- C3-13 Powers and duties
- C5-2 Budget procedure
- C5-3 Budget hearings
- C5-4 (deleted in its entirety)
- Article IX (title only)
- C9-2 (deleted in its entirety)

§ C3-13 **Powers and duties.**

Except as herein otherwise provided, the Town Council shall have all the powers conferred upon and discharge all the duties imposed upon Town Councils, Town Meetings, Boards of Mayor and Aldermen, and Selectmen of towns by law, except the adoption of a Town budget, which prerogative is vested in an Official Ballot ~~the Budgetary~~-Town Meeting. All officers and members of all boards, commissions, and committees, and vacancies thereto shall be appointed by the Council from among Town residents except unless otherwise provided by this Charter.

§ C5-2 **Budget procedure.**

At such time as may be requested by the Manager or specified by the Administrative Code, each officer or director of a department shall submit an itemized estimate of the expenditures for the next fiscal year for the departments or activities under his control to the Manager. ~~The Manager shall, based~~ Based on these estimates and other data, ~~the~~

28 Town Manager shall prepare a recommended budget which ~~he~~ shall, together with these
29 department estimates, be submitted submit to the Council on such date as the Council
30 shall establish. The Council shall review the budget for the following fiscal year and make
31 such modifications and amendments as it desires.

32 § C5-3 **Official Ballot Voting Budget Process**~~Budget hearings.~~

33 A. The Town of Bedford shall utilize the official ballot for voting on all budgetary issues
34 before the voters.

35 B. The warrant for the annual meeting shall prescribe the place, day and hour for the
36 Deliberative Session and the Official Ballot Session and notice shall be given per
37 State statute.

38 1. ~~A. ——— Number of hearings. As prescribed by RSA 40:13,II-a(c), or as~~
39 ~~amended, The the~~ Town Council shall hold ~~in convenient places~~ as many
40 public hearings on the budget as it deems necessary, in a convenient place,
41 but at least ~~one two~~ public ~~hearing hearings~~ on the budget shall be held on or
42 before the third Tuesday in January prior to the Deliberative Session. One or
43 more supplemental budget hearings may be held at any time before the first
44 session of the annual meeting. scheduled at least 14 days before its final
45 adoption by the Budgetary Town Meeting at such time and place, convenient
46 to the public, as the Council shall direct.

47 2. ~~B. ——— Notice of budget hearings.~~

48 a. (1) ——— Notice of such public hearing, the Deliberative Session and the
49 Official Ballot Session, and Budgetary Town Meeting, together with a copy
50 of the budget as submitted, shall be posted in two public places.

51 b. (2) ——— A copy of the budget shall be available to the public at the office of
52 the Town Clerk during regular business hours and be posted on the Town
53 of Bedford website.

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54 c. (3)—In addition, notice of such public hearing, the Deliberative Session
55 and the Official Ballot Session and Budgetary Town Meeting shall be
56 published according to State statute, in a newspaper of general circulation
57 in the Town at least one week prior to said meeting by the Town Clerk.

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

65 1. Warrant articles whose wording is prescribed by law shall not be amended.

66 2. Warrant articles that are amended shall be placed on the official ballot for a final
67 vote on the main motion, as amended.

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

71 D. All budgetary warrant articles shall be placed on the official ballot for a final vote.

72 E. The Town Clerk shall prepare an official ballot for all warrant articles. Wording shall
73 be substantively the same as the main motion, as it was made or amended at the
74 Deliberative Session, with only such minor textual changes as may be required to cast
75 the motion in the form of a question to voters. All votes of the Town Council
76 regarding warrants shall be recorded votes, and the numerical tally of any such vote
77 shall be printed in the town ballot next to the affected warrant article. If an article is
78 amended at the Deliberative Session, the Town Council shall then re-vote the
79 amended language, such that the tally on the ballot accurately reflects the vote of the

80 Town Council, including the amendment.

81 F. The Official Ballot Session shall be for the election of officers, voting on zoning
82 amendments, bonds and notes, all warrant articles from the Deliberative Session,
83 and all questions required by law. The Official Ballot Session shall be held on the
84 second Tuesday in March. Bonds or notes shall require a 3/5 majority for passage.

85 G. In addition to acting on warrant articles, voters shall choose between the proposed
86 Operating Budget, as may be amended during the Deliberative Session, and the
87 Default Budget, which shall be calculated as described below. If the proposed
88 Operating Budget and Default Budget receive equal votes, the Default Budget shall
89 be considered approved.

90 1. "Operating budget" means "operating budget" as defined in RSA 40:13, IX (a),
91 or as amended.

92 2. "Default Budget" means "default budget" as defined in RSA 40:13, IX (b), or as
93 amended, which is the amount of the same appropriations as contained in the
94 operating budget authorized for the previous year, reduced and increased, as the
95 case may be, by debt service, contracts, and other obligations previously incurred
96 or mandated by law, and reduced by one-time expenditures contained in the
97 operating budget and by salaries and benefits of positions that have been
98 eliminated in the proposed budget. For the purposes of this paragraph, one-time
99 expenditures shall be appropriations not likely to recur in the succeeding budget,
100 and eliminated positions shall not include vacant positions under recruitment or
101 positions redefined in the proposed operating budget, as determined by the
102 governing body. In calculating the default budget amount, the governing body
103 shall follow the statutory formula which may result in a higher or lower amount
104 than the proposed operating budget.

105 3. The Default Budget is the amount that will be raised if the proposed Operating

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106 Budget is defeated. If the Default Budget is adopted because of the defeat of the
107 proposed Operating Budget, the amount raised and appropriated may be
108 expended for any purpose contained in the defeated proposed Operating
109 Budget. The total amount available for expenditure when operating under the
110 Default Budget will not exceed the default amount plus the amount appropriated
111 by separate and special warrant articles except as otherwise provided by laws
112 such as, but not limited to RSA 32:9-11.

113 4. For the purposes of this Section, "previously incurred" means on or before the
114 Deliberative Session at which the default budget is presented to voters.

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

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

125 I. The capital reserve budget shall be voted on as its own warrant article or articles,
126 clearly enumerating each capital reserve fund category. The establishing of a new
127 capital reserve fund, discontinuing of an existing fund or changing the purpose of an
128 existing capital reserve fund shall be a separate warrant article. The wording of the
129 article or articles on the capital reserve budget shall be as follows:

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

- 132 J. Voting at the Official Ballot Session shall follow the procedures outlined in State
133 statute, including all requirements pertaining to absentee voting, polling place and
134 polling hours.
- 135 K. Votes taken on the Official Ballot shall be subject to recount as outlined in State
136 statute.
- 137 L. Votes taken on bonds or notes at the Official Ballot Session shall not be
138 reconsidered except by warrant article at a subsequent annual or special meeting.
- 139 M. The warrant for any special meeting shall prescribe the date, place and hour for a
140 Deliberative Session and Official Ballot Session. The Deliberative Session and Official
141 Ballot Sessions shall conform to RSA 40:13,XVI and applicable provisions of this
142 Charter.

143 **~~§ C5-4 Final date for budget adoption.~~**

144 **~~[Amended 3-10-2015]~~**

145 ~~The budget shall be brought before the Town Meeting in March, on a date fixed by the~~
146 ~~Council.~~

147 ~~Article IX: Town Report; Town Meeting~~

148 **~~§ C9-2 Annual Budgetary Town Meeting.~~**

149 **~~[Amended 3-10-2015]~~**

150 ~~Each year on a date in March fixed by the Council, the Council shall summon the voters~~
151 ~~of the Town to hear reports of the previous year's activities and of proposals for the~~
152 ~~current year and to vote on the Town budget for the coming year.~~