

Article I

**General Provisions Applicable to All ~~Permanent~~
~~Officers, Boards and Committees of the Town~~Positions and
Multiple Member Bodies**

Article I: General Provisions Applicable to All ~~Permanent Officers, Boards and Committees of the Town~~ Positions and Multiple Member Bodies

Section 1. Positions, Boards and Committees

1.1 The elected positions in the City pursuant to the Charter shall be the Mayor, elected for a term of four years, members of the City Council and School Committee, elected as described in Section 1.3.1 below, and the multiple-member bodies set forth in Section 1.3.1 below.

1.2 The City shall have appointed positions that are considered a Municipal Officer, a Senior Management position, and other appointed staff positions.

1.2.1 The following positions appointed by the indicated authority for the stated terms are considered Municipal Officers of the City, and are considered “Designated Municipal Officers” for purposes of the ethics reporting requirements of Article IX, Section 18 of the Charter.

The Term of Office field indicated in **bold** was changed from the current bylaws.

Division Heads

<u>Position</u>	<u>Appointing Authority</u>	<u>Term of Office</u>
<u>Administration and Finance/ Chief Financial Officer</u>	<u>Mayor</u>	<u>Co-terminus with Mayor</u>
<u>Chief of Police</u>	<u>Mayor subject to review by Council</u>	<u>Three Years</u>
<u>Fire Chief</u>	<u>Mayor subject to review by Council</u>	<u>Three Years</u>
<u>Human Resources</u>	<u>Mayor subject to review by Council</u>	<u>Three Years</u>
<u>Parks and Recreation</u>	<u>Mayor subject to review by Council</u>	<u>Three Years</u>
<u>Public Works</u>	<u>Mayor subject to review by Council</u>	<u>Three Years</u>
<u>Inspectional Services/ Building Commissioner</u>	<u>Mayor subject to review by Council</u>	<u>Three Years</u>
<u>City Solicitor</u>	<u>Mayor</u>	<u>Co-terminus with Mayor</u>
<u>Capital Project & Facilities Management</u>	<u>Mayor subject to review by Council</u>	<u>Three Years</u>
<u>Public Health</u>	<u>Mayor subject to review by Council</u>	<u>Three Years</u>
<u>Planning and Community Development</u>	<u>Mayor subject to review by Council</u>	<u>Three Years</u>
<u>Library</u>	<u>Mayor, as recommended by the Library Trustees</u>	<u>Three Years</u>
<u>Cemetery</u>	<u>Mayor, as recommended by the Cemetery Trustees</u>	<u>Three Years</u>

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<u>Position</u>	<u>Appointing Authority</u>	<u>Term of Office</u>
<u>Superintendent of Schools</u>	<u>School Committee</u>	<u>By contract pursuant to G.L. c. 71, §41</u>

Department Directors

<u>Position</u>	<u>Appointing Authority</u>	<u>Term of Office</u>
<u>City Accountant</u>	<u>Mayor</u>	<u>Three Years</u>
<u>Treasurer-Collector</u>	<u>Mayor</u>	<u>Three Years</u>
<u>Chief Assessor</u>	<u>Mayor</u>	<u>Three Years</u>
<u>Technology Services</u>	<u>Mayor</u>	<u>Three Years</u>
<u>Media Services</u>	<u>Mayor</u>	<u>Three Years</u>
<u>Chief Procurement Officer</u>	<u>Mayor</u>	<u>Three Years</u>
<u>Callahan Senior Center</u>	<u>Mayor</u>	<u>Three Years</u>
<u>Town-Owned Buildings</u>	<u>Mayor</u>	<u>Three Years</u>
<u>Veterans Benefits and Services</u>	<u>Mayor</u>	<u>Three Years</u>

Other Municipal Officers

<u>Position</u>	<u>Appointing Authority</u>	<u>Term of Office</u>
<u>Citizen Participation Officer (new)</u>	<u>Mayor</u>	<u>Co-terminus with Mayor</u>
<u>Chief Operating Officer (new)</u>	<u>Mayor</u>	<u>Co-terminus with Mayor</u>
<u>Auditor (new)</u>	<u>Council</u>	<u>Three Years</u>
<u>City Clerk</u>	<u>Council</u>	<u>Three Years</u>
<u>Assistant City Clerk</u>	<u>Council</u>	<u>Co-terminus with City Clerk</u>
<u>Secretary of the Council (new)</u>	<u>Council</u>	<u>Three Years</u>

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1.2.2 Senior Management Positions

The following positions appointed by the indicated authority, subject to the consent of the Mayor pursuant to Article III, Section 3(a) of the Charter, for the stated terms are considered Senior Management Positions of the City. These positions are not considered Municipal Officers of the City. The entry in the Term of Office field indicated in **bold** was changed from indefinite in the former Town bylaws.

<u>Position</u>	<u>Appointing Authority</u>	<u>Term of Office</u>
<u>Animal Control Officer</u>	<u>Police Chief</u>	<u>Three Years</u>
<u>City Engineer</u>	<u>Public Works Division Head</u>	<u>Three Years</u>
<u>Assistant Town Engineer</u>	<u>Public Works Division Head</u>	<u>Three Years</u>
<u>Sealer of Weights and Measures</u>	<u>Inspectional Services Division Head</u>	<u>Three Years</u>
<u>Fair Housing Officer</u>	<u>Human Resources Division Head</u>	<u>Three Years</u>
<u>Human Services Policy and Program Coordinator</u>	<u>Human Resources Division Head</u>	<u>Three Years</u>
<u>Conservation Administrator</u>	<u>Planning and Economic Development Division Head</u>	<u>Three Years</u>
<u>Planning Board Administrator</u>	<u>Planning and Economic Development Division Head</u>	<u>Three Years</u>
<u>Licensing Administrator</u>	<u>Board of License Commissioners</u>	<u>Three Years</u>
<u>Director of Emergency Management (Not a separate position)</u>	<u>Mayor</u>	<u>Indefinite</u>

1.2.3 Other Staff Positions

The following positions appointed by the indicated authority for the stated terms are staff positions, and are appointed subject to the consent of the Mayor pursuant to Article III, Section 3(a) of the Charter.

<u>Position</u>	<u>Appointing Authority</u>	<u>Term of Office</u>
<u>Historian (Not a paid position)</u>	<u>Mayor</u>	<u>Indefinite</u>
<u>Insect Pest Control Officer</u>	<u>Public Health Division Head</u>	<u>Indefinite</u>
<u>Fence Viewer (2) – MGL Ch.49, Sec.1</u>	<u>Inspectional Services Division Head</u>	<u>Indefinite</u>
<u>Tree Warden</u>	<u>Public Works Division Head</u>	<u>Indefinite</u>

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1.3 The City shall have public bodies that are elected or appointed. Pursuant to Article III, Section 2 of the Charter, the Mayor is an Ex Officio member of every multiple-member body of the City with the right to attend and participate in any meeting at any time, including executive sessions. Pursuant to Article IV, Section 1(a) of the Charter, the Mayor is also an Ex Officio member of the School Committee, but shall only vote to break a tie and is ineligible to serve as the School Committee’s chair, vice-chair or clerk.

1.3.1 The following public bodies are elected with the indicated number of members for the stated terms.

<u>Board</u>	<u>Number of Members</u>	<u>Term of Office</u>	<u>Number Elected/Election Year</u>
<u>City Council (also referred to as Council)</u>	<u>Eleven</u>	<u>See below</u>	<u>See below</u>
<u>At-large Councilors</u>	<u>Two</u>	<u>Four Years</u>	<u>Two at 1 election Zero in 1 election</u>
<u>District Councilors</u>	<u>Nine</u>	<u>Two Years</u>	<u>Nine in each election</u>
<u>Library Trustees</u>	<u>Twelve</u>	<u>Four Years</u>	<u>Six in 2 elections *subject to transition provision of Article X, Section 7(f) of the Charter through January 1, 2022</u>
<u>Cemetery Trustees (Trustees of the Edgell Grove Cemetery and other municipal cemeteries)</u>	<u>Five</u>	<u>Four Years</u>	<u>Three in 1 elections Two in next election *subject to transition provision of Article X, Section 7(g) of the Charter through January 1, 2022</u>
<u>School Committee</u>	<u>Nine</u>	<u>Two Years</u>	<u>Nine in each election</u>
<u>Regional Vocational School Committee Framingham Representatives (now elected, must be changed to appointed by revision to the regional school agreement)</u>	<u>Eight</u>	<u>Three Years</u>	<u>Three in 2 years Two in 1 year *subject to transition provision of Article X, Section 7(b) of the Charter</u>

1.3.2 The following public bodies are appointed with the members appointed by the indicated authority for the stated terms. All appointments to multiple-member bodies should take into consideration the Charter requirement that all members, with the exception of the board of assessors, must be residents of Framingham and the Charter goal that multiple-member bodies should to the extent practicable consist of members from the entire City, reflecting the demographic and geographic diversity of Framingham.

<u>Board</u>	<u>Number of Members</u>	<u>Term of Office</u>	<u>Appointing Authority</u>	<u>Number Appointed/Yr.</u>
<u>Planning Board (previously elected)</u>	<u>Five</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>Two in 2 years One in 1 year</u>

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<u>Board</u>	<u>Number of Members</u>	<u>Term of Office</u>	<u>Appointing Authority</u>	<u>Number Appointed/Yr.</u>
<u>Planning Board Associate Member</u>	<u>One</u>	<u>One</u>	<u>Mayor subject to review by Council</u>	<u>As needed</u>
<u>Housing Authority (previously elected) (see G.L. c. 121B, §5)</u>	<u>Four</u>	<u>Five Years</u>	<u>Mayor subject to review by Council</u>	<u>One in 1st year (2018)</u> <u>One in 2nd year (2019)</u> <u>Zero in 2020 (appointment year for DHCD member)</u> <u>One in 4th year (2021)</u> <u>One in 5th year (2022), and thereafter, as terms of mayoral appointments expire</u> <u>*subject to transition provision of Article X, Section 7(b) of the Charter</u>
	<u>One</u>	<u>Five Years</u>	<u>DHCD (or Mayor subject to review by Council if DHCD does not appoint a member within 120 days of when vacancy is created in position)</u>	<u>One in 3rd year (2020), and thereafter as term of DHCD appointment expires</u>
<u>Zoning Board of Appeals</u>	<u>Three Members</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>One</u>
<u>Zoning Board of Appeals Associate Members</u>	<u>Four</u>	<u>One Year</u>	<u>Mayor subject to review by Council</u>	<u>Four</u>
<u>Sign Review Board (see Section 1.12 of Sign Bylaw)</u>	<u>Three Members</u>	<u>From ZBA Associate Members</u>	<u>Mayor subject to review by Council</u>	<u>--</u>
<u>Board of Health – G.L. c. 111, §26</u>	<u>Three</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>One per year</u>
<u>Park and Recreation Commission</u>	<u>Five</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>Two in 2 years</u> <u>One in 1 year</u>

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<u>Historic District Commission</u>	<u>Seven Members (Five Alternate)</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>Approximately One-Third</u>
<u>Economic Development and Industrial Corporation</u>	<u>Seven</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>See Chapter 124 of the Acts of 1995</u>
<u>Board</u>	<u>Number of Members</u>	<u>Term of Office</u>	<u>Appointing Authority</u>	<u>Number Appointed/Yr.</u>
<u>Human Relations Commission</u>	<u>Thirteen</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>Five in 1 year; Four in 2 years</u>
<u>Historical Commission</u>	<u>Minimum Three, Maximum Seven</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>Approximately One-Third</u>
<u>Conservation Commission</u>	<u>Seven</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>Two in 2 years Three in 1 year</u>
<u>Council on Aging</u>	<u>Seven to Eleven</u>	<u>Two Years</u>	<u>Mayor subject to review by Council</u>	<u>See Art. II, Sec 13 of Former Town Bylaws</u>
<u>Disability Commission</u>	<u>Nine</u>	<u>Three Years; Also, see Article II, Section 23.3.1 of Former Town Bylaws</u>	<u>Mayor subject to review by Council</u>	<u>Three</u>
<u>Agricultural Advisory Committee</u>	<u>Five with up to four alternates</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>Two in two years One in one year</u>
<u>Framingham Emergency Management Agency (FrEMA)</u>	<u>As necessary</u>	<u>Three years</u>	<u>Mayor subject to review by Council</u>	<u>See Article V, Section 4 of Former Town Bylaws</u>
<u>Local Emergency Planning Committee (LEPC)</u>	<u>As necessary</u>	<u>Three years</u>	<u>Mayor subject to review by Council</u>	<u>See Article V, Section 4 of Former Town Bylaws</u>
<u>Metrowest Area Planning Council Member</u>	<u>One</u>	<u>One year</u>	<u>Mayor subject to review by Council</u>	<u>One Year</u>

The following new committees were created by the charter. The fields indicated in **bold** were not specified in the charter and the number of members and specific terms are recommended.

<u>Board</u>	<u>Number of Members</u>	<u>Term of Office</u>	<u>Appointing Authority</u>	<u>Number Appointed/Yr.</u>
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<u>Board of Licensing Commissioners (Article V, Section 5 of the Charter)</u>	<u>Five w/Chair, Vice Chair and Clerk designated by Mayor from members</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>Two in 2 years One in 1 year</u>
<u>Strategic Initiative & Financial Oversight Committee (Article VI, Section 11 of the Charter)</u>	<u>Nine (one of mayoral appointments designated as chair)</u>	<u>Three Years Three Years Three Years</u>	<u>Council School Committee Mayor</u>	<u>One in 3 years One in 3 years One in 3 years</u>
<u>Traffic Commissioners (Article V, Section 6(a) of the Charter)</u>	<u>Four residents from designated areas of the City</u>	<u>Three Years</u>	<u>Mayor (Chair and vice chair appointed by commission members)</u>	<u>One in 2 years Two in 1 year</u>
	<u>Police Chief</u>	<u>--</u>	<u>--</u>	<u>--</u>
	<u>Fire Chief</u>	<u>--</u>	<u>--</u>	<u>--</u>
	<u>Public Works</u>	<u>--</u>	<u>--</u>	<u>--</u>
	<u>Director</u>	<u>--</u>	<u>--</u>	<u>--</u>
	<u>Superintendent of Schools</u>	<u>--</u>	<u>--</u>	<u>--</u>

The following multiple member bodies are not currently listed in the bylaws but are listed on the town website.

<u>Board</u>	<u>Number of Members</u>	<u>Term of Office</u>	<u>Appointing Authority</u>	<u>Number Appointed/Yr.</u>
<u>Registrar of Voters (See G.L. c. 51, §15)</u>	<u>Three</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>Two in 1 year One in 1 years Maintaining balance of two leading political parties</u>
	<u>City Clerk</u>	<u>--</u>	<u>--</u>	
<u>Board of Assessors</u>	<u>Three (Framingham residency not required)</u>	<u>Three Years</u>	<u>Mayor, subject to review by Council</u>	<u>One in 3 years</u>
<u>Retirement Board (see G.L. c. 32, §20)</u>	<u>City Auditor</u>	<u>--</u>	<u>--</u>	<u>--</u>
	<u>One</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	
	<u>Two</u>	<u>Three Years</u>	<u>Elected by Retirement System Members and</u>	<u>One in 2 years Zero in 1 year</u>

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<u>One</u> <u>(not a City</u> <u>employee, retiree</u> <u>or official)</u>	<u>Three Years</u>	<u>Retirees</u> <u>Appointed by Other</u> <u>Four Retirement</u> <u>Board Members</u>	<u>One in 1 year</u>
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<u>Board</u>	<u>Number of Members</u>	<u>Term of Office</u>	<u>Appointing Authority</u>	<u>Number Appointed/Yr.</u>
<u>Bicycle and Pedestrian Advisory Committee</u>	<u>Seven</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>Three in 2 years One in 1 year</u>
<u>Cable Advisory Committee</u>	<u>Five</u>	<u>Three Years</u>	<u>Mayor, subject to review by Council</u>	<u>Two in 1 year One in 2 years</u>
<u>Community Development Committee</u>	<u>Seven</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>Three in 2 years One in 1 years</u>
<u>Cultural Council</u>	<u>Eleven</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>Three in 3 years Two in 1 years</u>
<u>Cushing Memorial Chapel Advisory Committee</u>	<u>Eight Residents, One from FHC</u>	<u>Three Years Three Years</u>	<u>Mayor subject to review by Council Mayor subject to review by Council</u>	<u>Three in 2 years Two in 1 years One in 1 year</u>
	<u>Dir. Facilities Management</u>	<u>--</u>	<u>--</u>	<u>--</u>
<u>Elderly & Disabled Tax Fund Committee (see G.L. c. 60, §3D)</u>	<u>Three</u>	<u>Three Years (was Indefinite)</u>	<u>Mayor subject to review by Council</u>	<u>One in 3 years</u>
	<u>Treasurer</u>	<u>--</u>	<u>--</u>	<u>--</u>
	<u>Chief Assessor</u>	<u>--</u>	<u>--</u>	<u>--</u>
<u>Fair Housing Committee</u>	<u>Nine</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>Three in 3 years Three in 1 year One in 1 year</u>
	<u>One representative from Community Development, three representatives from Housing Authority)</u>	<u>One Year</u>	<u>--</u>	<u>One in 1 year</u>
<u>Veterans Council</u>	<u>Seven</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>Three in 2 years One in 1 years One in 1 years</u>
	<u>FSU Rep</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>One in 1 years</u>
	<u>MassBay CC Rep</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>One in 1 years</u>
	<u>VSO</u>	<u>--</u>	<u>--</u>	<u>--</u>
<u>Loring Arena Committee</u>	<u>Seven</u>	<u>Three Years</u>	<u>Mayor subject to review by Council</u>	<u>Three in 1 years Two in 2 years</u>

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1.4 All appointments shall be in accordance with the Charter and any applicable Personnel Ordinance, and shall be for an indefinite period unless otherwise stated in these Ordinances or in the General Laws of the Commonwealth of Massachusetts.

All employees of multiple-member bodies shall be appointed by the mayor, except as otherwise provided by the general laws or constitution of the Commonwealth.

Except as stated above and in subsection 1.2, or in the following, all employees of the City shall be appointed by a Division Head or Department Director, subject to the consent of the mayor pursuant to Article III, Section 3(a) of the Charter.

Employees of the following governmental bodies shall be appointed by the indicated authority:

<u>Body Name</u>	<u>Appointing Authority</u>
<u>Library</u>	<u>Library Division Head, subject to the consent of the mayor</u>
<u>Cemetery</u>	<u>Cemetery Division Head, subject to the consent of the mayor</u>
<u>Housing Authority</u>	<u>Housing Authority, subject to the consent of the mayor</u>
<u>School Department</u>	<u>Superintendent of Schools on behalf of the School Committee</u>
<u>School Department - specially designated positions</u>	<u>School Committee</u>

Section 1. ~~Permanent Officers, Boards and Committees~~

1.1 ~~The Town shall have the following positions elected by the Town or appointed by the indicated authority for stated terms:~~

<u>Officer</u>	<u>Elected/Appointed</u>	<u>Appointing Authority</u>	<u>Term of Office</u>
Town Clerk	Elected	_____	Three Years
Moderator	Elected	_____	One Year
Town Counsel	Appointed	Board of Selectmen	Three Years
Town Manager	Appointed	Board of Selectmen	Three Years
Chief Financial Officer	Appointed	Town Manager with approval of the Board of Selectmen	Three Years
Chief of Police	Appointed	Town Manager with concurrence of Board of Selectmen	Indefinite
Fire Chief	Appointed	Town Manager with concurrence of Board of Selectmen	Indefinite
Human Resources Director	Appointed	Town Manager with concurrence of Board of Selectmen	Three Years

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<u>Officer</u>	<u>Elected/Appointed</u>	<u>Appointing Authority</u>	<u>Term of Office</u>
Town Accountant	Appointed	Chief Financial Officer with approval of the Town Manager	Three Years
Treasurer-Collector	Appointed	Chief Financial Officer with approval of the Town Manager	Three Years
Chief Assessor (Three)	Appointed (One Each Year)	Chief Financial Officer with approval of the Town Manager	Three Years
Chief Procurement Officer	Appointed	Chief Financial Officer with approval of the Town Manager	Three Years
Director of Civil Defense	Appointed	Town Manager	Indefinite
Building Commissioner/Inspectional Services Director	Appointed	Town Manager	Three Years
Community and Economic Development Director	Appointed	Town Manager	Three Years
Chief Engineer	Appointed	Town Manager	Three Years
Assistant Town Engineer	Appointed	Town Manager	Indefinite
Sealer of Weights and Measures	Appointed	Town Manager	Indefinite
Director of Parks and Recreation	Appointed	Town Manager	Indefinite
Director of Veterans Benefits and Services	Appointed	Town Manager	Three Years
Director of Public Health	Appointed	Town Manager	Indefinite
Executive Administrator for Human Relations	Appointed	Town Manager	Indefinite
Director of Public Works	Appointed	Town Manager	Three Years
Director of Technology Services	Appointed	Town Manager	Three Years
Tree Warden	Appointed	Town Manager	Three Years
Animal Control Officer	Appointed	Town Manager	Indefinite
Director of Town Owned Buildings	Appointed	Town Manager	Three Years
Conservation Administrator	Appointed	Town Manager	Three Years

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<u>Officer</u>	<u>Elected/Appointed</u>	<u>Appointing Authority</u>	<u>Term of Office</u>
Fair Housing Officer	Appointed	Town Manager	Three Years
Director of the Callahan Senior Center	Appointed	Town Manager	Three Years
Director of Libraries	Appointed	Library Trustees	Indefinite
Housing Authority Director	Appointed	Housing Authority	Three Years
Superintendent of Schools	Appointed	School Committee	Indefinite
Planning Board Administrator	Appointed	Planning Board	Three Years
Media Service Director	Appointed	Town Manager	Three Years
Capital Building Projects Manager	Appointed	Town Manager	Three Years
Human Services Policy and Program Coordinator	Appointed	Town Manager	Three Years
Licensing Administrator	Appointed	Town Manager	Three Years
Planning Board Associate Member	Appointed	Board of Selectmen and Planning Board	One Year
Town Historian	Appointed	Board of Selectmen	Indefinite

~~1.2~~ The Town shall have the following multiple member governmental bodies with the indicated number of members elected for the stated terms.

<u>Board</u>	<u>Number of Members</u>	<u>Term of Office</u>	<u>Number Elected/Year</u>
Board of Selectmen	Five	Three Years	Two in 2 Years One in 1 Year
Library Trustees	Twelve	Three Years	Four
School Committee	Seven	Three Years	Three in 1 Year Two in 2 years
Regional Vocational School Committee-Framingham Represent.	Eight	Three Years	Three in 2 years Two in 1 year
Planning Board	Five	Three Years	Two in 2 years One in 1 year
Housing Authority	Four	Five Years	One in 4 years None in 1 year
	One	Five Years	One in 5 years Appointed

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<u>Board</u>	<u>Number of Members</u>	<u>Term of Office</u>	<u>Number Elected/Year</u>
Edgell Grove Cemetery- Trustees	Five	Five Years	One

~~1.3~~ The Town shall have the following multiple member governmental bodies with members appointed by the indicated authority for the stated terms.

<u>Board</u>	<u>Number of Members</u>	<u>Term of Office</u>	<u>Appointing Authority</u>	<u>Number Appointed/Yr.</u>
Board of Health	Three	Three Years	Board of Selectmen	One
Park and Recreation Commission	Five	Three Years	Board of Selectmen	Two in 2 years One in 1 year
Zoning Board of Appeals	Three Members	Three Years	Board of Selectmen	One
	Four Associate Members	One Year	Board of Selectmen	Four
Historic District Commission	Seven Members- (Five Alternate)	Three Years	Board of Selectmen	Approximately One Third
Economic Development and Industrial Corporation	7	Three	Board of Selectmen	See Chapter 124 of the Acts of 1995
Cemetery Trustees	Three	Three Years	Board of Selectmen	One
Human Relations Commission	Thirteen	Three Years	Board of Selectmen	Five in 1 year; Four in 2 years
Historical Commission	Minimum Three, Maximum Seven	Three Years	Board of Selectmen	Approximately One Third
Conservation Commission	Seven	Three Years	Board of Selectmen	Two in 2 years Three in 1 year
Council on Aging	5 2-6 Total: 7-11	Two Years Two Years	Board of Selectman Council on Aging- Chairman	See Art. II, Sec 13
Real Property Committee	Ten TM Members and	Three Years	Moderator	Four in 1 year; Three in 2 years
	One from Six Specified Boards, Committees and Commissions	One Year	School Comm., Planning Board, Board of Selectmen, Finance Comm. Park & Rec.	Six each year

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<u>Board</u>	<u>Number of Members</u>	<u>Term of Office</u>	<u>Appointing Authority</u> Commission and Conservation Commission	<u>Number Appointed/Yr.</u>
Finance Committee	Nine	Three Years	Moderator	Three
Capital Budget Committee	Six Town Meeting Members	Three Years	Moderator	Two
	One	One Year	Finance Committee	One
Personnel Board	Five	Three Years	Moderator	Two in 2 years; One in 1 year
Government Study Committee	Nine Members	Three Years	Moderator	Three
Local Emergency Planning Committee (LEPC)	As necessary	—	Town Manager	See Article V, Section 4
Commission on Disability	Nine	Three Years; Also, see Article II, Section 23.3.1	Board of Selectmen	Three
Technology Advisory Committee	Six	Three Years; Also, see Article III, Sec. 4.2	Moderator	Two
Agricultural Advisory Committee	Five with up to four alternates	Three Years	Board of Selectmen	Two in two years; One in one year

~~1.4~~ — Except as stated in subsection 1.1 above or in the following, all employees of the Town shall be appointed by the Town Manager. All appointments shall be in accordance with the Personnel Bylaws of the Town (Article IV) and shall be for an indefinite period unless otherwise stated in these Bylaws or in the General Laws of the Commonwealth of Massachusetts. Employees of the following governmental bodies shall be appointed by the indicated authority:

Town Clerk
Library
Planning Board
Housing Authority
Edgell Grove Cemetery
School Department

Town Clerk
Library Trustees
Planning Board
Housing Authority
Edgell Grove Cemetery Trustees
Superintendent of Schools (School Committee for specially-designated positions)

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Section 2. Office Hours and Meeting Times

- 2.1** All officers, boards and committees having permanent clerical assistance shall keep their offices open for public business from 8:30 a.m. to 5:00 p.m. every weekday except as authorized by the ~~Board of Selectmen~~ Mayor.
- 2.2** All officers, boards and committees shall notify the ~~Town~~ City Clerk of their organization and office hours or time of stated meetings.
- 2.3** All meetings of all ~~Town~~ boards and committees elected or appointed, except the Framingham Retirement Board, Council on Aging, Registrars of Voters, Cemetery Trustees, Veterans Council, Board of Assessors, Disability Commission and Finance Committee Elderly and Disabled Tax Relief Committee, shall commence no earlier than 7:00 p.m., or no earlier than 6:30 p.m. ~~during the period from the date a Town Meeting commences until the date the Town Meeting is dissolved~~ except in emergency situations and for executive sessions, and for such emergency meetings and executive sessions the first order of business shall be the recording of the nature of the meeting. This provision shall not apply to any subcommittee, task force, or working group of an elected or appointed board, so long as the subcommittee, task force, or working group is not comprised of a quorum of members of the elected or appointing board.

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Section 3. Financial Provisions and Contracts

- 3.1 Whenever any work is to be done, the whole, or a portion of which is to be paid for by private parties, the officer in charge of such work shall, before proceeding on such work, require a deposit of the estimated expense with the Treasurer, and on the completion of the work, the Treasurer shall retain the cost of such work and return the balance, if any, to the depositor.
- 3.2 ~~All contracts entered into by, for or on behalf of the City by any officer or municipal agency are subject to the approval of the Mayor. No contract, involving an obligation of the Town exceeding the sum of two hundred fifty dollars (\$250) shall be made at any time, except by vote of the committee or board duly authorized to expend the Town funds to which the contract relates. Such vote shall be recorded and such records shall be open to inspection.~~
- 3.3 No contract, involving an obligation of the ~~Town~~City exceeding the sum of five hundred dollars (\$500) shall be binding upon the ~~Town~~City unless it is in writing and signed, prior to the commencement of performance thereof by ~~the Mayor or the Mayor's designee at least a majority of the board or committee in charge of expending the funds to which the contract relates.~~
- 3.4 No ~~board or officer shall make any~~ contract on behalf of the ~~Town~~City extending beyond three years from the date thereof ~~shall be made,~~ unless specific authority to do so has been given by vote of ~~the Council~~Town Meeting; with the exception of energy usage contracts, which may be contracted for a term of up to five years without ~~a Council~~Town Meeting vote provided applicable procurement rules and regulations are followed.
- 3.5 Whenever any property of the ~~Town~~City valued at two hundred dollars or more is to be sold, it shall be sold at public auction, after not less than seven days' notice in one or more newspapers published in the ~~Town~~City, unless the ~~Town Meeting~~Council shall vote otherwise.
- 3.6 No contract for construction work, for the purchase of apparatus, supplies or materials or for the collection of garbage, ashes, or rubbish, the estimated cost of which amounts to four thousand dollars or more, shall be awarded, except in cases of special emergency involving the health or safety of the people or their property, unless proposals for the same have been invited by advertisements in at least one newspaper published in the ~~Town~~City once a week for at least two consecutive weeks, the last publication to be at least one week before the time specified for the opening of said proposals. Such advertisement shall state the time and place where plans and specifications of the proposed construction work or the proposed purchase or for the proposed collection of garbage, ashes or rubbish, as the case may be, may be had and the time and place for opening the proposals in answer to said advertisements and shall reserve to the ~~Town~~City the right to reject any or all such proposals. All such proposals shall be sealed and shall be opened in public at the time and place specified therefore. No bill or contract shall be split or divided for the purpose of evading any provision of this ~~Bylaw~~Ordinance.
- 3.7 Fees and fines assessed by all officers and departments of the ~~Town~~City received from all sources shall be turned over to the ~~Town~~City Treasurer.
- 3.8 Budgets for all Town Officers, Boards and Committees shall be as appropriated by ~~Town Meeting~~the City Council. However, notwithstanding the foregoing, ~~no elected person specified in Article I, Section 1.3.1 of the Ordinances, shall receive a stipend or wages for performance of the duties for which that person was elected with the exception that City Council and School Committee Members shall receive a stipend as budgeted~~no elected person specified in Article 1, Section 1.2 of the Town Bylaws, shall receive a stipend or wage for performance of the duties for which that person was elected. This provision shall not preclude the reimbursement of documented "out of pocket" expenses incurred in the course of the performance of said duties.

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Section 4. Affirmative Action

4.1 Definitions

4.1.1 The term "~~town~~ agency" includes any board, bureau, commission, committee, department or other agency of the ~~Town-City~~ of Framingham including the School Committee.

4.1.2 The term "contract" includes any contract, sub-contract or other agreement.

4.1.3 The term "contractor" includes any contractor and his sub-contractors, any other sub-contractor or other contracting party.

4.1.4 The term "bidder" includes any bidder, sub-bidder or prospective contractor and his sub-contractors, any other sub-contractor or other contracting party.

4.2 No ~~town~~ agency of the City shall enter into any contract for the purchase of goods or services or for the construction, maintenance, renovation or repair of any building, structure, street, way, utility or other public work with any contractor which does not take affirmative action to provide equal employment opportunity for all qualified persons without regard to race, color, religious creed, ~~sex or~~ national origin, ancestry, sex, gender identity, age, disability, sexual orientation, genetics, status as an active member of the armed forces of the United States, or any other protected class recognized under state or federal law ("protected class status").

4.3 Each bidder and contractor shall include with all bids and all compliance and progress reports submitted to any town agency a report which shall include:

4.3.1 A certificate stating that he is currently in compliance with the provisions of Massachusetts General Laws, Chapter 151B governing non-discrimination in employment, and setting forth the affirmative action he is currently undertaking and will undertake during the contract period to provide equal employment opportunity for all qualified persons without regard to ~~race, color, religion, sex or national origin~~protected class status; and

4.3.2 A statement in writing, with supporting information, signed by an authorized officer or agent on behalf of any labor union or other agency which refers workers or provides or supervises apprenticeship or other training programs with which the bidder or contractor deals, to the effect that the union or other agency's practices and policies do not discriminate on the basis of ~~race, color, religion, sex or national origin~~protected class status, provided, in the event that the union or other agency shall refuse to execute such a statement, the bidder or contractor need only so certify in writing.

4.3.3 A copy of any such report shall be filed in the office of the Town Clerk and shall upon said filing become a public record.

4.4 Every town agency shall include in every contract hereinafter entered into for the purchase of goods or services or for the construction, maintenance, renovation or repair of any building, structure, street, way, utility or other public works the following provisions:

4.4.1 During the performance of this contract the contractor agrees as follows:

4.4.1.1 The contractor will take affirmative action to ensure that employees are solicited and employed, and that the employees are treated during employment, without regard to ~~race, color, religion, sex or national origin~~protected class status.

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- 4.4.1.2** The contractor will in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to ~~race, color, religion, sex or national origin~~protected class status.
- 4.4.1.3** The contractor and sub-contractors will include the provisions of subsections 4.4.1.1 and 4.4.1.2 above in every sub-contract or purchase order.
- 4.4.2** If the contracting town agency determines that any contractor is not in compliance with these contract provisions, the contracting agency shall take one or more of the following actions:
- 4.4.2.1** Order the contract terminated in whole or in part.
- 4.4.2.2** Permit continuation of the contract upon the submission of a specified program for immediate compliance.
- 4.4.2.3** Assess liquidated damages of \$50 for each day that the contractor is found not to be in compliance.
- 4.4.2.4** Withhold payments to the contractor under the contract until he is in compliance.
- 4.4.2.5** Declare the contractor ineligible to bid on future contracts with that agency until the agency finds that such contractor has established and is implementing an affirmative action program.
- 4.5** As used in this section affirmative action means positive steps to ensure all qualified persons equal employment without regard to ~~race, color, religion, sex or national origin~~protected class status at all stages of the employment process, recruitment, selection, placement, promotion, training, layoff and termination. It may include, but is not limited to the following:
- 4.5.1** Inclusion in all solicitations and advertisements for employees of a statement that the contractor is an "Equal Opportunity Employer".
- 4.5.2** Placement of solicitations and advertisements for employees in media that reaches minority groups.
- 4.5.3** Notification in writing of all recruitment sources that the contractor solicits the referral of applicants without regard to ~~race, color, religion, sex or national origin~~protected class status.
- 4.5.4** Direct solicitation of the support of responsible and appropriate community, state and federal agencies to assist in recruitment efforts.
- 4.5.5** Participation in, or establishment of apprenticeship or training programs where outside programs are inadequate or unavailable to minority groups.
- 4.5.6** Modification of collective bargaining agreements to eliminate restrictive barriers established by dual lines of seniority, dual rates of pay or dual lines of promotion or progression which are based on ~~race, color, religion, sex or national origin~~protected class status.

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4.5.7 Review of selection, placement, promotion, training, layoff and termination procedures and requirements to ensure that they do not intentionally or unintentionally discriminate against qualified persons because of ~~race, color, religion, sex or national origin~~ protected class status.

In determining whether the steps taken or proposed by any bidder or contractor constitute affirmative action under this section, the town agency shall take into account the relevant characteristics of the bidder or contractor, the number of persons he employs, and the location of his principal and branch offices.

4.6

4.6.1 The Human Relations Commission shall receive and investigate or cause to be investigated complaints by employees or prospective employees of a ~~Town-City~~ contractor, sub-contractor or supplier which allege discrimination contrary to this law and may on its own initiative investigate employment practices of a ~~Town-City~~ contractor, sub-contractors or supplier. Findings and determinations on such investigations, together with the records and recommendations, shall be reported by the Human Relations Commission to the Board of Selectmen and the contracting agency concerned.

4.6.2 The Human Relations Commission shall cooperate with the ~~Board of Selectmen~~ Mayor and with each contracting agency by providing assistance in reviewing affirmative action plans, and to contractors seeking qualified minority group employees, and shall itself seek such employees.

4.6.3 The Human Relations Commission, where it deems appropriate, shall recommend to the Massachusetts Commission Against Discrimination, the Equal Employment Opportunity Commission, the U. S. Secretary of Labor, the ~~Town-Counsel~~ City Solicitor, or the U. S. Department of Justice that appropriate proceedings be instituted under Title VII of the Civil Rights Act of 1964 and applicable City and State Laws.

4.7 The provisions of this Section shall not apply to any contract for less than five thousand dollars or to bidders and contractors employing fewer than six persons; provided that where the contract is for less than five thousand dollars, but not less than two thousand dollars, any town agency may apply the provisions of this Section to any contract, bidder, or contractor.

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Section 5. General Provisions

- 5.1 No elected or appointed Town-City officer may represent a client before any Town-City board, commission or committee.
- 5.2 ~~All officers, board members and committee members of the Town shall qualify by oath before the Town Clerk before exercising the duties of their elected or appointed position.~~ Deleted.
- 5.3 Permanent officers, board members and committee members of the Town-City appointed for specific terms shall hold office from the first day of ~~July~~ January of the year of such appointment~~succeeding such appointment~~, or from the date of appointment and qualification when such appointment is to a new position or fills the expired or unexpired term of a previous office holder and shall continue in office for the specified term or until a successor has been appointed and has been qualified under the ~~Bylaws of the Town~~Ordinances.
- 5.4 ~~A vacancy in any office, board or committee shall be filled for the remainder of the original term as required by the General Laws of the Commonwealth or as indicated below.~~ Deleted.
- ~~5.4.1 —(Deleted by Attorney General)~~
- ~~5.4.2 —For appointed officers, boards or committees by the original appointing authority in the same manner as the original appointment was made.~~
- 5.5 ~~Any voter shall be eligible to hold any elective Town office, but no person holding any elective Town office shall simultaneously assume any other elective Town office.~~ The prohibition against holding two elective Town-City Offices simultaneously shall not apply if one office is that of elected Charter Commission Members.
- 5.6 All cars owned by the Town-City of Framingham shall be designated by a circular label not less than six inches in diameter bearing the words "Town-City of Framingham", and the name of the Town-City Department.
- 5.7 Whenever the ~~Town Meeting~~Council or the ~~Board of Selectmen~~Mayor shall establish a committee, commission, board or council, unless the term of office of members be otherwise so stated, the term of office of each appointee thereto shall expire upon the appointment of a replacement ~~member subsequent to the adjournment of the next Annual Town Meeting~~. However, nothing herein shall prevent the Town Meeting Council or Mayor~~the Board of Selectmen~~ from designating a longer term of office or extending the same to a later date, nor shall the provisions herein be applied in any manner contrary to other provisions of law.
- 5.8 In any instance wherein the majority of a committee, commission, board or council appointed by act of the ~~Town Moderator~~Council or ~~Board of Selectmen~~Mayor votes that the appointing authority replace one or more members of such committee, commission, board or council, the appointing authority shall have the power to revoke a previous appointment and the same shall be effective upon notice of the revocation being mailed, postage pre-paid, to the last known address of each appointee to be notified. Nothing herein shall require either the Town Moderator Council or ~~the Board of Selectmen~~Mayor to withdraw or revoke said appointments, nor shall the provisions herein be applied in any manner contrary to other provisions of law.
- 5.9 ~~Each committee, board or commission shall determine its rules and order of business, unless otherwise provided by Bylaw, provided however, that each body shall provide some period of time at each of its meetings for members of the public to ask questions, state opinion and otherwise exchange information with the body. The rules and procedure shall be written and kept with the chairperson or in the office of the~~

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~~committee board or commission; in the Framingham Public Library; and on file in the office of the Town Clerk available for public review Deleted.~~

- 5.10** Each board, committee, or commission shall provide for keeping of minutes of its meetings. ~~Committees that are required to provide minutes shall include Town Meeting Standing Committees.~~ Each board, committee, or commission shall provide minutes to the Town-City Clerk in a timely manner according to Open Meeting Law (MGL, c.30A, sec. 18-25) practices of posting meeting minutes. All members present and all members absent shall be listed in minutes.
- 5.10.1** All votes taken shall be reported in the minutes. For elected boards ~~elected by town wide election~~, the minutes shall include the name and vote of each member voting.
- 5.10.2** The minutes of each public meeting of a board, committee, or commission shall be prepared by the clerk or his or her designee of the respective board, commission or committee, and sent to the Town-City Clerk within ten (10) days, not including weekend days or holidays, following the next meeting of the boards, committee, or commission; but not later than 45 days after the date when the meeting was held. The minutes shall indicate whether they have of have not been approved by the board, committee or commission when submitted to the Town-City Clerk. If a meeting is cancelled, or if no quorum is present at a scheduled meeting, the Town-City Clerk shall be notified and minutes do not have to be provided.
- 5.10.3** The Town-City Clerk shall log the receipt of minutes and send them to the Framingham Public Library in hard copy form, where they shall be kept for a period of seven (7) years. If minutes are provided to the Town-City Clerk in electronic form and they have been prepared according to the standards defined by the Town-Framingham webmaster, they shall be posted on the ~~town Framingham~~ website in addition to being sent to the library.
- 5.10.4** The Town-City Clerk shall note the receipt of minutes. If after 45 days from the date of a posted public meeting of a board, committee, or commission, the Town-City Clerk has not received a copy of the minutes, then the Town-City Clerk shall notify the chairperson of the board, committee, or commission that the minutes have not been received.
- 5.11** A board, committee, or commission may hold an executive session according to the Open Meeting Law (MGL, c. 30A, sec. 18-25) practices and shall provide for keeping of minutes of executive sessions.
- 5.11.1** A board, committee or commission shall notify the Town-City Clerk of all executive sessions that were held or will be held. If a board, committee, or commission adjourns a public meeting to go into executive session the Town-City Clerk shall be so notified so that the executive session can be entered into the Town-City Clerk's log of meetings.
- 5.11.2** When a board, committee, or commission adjourns a public meeting to go into executive session the minutes of that public meeting shall indicate the reason of the executive session and the vote by each member to go into executive session.
- 5.11.3** Minutes of an executive session shall indicate the attendance at such meeting and how each member voted when a vote is taken. Minutes of an executive session may be withheld from the public record until they are released by a vote of the board, committee, or commission.
- 5.11.4** Annually the chair shall request that the board, committee or commission vote to release previous minutes of executive sessions, or portions thereof, as a public record or to retain minutes of previous executive sessions as non-public records.

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- 5.11.5** Executive session minutes of a board, committee, or commission, appropriately marked, shall be kept by the clerk of the board, committee or commission; or shall be stored at the office of the board, committee, or commission, if available; or shall be sent to the ~~Town-City~~ Clerk who shall store these minutes separate from minutes of public sessions. For executive session minutes that have not yet been released, the ~~Town-City~~ Clerk may only release a copy to the chair of the board, commission or committee and shall do so when requested.
- 5.11.6** Executive session minutes that involve the ~~Town-Counsel~~City Solicitor shall be reviewed by the ~~Town-Counsel~~City Solicitor before being released. Release of executive session minutes that involve meetings with ~~Town-Counsel~~the City Solicitor must be approved by the ~~Board of Selectmen~~Mayor to waive the attorney-client privilege for specific communications ~~per Selectmen~~ policy.
- 5.12** ~~Each appointed committee, board or commission and standing committees shall provide a report of its activities to the Board of Selectmen for publication in the Annual Town Report by the date and in the format established by the Board of Selectmen.~~ Deleted.
- 5.13** The ~~Town-City~~ Clerk shall update the tables in Section 1 of this Article as Officers, Boards and Committees are created or deleted ~~by vote of Town Meeting or the Selectmen~~pursuant to the Charter or other applicable law. In addition any Officer, Board or Commission required by State statute shall be included.
- 5.14** At least 60 days before the expiration of an appointee's term, an appointing authority shall provide a public posting that a term of an appointment will expire and a new appointment will be made.