

# City of Framingham

The City Council of Framingham



ORDER NO. 2024-042-001

REQUEST OF THE RULES, ORDINANCES AND ETHICS SUBCOMMITTEE

UPON THE REQUEST OF THE RULES, ORDINANCES AND ETHICS SUBCOMMITTEE, THROUGH THE FRAMINGHAM CITY COUNCIL, IT IS SO ORDERED:

That the Council votes to accept the recommendations of the Framingham Charter Review Committee as provided in the Redline Version of the Framingham City Charter, as attached with the following exceptions:

## Article II: Legislative Branch

Suggested Item	Article Location	Council Vote	Motion/Result	Accepted Item
b) <u>Term of Office:</u> The term of office for councilors-at-large shall be four (4) years. The term of office for district councilors shall be two (2) years. All councilor terms shall begin on <del>the second business day of January Inauguration Day</del> in the year following the councilors' <u>election and</u> shall continue until their successors have been qualified.	2.1.b	<b>8-3-0</b> <b>YAYS:</b> Alexander, Bryant, Cannon, King, Mallach, Ottaviani, Steiner, White Harvey <b>NAYS:</b> Leombruno, Long, Ward <b>ABSTAIN:</b> none	Motion to <i>reject</i> recommendation of Charter Review Committee <i>Passed</i>	b) <u>Term of Office:</u> The term of office for councilors-at-large shall be four (4) years. The term of office for district councilors shall be two (2) years. All councilor terms shall begin on the first day of January in the year following the councilor's election and shall continue until their successors have been qualified.
e) <u>Removal/Suspension – The council, may, in writing, suspend or remove any person appointed or elected</u>	2.8.e	<b>11-0-0</b> <b>YAYS:</b> Alexander, Bryant, Cannon, King,	Motion to <i>reject</i> recommendation of Charter Review	e) <u>Removal/Suspension:</u> Any person appointed or elected by the council may be removed or

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<p><u>by the council by notice to the employee stating the reason for the suspension or removal and advising the employee of the opportunity to request to appear at a meeting of the council. The notice to the employee shall be delivered in hand, mailed by certified mail, postage prepaid, to the last known address of said employee, or emailed to said employee. At the same time, the council shall file a written statement with the department of human resources, stating that such person is suspended or removed and the effective date of said suspension or removal.</u></p> <p><u>The employee may make a written reply by filing such reply statement with the department of human resources and the council chair within 5 days following the date the statement of the council has been filed. In the reply, the employee may request permission to appear at a meeting of the council to read the written reply concerning the suspension or removal. Such meeting shall occur within 10 days of the employee's request unless otherwise agreed by the council chair and the employee.</u></p> <p><u>At the meeting, the employee</u></p>		Leombruno, Long, Mallach, Ottaviani, Steiner, Ward, White Harvey	Committee <i>Passed</i>	suspended by the council by the use of procedures established in the municipality's personnel ordinance for the removal of municipal employees.
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<p>shall be allowed to read their <u>reply statement to the notice of suspension or removal. The council chair may read the notice of suspension or removal. The council shall notify the employee of whether the decision has been upheld, rescinded or modified not later than 10 days after the council meeting is adjourned. If such notification is not provided within such time, the decision to suspend or remove shall remain in effect.</u></p> <p><u>If no meeting is requested, the decision of the council is final 6 days after delivery of the notice to the employee.</u></p> <p><u>Removal/Suspension: Any person appointed or elected by the council may be removed or suspended by the council by the use of the procedures established in the municipality's personnel ordinance for the removal of municipal employees.</u></p>				
<p>a) <u>Submission of Names to Council:</u> The mayor shall submit to the council the name of each person the mayor desires to appoint to any office as a division head, the city solicitor, the citizen participation officer, or as a member of a multiple-member body. The appointments subcommittee of the council may investigate each candidate</p>	<p>2.10.a</p>	<p><b>8-3-0</b>  <b>YAYS:</b>                  Cannon, King, Leombruno, Long, Mallach, Ottaviani, Steiner, Ward  <b>NAYS:</b>                  Alexander, Bryant, White Harvey  <b>ABSTAIN:</b>                  none</p>	<p>Motion to <i>reject</i> recommendation of Charter Review Committee  <i>Passed</i></p>	<p>a) <u>Submission of Names to Council:</u> The mayor shall submit to the council the name of each person the mayor desires to appoint to any office as a division head, the city solicitor, the citizen participation officer, or as a member of a multiple-member body. The</p>

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<p>for appointment and may make a report, with recommendations, to the full council not less than seven (7) nor more than twenty-one (21) days after the referral. The committee may require any person whose name has been referred to it to appear before the committee, or before the council, to give any information relevant to the appointment as such committee, or the council, may require. <u>The process is not required for reappointments of division heads or any of the municipal employees listed above.</u></p>				<p>appointments subcommittee of the council may investigate each candidate for appointment and may make a report, with recommendations, to the full council not less than seven (7) nor more than twenty-one (21) days after the referral. The committee may require any person whose name has been referred to it to appear before the committee, or before the council, to give any information relevant to the appointment as such committee, or the council, may require.</p>
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### Article III: Executive Branch

Suggested Item	Article Location	Council Vote	Motion/Result	Accepted Item
<p>b) <u>Term of Office:</u> The term of office of the mayor shall be four (4) years beginning on <u>Inauguration day the first day of January</u> following the regular municipal election at which elected and shall continue until a successor is qualified.</p>	<p>3.1.b</p>	<p><b>8-3-0</b>  <b>YAYS:</b>                      Alexander, Bryant, Cannon, King, Mallach, Ottaviani, Steiner, White                      Harvey  <b>NAYS:</b>                      Leombruno, Long, Ward  <b>ABSTAIN:</b> none</p>	<p>Motion to <i>reject</i> recommendation of Charter Review Committee  <i>Passed</i></p>	<p>b) <u>Term of Office:</u> The term of the mayor shall be four (4) years beginning on the first day of January following the regular municipal election at which elected and shall continue until a successor is qualified.</p>

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## Article IV: School Committee and other Elected Officials

Suggested Item	Article Location	Council Vote	Motion/Result	Accepted Item
<p>b) <u>Term of Office:</u> The term of office for the nine school committee members elected by the voters shall be for two (2) years, beginning on <del>the first Inauguration Day of January in the year following their election,</del> and shall continue until their successors have been qualified.</p>	4.1.b	<p><b>8-3-0</b>  <b>YAYS:</b>                      Alexander, Bryant, Cannon, King, Mallach, Ottaviani, Steiner, White Harvey  <b>NAYS:</b>                      Leombruno, Long, Ward  <b>ABSTAIN:</b> none</p>	<p>Motion to <i>reject</i> recommendation of Charter Review Committee  <i>Passed</i></p>	<p>b) <u>Term of Office:</u> The term of office for the nine school committee members elected by the voters shall be for two (2) years, beginning on the first day of January in the year following their election, and shall continue until their successors have been qualified.</p>
<p>a) <u>Composition, Term of Office:</u> There shall be a board of library trustees which shall consist of twelve trustees nominated and elected by voters of the municipality at large. The term of office for the twelve (12) library trustees shall be for four (4) years each, beginning on <del>Inauguration Day the first day of January in the year following their election,</del> and continuing until their successors have been qualified. The terms of office shall be so arranged that six (6) trustees shall be elected at each regular municipal election.</p>	4.2.a	<p><b>8-3-0</b>  <b>YAYS:</b>                      Alexander, Bryant, Cannon, King, Mallach, Ottaviani, Steiner, White Harvey  <b>NAYS:</b>                      Leombruno, Long, Ward  <b>ABSTAIN:</b> none</p>	<p>Motion to <i>reject</i> recommendation of Charter Review Committee  <i>Passed</i></p>	<p>a) <u>Composition, Term of Office:</u> There shall be a board of library trustees which shall consist of twelve trustees nominated and elected by voters of the municipality at large. The term of office for the twelve (12) library trustees shall be for four (4) years each, beginning on the first day of January in the year following their election, and continuing until their successors have been qualified. The terms of office shall be so arranged that six (6) trustees shall be elected at each regular municipal election.</p>

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<p>a) <u>Composition, Term of Office</u>: There shall be a board of cemetery trustees (Trustees of the Edgell Grove Cemetery) which shall consist of five members nominated and elected by voters of the municipality at large. The term of office for the five (5) cemetery trustees shall be for four (4) years each, beginning <del>on the first day of January in the year following their election</del> <u>Inauguration Day</u>, and continuing until their successors have been qualified. The terms of office shall be so arranged that as nearly an equal number of members as is possible shall be elected at each regular municipal election.</p>	<p>4.3.a</p>	<p><b>8-3-0</b>  <b>YAYS:</b>                  Alexander, Bryant, Cannon, King, Mallach, Ottaviani, Steiner, White Harvey  <b>NAYS:</b>                  Leombruno, Long, Ward  <b>ABSTAIN:</b> none</p>	<p>Motion to <i>reject</i> recommendation of Charter Review Committee  <i>Passed</i></p>	<p>a) <u>Composition, Term of Office</u>: There shall be a board of cemetery trustees (Trustees of the Edgell Grove Cemetery) which shall consist of five members nominated and elected by voters of the municipality at large. The term of office for the five (5) cemetery trustees shall be for four (4) years each, beginning on the first day of January in the year following their election, and continuing until their successors have been qualified. The terms of office shall be so arranged that as nearly an equal number of members as is possible shall be elected at each regular municipal election.</p>
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## Article V: Administrative Organization

Suggested Item	Article Location	Council Vote	Motion/Result	Accepted Item
<p>Such appointed members shall serve for three (3) year terms. No person while a member of the board of license commissioners shall have</p>	<p>5.5</p>	<p><b>10-0-0</b>  <b>YAYS:</b>                  Bryant, Cannon, King, Leombruno, Long, Mallach, Ottaviani, Steiner,</p>	<p>Motion to <i>reject</i> recommendation of Charter Review Committee  <i>Passed</i></p>	<p>Such appointed members shall serve for three (3) year terms. No person while a member of the board of license commissioners shall</p>

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<p>any financial interest, direct or indirect, in the sale or distribution of alcoholic beverages in any form. The city clerk, the inspector of buildings, the director of public health, the fire chief and the police chief (or persons performing similar duties under any other title) shall be advisory to board of license commissioners. <u>Upon its organization, the members shall appoint a chair and vice-chair from the commission membership to serve for a one (1) year term. The mayor shall designate a chair, vice chair and clerk from among the members.</u></p>		<p>Ward, White Harvey <b>NAYS:</b> none <b>ABSTAIN:</b> none <b>ABSENT:</b> Alexander</p>		<p>have any financial interest, direct or indirect, in the sale or distribution of alcoholic beverages in any form. The city clerk, the inspector of buildings, the director of public health, the fire chief and the police chief (or persons performing similar duties under any other title) shall be advisory to board of license commissioners. The mayor shall designate a chair, vice-chair and clerk from among the members.</p>
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## Article VI: Finance and Fiscal Procedures

Suggested Item	Article Location	Council Vote	Motion/Result	Accepted Item
<p><del>7. ALLOTMENTS-</del> Deleted <del>7. ALLOTMENTS</del> <del>On or before August first of each year, or within ten (10) days after the approval by the council</del></p>	6.7	<p><b>6-4-1</b> <b>YAYS:</b> Alexander, Cannon, Leombruno, Long, King, Ottaviani <b>NAYS:</b></p>	<p>Motion to <i>reject</i> recommendation of Charter Review Committee <i>Passed</i></p>	<p>7. ALLOTMENTS On or before August first of each year, or within ten (10) days after the approval by the council and the mayor of the annual appropriation</p>

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<p><del>and the mayor of the annual appropriation order for the fiscal year, whichever shall occur later, the municipal officials in charge of departments or agencies including the superintendent of schools for the school department, shall submit to the director of municipal finance, with a copy to the city clerk, in a form that the director of municipal finance may prescribe, an allotment schedule of the appropriations of all personnel categories included in the budget, indicating the amounts to be expended by the department or agency for those purposes during each of the fiscal quarters of the fiscal year, or such shorter time periods as the mayor or director of municipal finance, may prescribe.</del></p> <p><del>Whenever the director of municipal finance determines that any department or agency including the school department, will exhaust or has exhausted its quarterly or shorter time period allotment and any amounts unexpended in previous periods, the</del></p>		<p>Mallach, Steiner, Ward, White Harvey <b>Abstain:</b> Bryant</p>		<p>order for the fiscal year, whichever shall occur later, the municipal officials in charge of departments or agencies including the superintendent of schools for the school department, shall submit to the director of municipal finance, with a copy to the city clerk, in a form that the director of municipal finance may prescribe, an allotment schedule of the appropriations of all personnel categories included in the budget, indicating the amounts to be expended by the department or agency for those purposes during each of the fiscal quarters of the fiscal year, or such shorter time periods as the mayor or director of municipal finance, may prescribe.</p> <p>Whenever the director of municipal finance determines that any department or agency including the school department, will exhaust or has exhausted its quarterly or shorter time period allotment and any amounts unexpended in previous periods, the director</p>
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<p><del>director shall give notice in writing to this effect to the department director, the mayor, the city solicitor, and the city clerk who shall immediately transmit the notice to the council. Upon this determination and notice of it, the chief financial officer shall provide these officers with additional reports on at least a monthly basis indicating the status of these accounts. The mayor, within seven (7) days after receiving this notice, shall determine whether to waive or enforce the allotment.</del></p> <p><del>If the allotment for the period is waived or is not enforced, as provided above, the department or agency head shall reduce the subsequent period allotments appropriately. If the allotment for the period is enforced or not waived, thereafter the department shall terminate all personnel expenses for the remainder of the period.</del></p> <p><del>All actions, notices, and decisions provided for in this section shall be</del></p>			<p>shall give notice in writing to this effect to the department director, the mayor, the city solicitor, and the city clerk who shall immediately transmit the notice to the council. Upon this determination and notice of it, the chief financial officer shall provide these officers with additional reports on at least a monthly basis indicating the status of these accounts. The mayor, within seven (7) days after receiving this notice, shall determine whether to waive or enforce the allotment.</p> <p>If the allotment for the period is waived or is not enforced, as provided above, the department or agency head shall reduce the subsequent period allotments appropriately. If the allotment for the period is enforced or not waived, thereafter the department shall terminate all personnel expenses for the remainder of the period.</p> <p>All actions, notices, and decisions provided for in this section shall be transmitted to the</p>
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<p><del>transmitted to the council and the city clerk within seven (7) days. No personnel expenses earned or accrued, within any department, shall be charged to or paid for that department's or agency's allotment of a subsequent period without approval by the mayor, except for subsequently determined retroactive compensation adjustments, approval of a payroll for payment of wages, or salaried or other personnel expenses which expenditure in excess of the allotment shall be a violation of this section by the department or agency head, including the superintendent of schools and the school committee.</del></p>				<p>council and the city clerk within seven (7) days. No personnel expenses earned or accrued, within any department, shall be charged to or paid for that department's or agency's allotment of a subsequent period without approval by the mayor, except for subsequently determined retroactive compensation adjustments, approval of a payroll for payment of wages, or salaried or other personnel expenses which expenditure in excess of the allotment shall be a violation of this section by the department or agency head, including the superintendent of schools and the school committee.</p>
<p>All contracts entered into by, for or on behalf of the municipality by any officer or municipal agency shall be subject to the approval of the mayor <u>or their designee</u>, unless otherwise provided by law <u>or</u>,  <u>Contracts by, for or on behalf of the school department for which applicable procurement</u></p>	<p>6.10</p>	<p><b>10-0-1</b> <b>YAYS:</b> Alexander, Bryant, Cannon, King, Leombruno, Long, Ottaviani, Steiner, Ward, White Harvey <b>NAYS:</b> none <b>ABSTAIN:</b> Mallach</p>	<p>Motion to <i>reject</i> recommendation of Charter Review Committee <i>Passed</i></p>	<p>All contracts entered into by, for or on behalf of the municipality by any officer or municipal agency shall be subject to the approval of the mayor unless otherwise provided by law.</p>

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<p><u>thresholds permit the solicitation of quotes, or for contracts which applicable law expressly makes such contracts subject to the approval of the school committee, shall only be subject to the approval of the school committee or its designee.</u></p>				
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## Article IX: General Provisions

Suggested Item	Article Location	Council Vote	Motion/Result	Accepted Item
<p><b>11. OATH OF OFFICE OF ELECTED OFFICIALS</b>  <u>Inauguration day:</u> Elected officials shall, <u>at 6 PM on the first day in on the second business day in</u> January of each even-numbered year, meet and be sworn to the faithful discharge of their duties. The oath may be administered to the mayor by the city clerk, or by a judge of a court of record, or by a justice of the peace or by a Massachusetts Constitutional Officer. The oath may be administered to other elected officials by the mayor, after the mayor has been duly sworn, or by</p>	<p>9.11</p>	<p><b>8-3-0</b>  <b>YAYS:</b>                      Alexander, Bryant, Cannon, King, Mallach, Ottaviani, Steiner, White Harvey  <b>NAYS:</b>                      Leombruno, Long, Ward  <b>ABSTAIN:</b> none</p>	<p>Motion to <i>reject</i> recommendation of Charter Review Committee  <i>Passed</i></p>	<p><b>11. OATH OF OFFICE OF ELECTED OFFICIALS</b>                      Elected officials shall, on the first day in January of each even numbered year, meet and be sworn to the faithful discharge of their duties. The oath may be administered to the mayor by the city clerk, or by a judge of a court of record, or by a justice of the peace or by a Massachusetts Constitutional Officer. The oath may be administered to other elected officials by the mayor, after the mayor has been duly sworn, or</p>

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any of the above-named officials. A certificate that said oath or oaths have been taken shall be entered in the meeting minutes of the council.				by any of the above-named officials. A certificate that said oath or oaths have been taken shall be entered in the meeting minutes of the council.
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AND FURTHER, that per recommendation of the City Clerk, the Council votes to place a ballot question of approved amendments to the City of Framingham Home Rule Charter, as recommended by the Framingham Charter Review Committee, on the general election ballot occurring on November 4, 2025.

YEAS: Alexander, Cannon, King, Leombruno, Long, Mallach, Ottaviani, Steiner, Ward, White Harvey  
NAYS: None  
ABSTAIN: None  
ABSENT: Bryant. All other members were present in person or via teleconference

PASSED IN COUNCIL: August 6, 2024

A TRUE RECORD, ATTEST:

10/16/2024  
Date Approved

Lisa A. Ferguson  
Lisa A. Ferguson, City Clerk  
Emily L. Butler, Assistant City Clerk

10/16/24  
Date Approved

Charlie Sisitsky  
Charlie Sisitsky, Mayor