



TO: Framingham Charter Commission

FROM: Edward J. Collins, Jr. Center for Public Management

DATE: August 12, 2016

RE: Other Elected Officials

To inform the Commission’s discussion of other elected officials, the Center project team has prepared this memo on the topic.

Current Elected Positions in Framingham:

Position	Number of Members	Status in Current Draft	Possible Future Status
Town Clerk	1	Appointed by Council	Appointed by Council
Moderator	1	Eliminated	Eliminated
Board of Selectmen	5	Eliminated	Eliminated
School Committee	7	Elected	Elected
Library Trustees	12	Unknown	Elected or Appointed
Regional Vocational School Committee	8	Unknown	Elected or Appointed (based on agreement)
Planning Board	5	Unknown	Elected or Appointed
Housing Authority	5	Unknown	Elected or Appointed (with caveats)
Edgell Grove Cemetery Trustees	5	Unknown	Elected or Appointed

There are several elected boards whose status under a mayor-council charter will need to be addressed in the charter. These include:

- Regional Vocational Technical School Committee
- Housing Authority
- Library Trustees
- Planning Board
- Cemetery Trustees
- Town Clerk (addressed in part in Article 2)

If the commission retains any of these as elected positions, they should be dealt with in an article entitled “Other Elected Positions.” This article can also include the school committee or the school committee may have a separate article. This is only a style consideration.

In addition to an article dealing with any retained elected positions, these boards/commissions/trustees will also need to be considered in the transition provision.

organized labor and one was to be a housing authority tenant. The state member remains appointed, serving a 5-year term. (Methuen special act attached as reference, St. 1993, c. 95)

NOTE: In an opinion on a proposed charter relating to “consistency with state law”; the Attorney General stated that no charter can eliminate the state member of the authority, citing both “inconsistency with uniform state law” and “compelling state interest.”

Library Trustees **membership: 12** **term; 3 years, staggered**

There has been some consideration by the commission that the trustees remain elected, although there has been no vote on this matter; because of the size of this body, it will likely be necessary to both extend and truncate some terms over several election cycles to provide (eventually) for a 4 year term with membership staggered such that 6 trustees will be elected in alternate elections. Should the charter be adopted in 2017, such a system will not be fully in effect until the election of 2023.

Should the commission decide to make the trustees appointed, members in office at the time of charter adoption could complete the term to which elected before appointment provisions take effect. The board would be composed of all appointed members by 2021.

Town Clerk **term: 3 years**

As the commission has already initially approved the appointment of the clerk by the council, the charter’s transition provision could provide that the clerk elected in 2017 shall complete the term to which elected, provided that the clerk assume and fulfill all responsibilities assigned to the office in the new charter – or – terminate the present term and make the incumbent clerk appointed for the term to which elected unless there is a sooner vacating of the office.

CHAPTER 95, Acts of 1993

AN ACT PROVIDING FOR THE ELECTION OF CERTAIN MEMBERS OF THE METHUEN HOUSING AUTHORITY.

Be it enacted, etc., as follows

SECTION 1. Notwithstanding the provisions of section five of chapter one hundred and twenty-one B of the General Laws, the housing authority of the city known as the town of Methuen shall be managed, controlled and governed by five members, two of whom shall be appointed by the mayor subject to confirmation by the town council, one of whom shall be appointed by the department of community affairs and two of whom shall be elected by the voters of said city known as the town of Methuen. Of the two members appointed by the mayor, one shall be a representative of organized labor as provided for in said section five and one shall be a tenant in a building owned and operated by or on behalf of the authority as further provided for in said section five. The terms of office of the three appointed members shall be five years and of the two elected members shall be two years.

SECTION 2. The provisions of this act shall not affect the terms of office of the present labor representative, tenant representative and department of community affairs appointees. The terms of office of the remaining present members of the housing authority shall cease on January third, nineteen hundred and ninety-four.

Approved July 2, 1993.