

Comments from the Public Comment Period September- early October 2016

(Updated as of 8AM 10/5)

Note: The following are collected emails from the recent public comment period. Other than removing email addresses, no changes have been made to content or grammar of the messages. To help the committee and the public, a main topic for email has been added, listed in orange.

Clarification of composition of "Finance Committee" from Ms. Steinsaltz

I have read the draft charter document and found it to be thorough and comprehensive. I would like to thank you for your hard work to have reached this draft in the short time since the commission's establishment.

As I am unable to attend the public hearing because of a conflict with the HS programming, I would appreciate it if you could address this issue

There was one item that wasn't completely clear to me, and perhaps requires such clarification in the document itself. It is regarding the budget article, specifically the finance committee. "the council shall refer the budget to the council's committee on Finance", and follows with what that committee has to do.

What is not clear is whether this committee is a sub-committee of the council, or a committee appointed by the council comprised of non-elected members. There is also no specifics on its size (which would be relevant if it's an appointed one). It seems that your intent is sub-committee, in which case, it should be listed as such, even if comprised of the entire council.

Again, thank you for your work, and for considering my inquiry.

Yael Steinsaltz

Mayor vs. Manager from Ms. Phalen

Dear Commissioners:

1. First, a sincere Thank You for all of the time and effort each of you have devoted to this endeavor on behalf of Framingham; I truly appreciate all of your long hours and hard work.
2. My hope is that this charter commission *succeeds* in a attaining an affirmed vote of a new town charter, especially reforming the current legislative branch of our existing town government.

3. My understanding and observation is that the modifications we seek are to provide greater:

- professionalism
- speed, and
- transparency of local government activities.
- In addition, we need long range visions and strategies in many arenas, especially to address our looming Prop 2.5 cliff.

4. Most important to me:

- no Mayor/City Councilor as 'Chair of the School Committee,' (*which you have already proposed — thank you!*) and
- no Strong Mayor — only a Professional City Manager reporting to a City Council (preferring the highest vote getter on the Council being the 'Mayor' for ceremonial, etc., purposes) — *please revisit and seriously explore this model.*

5. Executive Branch: The only professional leader of the Executive Branch should be someone who has experience having successfully led a like municipality.

- why limit our search for an Executive to only our few zip codes? what successful business would ever do that?
- don't we want the best candidate who has experience running like municipalities?
- why wouldn't we want someone our elected council members could 'fire' if heading in the wrong direction, rather than wait for the end of a 4 year term, possibly having just replaced a number of town's department heads with new leaders?
- if a 'local' is hired without these qualifications, will she need to hire a 'City Manager' to run the daily affairs? If yes, then what does the 'strong Mayor' do? why the duplication? why the added expense (especially when the prop 2.5 cap is looming - doesn't every nickel count?)
- why not the Council member with the most votes becoming our 'Mayor' for any ribbon cutting, meeting with Governor candidates, etc., etc., and let the professionals run the 'city' developing and driving a long term vision for Framingham? This would achieve the professionalism, speed and transparency which have been noted as core goals.
- why put so much power in a single person's hands? why would we want a single local person who will most likely have a 'history' with other local groups (brother in law owns xyz, went to HS with..., in law of..., used to volunteer with....., etc., etc., rather than a professional? For what benefit? Needing 'more politicians' was not one of our original goals.

6. School Committee:

- having served on the School Committee, I would strongly recommend no more than 5-7 total members of that Committee. However, I will defer to your proposals here if precinct representation trumps efficiency. While this is very important to me, it pales in comparison to my concern over the

Executive branch needing to be a Weak Mayor with a professional City Manager reporting and accountable to our elected City Council.

The only path that will cause me to take up signs and action *against* the commission's draft charter are the items noted in #4 above. Otherwise, while I have opinions, I will defer to the Commission.

I hope you put forward a Draft Charter which will pass with the Framingham voters. So long as the items noted in #4 are addressed, I will be your biggest cheerleader!

Thanks again for all of your time and effort

Budget Process from Ms. Dunbrack

I think that the Council's review process of the budget, other than a due date for final action, should be left to the Council to decide, and not specified in the charter. The split between subcommittee and committee review time may or may not work well, depending on the issues facing the Council at the time.

City vs. Town as naming and costs associated from Mr. Sullivan

At the 9/22/2016 Hearing, one of the speakers discussed about his desire for the Charter to have Framingham known as the City of Framingham vs. the Town of Framingham. I have heard that the issue has been somewhat discussed but not sure I have heard any specifics as to the cost of such a decision. Has the CC (or with help from the Collins people) determined if there are real costs associated with the name change from Town of Framingham to City of Framingham. Specifically, if we use the term City of Framingham, is the Town/City legally required to change physical items that still bear the name/seal Town of Framingham? This could range from official forms/paperwork, seals on every building/vehicle, or anywhere else that seal has been placed. I believe all of our trash and recycling bins have the titling and the seal as well. To me a barrel is a barrel and should not make a difference whether the seal is right or wrong, but what about street signs? Is there anything that would legally require us to change those? While some of these might be small costs, something like a requirement to do something with the street signs could prove fairly costs in terms of materials and manpower.

So could you please confirm to the public what changes are required (if any) with the name change and if there are timeframes that those changes would have to take place in?

Mayor vs. Manager Statement from Mr. Sullivan

At the last Hearing FACT recommended a City Manager approach instead of a Strong Mayor

FACT has continued to reiterate its deliberations on the subject (we have probably deliberated this issue for longer than the Charter Commission even has!) and at this point we still strongly believe that a qualified City Manager is the correct management approach.

Why a mayor isn't an advantage

1. We risk getting someone who is popular but unqualified. We are risking our 300 million dollar corporation to potentially someone who we could be paying a sizable salary to and whose only qualification is that they are 18+ years old
2. While the voters do have the option of not reelecting a bad mayor they could possibly have to wait up to 4 years before doing that
3. Voters might not even have a good choice to pick from the get go. Plus, we might have a really qualified individual that doesn't have the money or the political connections to run an effective town wide campaign
4. Since the Mayor is an elected position we would expect some amount of their time is taken away from administrating and geared towards campaigning and fundraising for reelection so – their focus is not always on managing

Comments on the Charter Process: from Mr. Winnett

Since the beginning of this charter commission process, people have attended the Commission meetings in person and watched them live on TV or online from the video files. They have also accessed the meeting minutes and document from the web.

Though this is all informative, we wished that you had provided the written material in a more timely manner. Document file names should include the date so that we can identify the latest documents. The Charter Master Drafts are posted on the web but it is not clear what sections have been updated or replaced in each version. Also, please provide the minutes of each meeting after the following meeting rather than one month or more later, as has been your practice.

The public has provided input to the commission through surveys, written emails and letters, and comments at public hearings. We have watched you listen to comments from the public at your meetings but we have not seen or heard discussion at your

meetings about any process for utilizing that input. Tonight we ask the commission to make it clearer how you have utilized, or will utilize, public input.

The commission has stated numerous times that the charter is an iterative document, open to change throughout the development process. How will you consider changes and how will you decide which changes to make?

We request that you report the issues raised by the public (through the surveys, through email to the Commission, or at public sessions) and note how you address them.

Please allow at least one month between the date when the complete charter document is made available to the public and the date when public comments are due. We expect that the issues raised will then be seriously considered before the final charter is approved.

Please update to the dates in the time-line for this phase of the charter review process.

Thank you for providing an opportunity to contribute to the charter development process.

Suggestion for Charter Improvements from Mr. Winnett

I recommend the following changes to the draft charter. I note the PRO and CON for these changes but I believe that the PRO outweighs the CON.

1, Include **term limits** for council member and the mayor.

PRO:

- (a) There needs to be an opportunity to run for an office without having to compete against an incumbent
- (b) New ideas are more likely to be discussed when there is competition for an office
- (c) A person that has run a campaign for many years has built up too many obligations

CON:

- (a) Good people get replaced
- (b) There needs to be continuity to implement programs

2. Number of **petition signatures** to bring an issue to the Council should be fewer

PRO:

- (a) It should not be too difficult for citizen's issues to be come before the council.

CON:

- (a) Fewer signatures will result in too many issues for the council to address.

3. Require the mayor to hold **regular citizen meetings** (quarterly)

PRO:

Non-officials would be able to engage with the mayor

CON:

This decision should be left up to the mayor

Other issues that need to be addressed in the charter

Article I, Section 7 Definitions

1. Municipal bulletin board postings should require postings on the web.
2. The term municipal office or officers should be defined

Article III, Section 3 Appointments

3. Constables are not committees and should not be listed here.
4. The Cable Advisory Committee should be listed here.
5. There should be additional citizen committees to advise the mayor, e.g.,
 - (a) Community Services Committee (for Block Grant fund allocations)
 - (b) Public Safety Committee
 - (c) Community Development Committee
 - (d) Traffic and Transportation Planning Committee

Article VI Finance and Fiscal Procedures - Section 6 Action on the budget

6. The timeline for the budget process should be extended and more closely match current practice.

FULL AND FAIR REPRESENTATION from Ms. Greeley

I have attended or watched nearly all the Commission meetings. Two prominent themes since the beginning have been how to create a charter that will deliver “full and fair” representation for all corners of Framingham. And another is how to create a charter that can motivate more contests of ideas and experience at the ballot box.

After listening and learning, I’ve changed my view on two aspects of the current charter draft: council size and term limits.

For “full and fair representation”, I urge the Commission to reconsider keeping the

existing 18 precincts. It preserves village and community identity, and prevents neighborhoods from being marginalized by combining them with others that may not share a common history. It levels the playing field among precincts with fewer activists and those chock full of organizers. Further, as we, potentially, move from a participatory form of government to a more representative form, transition to a larger council – tied to the precincts we already have – seems a better fit.

The 13-member council proposal -- made up by collapsing the current 18 precincts into 9, electing a councilor from each and electing four at-large – seemed promising. But 13 could turn out unlucky. The at-large councilors could conceivably come from *one single* district. If the at-large councilors team up with that district's own councilor, we could have *five* councilors from one district. That's not full and fair representation by any stretch; in fact it echoes problems we have now with so many districts at a representation disadvantage. Taking that possibility further, those five would only have to recruit *two more* councilors to gain a majority on any issue they see fit.

The last two Commission meetings, in particular, bemoaned falling voter turnout trends. It's pretty dramatic. The Commission also noted how *normal* it is now for *uncontested* elections for important seats. Getting rid of the at-large seats could help counter that. At-large elections are much more expensive and time-consuming to run. By nature, they favor well known, well financed candidates. And at-large races certainly favor incumbents. Making all the seats *district* seats means folks can activate their neighborhood, school, club, church, sports networks to run. It's more personal, more affordable, more doable -- and invites newcomers in.

Regarding term limits. The Commission's own advisors – the Collins Center – point to term limits as an answer to motivating competitive elections. They wrote:

- Term limits allow for turn-over of elected officials potentially increasing new ideas, nurturing new leaders and community involvement
- Term limits encourage more people to run because open seats more often draw multiple candidates
- Term limits enable more opportunities for women and minorities

I ask, again, for the Charter Commission to reconsider a larger, 18-member council, eliminate at-large seats, and put in sensible term limits.

Thank you.

Campaign Finance from Ms. Hall

I am writing to request that the Charter Commission (CC) include two critical campaign finance rules in the charter to prevent undue influence of money on Framingham government.

We have seen at all levels of government, the potential and perceived corruption and public mistrust which comes from the influence of money on policy and politicians. This influence of money comes primarily from campaign contributions made by businesses, organizations and wealthy individuals with deeper pockets than the average resident, voter and property taxpayer. It's a terrible burden for the elected officials. The unlimited money they need to raise puts candidates in the uncomfortable position of seeking and feeling obligated to generous contributors. It also puts contributors in a position of equating donations with levels of access to elected officials and creates the perception that they are entitled to favors and favorable decisions. Elected officials should never have to work under those influences. Officials should be independent and able to make decisions based on what's best for the overall community, something which can be compromised by financial pressure from contributors with reciprocal expectations. When power is limited to a small group of people and centralized, it is ripe for financial influence. We have not been subject to the most powerful forces of that within Framingham's current form of government. The size of representative town meeting along with an appointed town manager keeps contributions out of the selection equation. However, this could totally change based on what the Charter Commission is proposing. For example, at a Charter Commission public hearing I cited the huge sums of money spent in other Massachusetts cities where there were only two people running for Mayor and the campaigns ranged from \$233K – over \$800K.

I urge you to work with the Attorney General's office as part of the Charter process to incorporate campaign finance rules into the Charter. It's an effort worthy of your time. I request that you pursue the following for proposed charter inclusion:

- A fixed ceiling of campaign spending for all mayoral candidates in all mayoral elections
- A fixed ceiling of campaign spending for all city council candidates in all city council elections

Opposition to Strong Mayor form of government from Ms. Hall

I am opposed to a Strong Mayor form of government for Framingham. Although it exists in many cities, this structure facilitates the over exertion of power while fueling distrust in government. It's clearly not delivering as it should. Remember the mantra: "It's the economy, stupid?" Well now, "it's the establishment, stupid!" It's government structure, misuse of power, the influence of money and the associated perceptions which are driving people to despise and resent the establishment. Do we want to facilitate that further here in Framingham? I believe the government structure outlined in current draft of the charter will.

If the structure of Framingham's government is going to change, a Strong Mayor is the wrong change. Although you have cited vision and a seat at the governor's table, you

have not specifically cited what benefits will be derived. You have not been able to quantify or qualify those benefits. We shouldn't base changes on theory or hope. You haven't provided the facts and committed to specific outcomes as a basis for adopting a Strong Mayor form of government. However, there is a lot of evidence proving that there are great risks. When one person has too much power, all the other people have too little. When one person has too much control all the other people feel out of control. That doesn't work. Don't adopt a strong Mayor structure just because it's different or because you think things would be wonderful if a particular person was elected. Change should be to make Framingham "better." The strong Mayor structure you are proposing seems to favor extreme centralization with a focus on expedited, massive development with minimal input for neighborhood participation in decisions. It favors uniform "like" mindedness with many appointments to decision making committees made by one person.

I see tremendous opportunity for the wrong person in that position to do irreparable damage to our community. Look at the 2016 Presidential election as an example. A popular bully who preaches inflammatory, damaging rhetoric vs. a highly qualified person with actual experience. It's clear to see how going in either direction will impact our lives, yet it could go either way. Then what? Our lives and our world could change significantly. Think about how this could also happen on the local level. Think about how much impact that strong Mayor can have with the tremendous amount of power you want to give and with the minimal checks and balances you are proposing. To the amazement of many, it appears this Presidential election could actually go either way. I see a parallel to what could happen in an election for a strong Mayor, especially when voters no longer have credible, trusted sources of information, when communications are fractured and when big money enters the race.

I ask the Charter Commission to look more closely at the structure of Worcester's government. Not necessarily to duplicate it, but to consider the positives. Worcester has a City Manager and a Weak Mayor. The Weak Mayor is elected and has a seat at the Governor's table and does visible work which requires a City presence. The City Manager is hired based on qualifications and gets the work of the city done without campaigning, raising funds and running for office. The City Manager also implements the vision of the Council. (A Framingham council should be comprised of one councilor from each of our existing 18 precincts and a 2/3 vote should be required on high impact issues (i.e. zoning, special permits) along with council votes required on citizen petitions, budgets, etc.)

I think the Charter Commission should do much better for Framingham than the proposed structure in the current draft.

I said this to you at a hearing earlier in the process - don't just propose an option because it exists and appears to work elsewhere. Appearances are not enough. Prove it. Show us. Don't ask us to gamble on our community's future. A leader could be great or

terrible. The bottom line is, the structure has to protect us from the “terrible” and allow us to flourish with the “great,” not just now but in the future.

I urge you to incorporate the following changes into your proposed city charter to provide more checks and balances: a weak mayor, a larger council, campaign finance limits, 2/3 votes of the council on high impact decisions and an appointed city manager. Keep in mind while developing the structure that while we always hope for the best we should have a structure which protects us from the worst. There’s a reason Framingham has existed for so long as the largest town in Massachusetts. We are different and better in many ways. We should strive to be the best instead of aiming to just be like all the rest.

Thank you for your consideration.

Size of the Council from Mr. Stasik

Framingham residents are often reluctant to take on the challenge of deciding changes in Framingham’s **Governmental Structure**. To help alleviate that hesitancy one major responsibility of the elected commission is to develop a city option which will be thoroughly reviewed by residents and will be supported by more than a slight majority of voters.

One reason for residents’ reluctance to change may be caused by the significant reduction of the legislative body from 216 Town Meeting Members to the currently proposed 13 Councilors. Legislative power will be concentrated into a much smaller legislative body. This loss of influence between constituents and legislators is a serious concern to many community members.

Over the last few decades the town has become more diverse, complex and costly to govern. At the same time the power of the legislative body has become too diffuse to deliver efficient, effective and equitable legislative service to all residents. Town Meeting attendance has been spotty and the understanding of the details of complex proposals and budgets is often demonstrably limited. Some precincts have highly motivated Town Meeting Members who attend Town Meeting regularly, fully prepared to question and vote. However, other precincts exhibit low attendance and members are not adequately prepared to make thoughtful decisions. The result is that all 18 legislative districts do not have equal representation at Town Meeting. The proposed Charter must correct this inequity

The current structure of 18 precincts or legislative districts should not be changed. This distribution pattern has been in place for decades and works fine. However there is no need for 12 representatives from each district. That number should be reduced to one elected rep for each district serving for a two year term with a modest stipend to cover expenses. In addition to the precinct reps the Commission should establish 1 or 3 “at

large” legislative position(s) for a four year term with a slightly higher stipend. These “at large” positions help insure sufficient attention is given to the effect of legislation on the entire town.

The City proposal, gives added responsibility to each precinct representative which encourages a greater understanding of the proposals, enables more probing questions and subsequently enables the rep to vote fully informed. In addition, nineteen or twenty-one legislators provide more individuals to form the necessary legislative subcommittees that advise the full Council on what action to take on proposals.

Most importantly a larger legislative body makes the attempt to strike a broader balance between the need to concentrate legislative power to the few to make the process more efficient and effective while insuring a more democratic distribution of service to all 18 precincts.

Planning and Zoning issues from Ms. Vassar

Planning and Zoning, as well as the Master Plan, are important in determining what kind of growth and the impacts of growth on a community. A thorough discussion of what type of urban development and where Framingham residents believe it should be has not occurred. Town Meeting has been strongly resistant to some of the proposed changes, specifically those including large growth in the number of apartments, in large part because negative impacts have not been part of the planning. The Charter proposal for a city government and the proposals for apartments on the warrant for the upcoming Town Meeting seem to be triggering that discussion. Residents should know before they vote not only what the changes in the government will be but how they would impact the planning process.

The council would be responsible for any future Bylaw changes of the town, including zoning. FACT believes that the Charter should specify that votes for special permits, changes in planning and zoning ordinances, and the Master Plan should be by a 2/3 vote of the Council.

The current bylaws will carry over except for those that do not comply with State law, including some that are dependent on whether Framingham is a city or a town. The Collins Center said at an earlier meeting that as soon as a change to a city occurs the Council should meet to change any bylaws that are not consistent with the charter. Those should be spelled out for residents prior to the vote on the Charter.

In a city, under Chapter 41A, the Planning Board would be appointed and the Council would grant all Special Permits except for those they designate to other boards. Most projects currently coming before the Planning Board are Special Permits. Residents should know which Special Permits the Council will retain for itself, and which it will designate to other boards as well as the process for changing the Special Permit Granting Authority.

FACT, on their website states “Before they vote on the proposed city charter, it is important for voters to understand the potential implications of the charter on these issues that have a critical impact on the quality of life in our neighborhoods.” I agree. Because of the importance of Planning and Zoning and the impact on all of our lives and properties, FACT believes it is of the utmost importance that the Charter allow for each of the 18 existing precincts to have a representative at the table and strongly support a council of 18 + (1 or 3)

Council Size and School Committee Representation from Mr. McKenna

Thank you so much for all of the hard work that you have been doing. Most all of the feedback I have heard is quite encouraging and people are very happy with the direction the charter commission is going. I agree that Framingham needs a nine member council with a strong mayor. The district-based school committee plan should offer better representation from all sections of Framingham. I look forward to seeing the final recommendations in the near future

Comments from Mr. Wolfe

Whatever government you form is worthless if any representative of that government can also be a town or school employee or relative thereof. The public sector unions will use their union dues to elect town/school employees.

As of now, no one really cares to examine how many Town Meeting members are employees of the town and schools. State ethics be damned.

Create what you want, but the basic government you suggest will be corrupted mostly by the members of the Charter Commission. I cannot think of a better collection of communists that believe that big government is the solution to all our problems. You will all without remorse find ways to metastasize town government.

Ask yourself a simple question. If you were a member of the Board of Selectman, would you vote to place a 10% UNDERRIDE on the ballot? No. You're all just a bunch of wussies.

Reactions From FACT (Framingham Alliance for Civic Transparency) #1

Here are further thoughts of the Framingham Alliance for Civic Transparency (FACT) about the legislative branch as currently proposed in the charter, beyond our previously stated support for a larger Council with 18 district representatives and for reasonable term limits. We see a need for improved checks and balances between the legislative and executive branches and greater accountability to voters on key legislative issues.

1. FACT supports a provision that would require that the Council confirm appointments of officers and division heads by a 2/3 vote. Such a requirement would foster collaboration between the legislative and executive branches, reduce the likelihood of patronage appointments, and allow appointees to work with the confidence of having the support of the Council. The current draft charter provision requires a 2/3 vote of the Council to reject appointees. This provision is inconsistent with charters in other communities highlighted by the commission, all of which require a majority to approve appointments.
2. We also support provisions that require a 2/3 vote of the Council for special permits, changes in planning and zoning ordinances, and the master plan. These development-related decisions greatly impact on the quality of life in local neighborhoods. The Council, as the voice of the neighborhoods for their districts, should have substantial input into such decisions.
3. FACT also supports requiring that the Council be required to vote on all key issues, including the budget and citizen's initiatives. Allowing budget provisions to pass without a vote or citizens petitions to be rejected without a recorded vote does not allow voters to hold their Council representatives accountable for their votes. Such provisions also provide opportunities for abuse by an unscrupulous Council President, who might fail to schedule a timely meeting or a vote in order to trigger the default result.
4. FACT supports allowing more time for the legislative body to review the operating and capital budgets, which are large and complex. The 42 days in our current charter is the lowest of all the communities highlighted by the commission. FACT recommends allowing at least 90 days for budget review, including 60-days for Finance Subcommittee review and 30 days for Council to act.
5. FACT supports 3-year terms for both Council and School Committee to provide better balance between accountability to voters, time spent running for office, and the demands of learning the job of serving on each body.

One final note on another issue: FACT believes that any changes to planning and zoning bylaws that would be legally required as a result of becoming a city be spelled out by the Charter Commission to provide transparency to voters.

Thank you very much for your time and attention.

Reactions From FACT #2

FACT has carefully and thoughtfully considered the structure of city government proposed in the draft city charter being created by the [Framingham Charter Commission](#), which is available on the [Charter Commission Documents](#) page on the Town's website.

In Charter Commission public hearings and through written communications, FACT has recommended these changes to the draft city charter:

LEGISLATIVE BRANCH

FACT recommends that the draft city charter be changed to provide for a Council with the following characteristics:

- *Full and Fair Representation*

- o One representative from each of our existing 18 precincts

- o Small enough number of at-large representatives so that a minority of precincts cannot control the votes of the Council

- *Stronger Checks and Balances*

- o Approve appointments of all officers and division heads by 2/3 vote of the Council

- o Approve special permits, changes in planning and zoning ordinances, and the master plan by a 2/3 vote of the Council

- • *3-Year terms to better balance between accountability to voters, time spent running for office, and the demands of learning the job*

- • *Term Limits on Consecutive Terms (8 or 9 years, depending on term length)*

- • *Full Accountability to Voters*

- o Require a Council vote on all citizens' initiatives, instead of automatic rejection without a vote

- o Require a Council vote on all parts of the budget instead of automatic approval without a vote

- *Adequate Time to Review the Operating and Capital Budgets (at least 90 days)*

EXECUTIVE BRANCH

FACT recommends that the draft city charter be changed so that a professional manager appointed by the Council be responsible for the day-to-day administration of our government. Reasons for this recommendation include:

- Our 300-million-dollar civic corporation should be managed by a highly-qualified professional with demonstrated experience and skills for doing so. This experience must include:

- o Municipal operations management o Budget preparation and oversight

- o Responsibility for large numbers of municipal employees, including recruiting and supervising division heads and other direct reports

- • A city manager who proves ineffective can be replaced at any time, whereas an elected mayor can be replaced only after serving their 4-year term

- • Unlike an elected mayor, a city manager would not need to devote any time to fundraising and campaigning, and would devote full time to city management responsibilities. With fundraising there's great concern for the influence of money. Without fundraising the influence of money is not an issue. Unlike a mayor who will rely on campaign contributions to get or hold the job, thus feeling the pressure of influence and implied debts of favors, access, etc., the city manager will never be subject to such influence

The National Civic League recommends this structure in its Model Charter. Also, according to the Collins Center for Public Management, consultants to the Framingham Charter Commission, this structure is "Becoming more popular around the country" while the Mayor structure is "Becoming less popular across the country." [[Collins Center memo to Framingham Charter Commission, July 28, 2016](#)]

IMPACT ON CURRENT PLANNING AND ZONING BYLAWS

FACT recommends that the charter commission identify specific zoning and planning bylaw changes that would be required if the city charter is adopted. This includes changes that reflect differences in Massachusetts General Laws as they apply to cities and towns as well as clarifying which responsibilities would need to be transferred to another decision-maker in the new structure. Before they vote on the proposed city charter, it is important for voters to understand the potential implications of the charter on these issues that have a critical impact on the quality of life in our neighborhoods.

SCHOOL COMMITTEE

FACT recommends that the draft city charter specify 3-year terms for the School Committee to better balance accountability to voters, time spent running for office, and the demands of learning the job.

CITIZEN INVOLVEMENT

FACT recommends that the draft city charter be changed to include provisions for legislative advisory committees to review and propose motions to be voted upon by the Council and allow the Council to draw on the expertise of the local community.

Comments from Public Comment Period July- August 2016

Legislative Branch comments from Mr. Bower

There is a lot of merit to a larger council size although 18 or more is a bit much. And rather quite silly since we have at least two if not three precincts with NO TMM's!!

If there is going to be a reconfiguration of the 18 precincts anyway I would suggest a realignment that would go from 18 precincts to 12 wards, each with their own ward Councilor.

I would support adding 3 at large Councilors on top of that with one "at large" Councilor required to be from wards 1 to 6, another from wards 7 to 12 and the final ward councilor from anywhere across the town/city.

This would mitigate many of the issues raised by FACT. More district councilors. Maximum of 3 councilors being from the same district out of a total of 15 councilors (20% max from a single district in the council at any given time).

All Councilors should face the voters every 2 years. No 4 year terms.

Just my thoughts.

Manager vs. Mayor from Mr. Phalen

Dear Commissioners-

Thank you for the extraordinary amount of time you are contributing to Framingham with the goal of improving our form of government. Although I have limited knowledge of municipal operations, I presume Framingham can be managed more effectively with a more professional and informed legislative and executive branch. I support a Council to replace Town Meeting and generally agree with the details outlined in your legislative document.

As you commence with a discussion of the executive branch, I want to share my serious concern about a strong mayor option. If the goal is to improve government by relying on competent professionals, why would you want a charter that allows for the possibility of the "CEO" of Framingham to be someone without proven success as a municipal manager? While Framingham is a large community with many talented residents, I doubt there are more than one or two residents with the experience and desire to be mayor. Look at the dissatisfaction with our major party presidential candidates this year. One can only imagine how unqualified our mayoral candidates

might be in terms of managing a reasonably large municipality. If you want competence, let's have the Council hire a professional city manager. I am not opposed to the concept of a mayor or elected official for the role of ribbon cutting and State House visits, but couldn't that be a member of the Council?

I look forward to learning more about the details of the executive branch in the weeks ahead. I understand your straw vote chose a path of exploration focused on a strong mayor, but I hope you will be open to listening to others who may prefer a city manager.

Thank you

Police Oversight from Mr. Cohen

While the chief seems to be opposed to any kind of external oversight being included in the charter, please consider that currently, and under a new charter if it isn't corrected, there is no external oversight or review of the Police Department.

While a person can file a complaint regarding an officer or the department, these are handled internally, and as was evident by the statements made by the Department's lawyer, at the Commission's hearing, that the primary concern was protecting the officer. A complaint regarding the department, handled internally, could hardly be considered unbiased.

A prime example of this would be the Departments written policy 50-4 section V(A), signed by Chief Fergusen, requiring that all officers have a valid License To Carry (LTC) a firearm. But, Lt. Wareham does not have this. In fact it is well known that the Lt. had his LTC revoked in 2012 and he is prohibited from possessing a firearm under MA law, and possibly Federal law as well. But there is no means by which the Department can be held accountable. Essentially allowing the Police Department to violate their own policies and the law.

Is this really what should be allowed. A Police Department with no oversight and a record of violating both its own policy and the law?

Please give this the serious consideration it deserves.

Need for a Mayor from Mr. Lamontagne

While I welcome the proposal of a city council, I'm disappointed to see no mention of a mayor. I assume by default that this means that a city manager position will be created.

Framingham is in fact a city, a reasonably large city, and a city with decisions to

make about its future. I believe that a position of mayor, balanced by a strong city council, is needed to provide a vision for Framingham's future. While the city council proposed is a welcome change to the current town meeting model, an elected executive position should be considered.

I don't know yet if I can attend the meeting on August 4, so I'm providing my contacts at this time.

Zoning issues from Mr. Weader

Large parts of the existing bylaw will be repealed by a vote for a new charter because they refer to government bodies which will no longer exist.

Zoning things like special permits will depend on what the new structure looks like. If the Planning Board no longer exists, who gives special permits? The city council?

We should watch to see where the current licensing authority of the Board of Selectmen goes. It looks like it is yet to be determined.

The Charter Commission that talked on the phone between meetings was probably close to violation of the Open Meeting Law.

Citizen petition/overturning legislation rules from Ms. Chasan

Believe needing 15% of the registered voters to do the below is WAY too high. 15% of the registered voters don't even vote in town elections. Do you mean registered voters or people who actually voted in the last election.

Additionally, Residents have the ability to overturn legislation passed by the council or School Committee by gathering signatures from at least 15% of voters. If they have obtained the required signatures, the legislation is temporarily put on hold and it goes back to the body that passed it for reconsideration. If they don't yield, the council must schedule a referendum to allow voters to decide the question.

Candidate publicity from Mr. Shelton

Hello,

Thanks so much for keeping us up to date on this progress. I did have one suggestion and may not be able to make the open meeting in August.

One of the biggest struggles for families keeping plugged into the town government is knowing anything about our leadership. My wife and I try to do some semblance of

research each time we vote on town meeting representatives, but recent years have more looked like electing a default, or picking a handful of random names from a very large list. In this way I have to agree that part of the process is broken.

I recommend that any candidates for councilor (district and at-large) be required to publish at least their biography, local relevant issue positions, and some statement of intention/candidacy to a central location (e.g. the town website) so that the citizens of Framingham can know something about the people who are asking us to consider voting for them. Candidates should also be required to conduct, in my humble opinion, one or more town hall meetings to get to know their constituents so that they know who they would be serving, and so that their constituents can get to know how they will be served.

Thanks!

Broadcasting meetings and signature requirements from Mr. Pilsbury

Good Day to all,

I have watched all your meetings and would strongly suggest that a sound check be done and that panel members when speaking get closer to the mics. Last meeting was tied for worse sound from the speakers. Also, would someone please inform Mr. Smith that hats are to be taken off in the peoples house.

I would not support any form of government, appointed or elected, that wants to conduct the peoples business out of the view of residents. The notion made by one panel member that "people have to be elected" is the reason why you don't write into this charter, language that specifically says, ALL meetings that are conducted in the Memorial building will be recorded and aired both on TV and on demand, is nothing short of secrecy. The 1996 Communications Act, signing by Congress, made the cable providers provide equipment and funds to make sure, people could view their government's actions. Only Beacon Hill does their work in private and we all know how bad that is for everyone.

Lastly, it takes 200 signatures to run for State Rep. It takes 200 signatures to place a public policy question on the ballot. Requiring 500 signatures for Mayor is restricting those who are not well funded or a part of the ruling party.

Mayor vs. Manager from Mr. Daniel

I saw the proposal for a city council. Is there a plan for the role of mayor? Are we keeping the town (now-city) manager in this proposal?

Thanks!

Council membership and responsibilities from Mr. Hornfischer

I read of this in MWDN today and felt like you are on the right track. Kudos!
Thanks for seeking feedback.

I do support what you all are doing. It's a tough job. Your final plan needs to be one that can be proven workable or the naysayers may rule the day.

I liked a number of pieces, especially the exclusion of town employees, but this should include individuals with significant (tbd amt) financial business with the town. May defined relatives of town employees become council members? I hope not. Are such exclusions legal?

The relationship of the council to the elected school committee needs to be clarified. Who approves the final town budget? I feel it should be the council. Can a person serve on both? How can the structure foster cooperative partnership between the two?

Can a state rep or senator serve on the council?

Will the town elections be in the same November as the every other year state rep elections ? I feel they should.

Will the four at large councilors be up for election at the same time or be staggered two per election ? I'd prefer the latter.

Who will determine the nine precincts? Will we simply put two of existing voting districts into one council precinct or are the current populations too skewed? They should be geographically connected.

Was any consideration given to having more than one rep per district? It does make a larger council, but might initially be a way to evolve from the much larger town meeting. Two per district would also facilitate public input.

When you do get your mayor vs city manager planning, I'd suggest that you mimic the federal and state structure and gave a mayor and vice/lieutenant mayor who run as a team with each having defined roles. The

I'm sure there will be lots of feedback, but hope you will give consideration to these thoughts. Thanks for listening.