



CITY OF FRAMINGHAM

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**Mayor Yvonne M. Spicer Vetoes City Council’s Proposed Ordinance for the Implementation of
The Community Preservation Act**

Appointment Process Defined in Proposed Ordinance Violates City Charter

Framingham, MA – Today, Mayor Spicer announced that she has [vetoed](#) the City Council’s proposed Ordinance - 2021-011 - for the implementation of the Community Preservation Act (CPA) due to the appointments process defined in the Ordinance being at odds with what is dictated by the [City’s Charter](#).

“I want to be crystal clear that I fully support the City’s adoption of the CPA and its goals. I also agree with much of the Council’s vision for the CPA’s Committee set forth in the proposed Ordinance, and I am excited for them to be appointed and get to work,” said Mayor Spicer. “However, I take issue with the appointments process outlined in the Ordinance.”

The Charter provides that the Mayor is the appointing authority for all multiple-member bodies and that those appointments are subject to the approval of the Council - Article III, Section 3(a) (Mayor appoints members of multiple-member bodies) & Article II, Section (10)(c) (Council approves or rejects Mayor’s appointments to multiple member bodies).

There is no dispute that the CPA Committee is a multiple-member body that should be subject to this shared responsibility between the executive and legislative branches. The proposed Ordinance as passed provides for four at-large residents of Framingham to be appointed to the Committee but makes the Council, rather than the Mayor, the appointing authority for those positions. This action leaves the Mayor out of the process, designating or appointing any of the Committee’s positions. (There are five members of City boards—the Conservation Commission, the Planning Board, the Park Commission, and the Housing Authority—required by state law to be on the Committee, but the designees for these positions are chosen by the respective board and not the Mayor.)

“As City officials, we all are duty-bound and obligated to honor and respect the terms of the Charter, Framingham’s constitution, which was approved by the voters in April 2017 and provides comprehensive requirements for the operation of Framingham’s government,” continued Mayor Spicer. “Further Article IX, Section 14 of the Charter specifically makes it my responsibility to see that the provisions of the Charter are faithfully followed.”