

# City of Framingham



The City Council of Framingham



OFFICE OF THE MAYOR  
FRAMINGHAM, MA.

2022 NOV 21 PM 4: 54

ORDER NO. 2022-118-001  
REQUEST OF ORDINANCE, RULES AND COORDINATION SUBCOMMITTEE

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

The Council votes to amend General Ordinances, Article I, Section 6, as attached.

FIRST READING

YEAS: Alexander, Cannon, King, Leombruno, Ottaviani, Stefanini  
NAYS: Bryant, Long, Mallach, Steiner, Stewart-Morales  
ABSTAIN: None  
ABSENT: All members were present in person or via teleconferencing  
PASSED IN COUNCIL: November 1, 2022

SECOND READING

YEAS: Alexander, Cannon, King, Leombruno, Ottaviani, Stefanini  
NAYS: Bryant, Long, Mallach, Steiner, Stewart-Morales  
ABSTAIN: None  
ABSENT: All members were present in person  
PASSED IN COUNCIL: November 15, 2022

A TRUE RECORD, ATTEST:

11/17/22

Date Approved

Lisa A. Ferguson, City Clerk

Emily L. Butler, Assistant City Clerk

11/21/22

Date Approved

Charlie Sisitsky, Mayor

**Section 6. General Provisions**

- 6.1 No elected or appointed Municipal Officer may represent a client before any Municipal Officer or Multiple-member Body.
- 6.2 Every person who is elected, including those elected by the council, or appointed to an office of the municipality, shall receive a certificate of such election or appointment from the city clerk. Except as otherwise provided by law, every person who is elected, including those elected by the council, or appointed to an office of the municipality, before performing any act under such appointment or election, shall take and subscribe to an oath to qualify to enter upon the duties of the office. A record of this oath shall be kept by the city clerk and shall be open to the inspection of the public.<sup>1</sup>
- 6.3 Permanent officers, board members and committee members of the City appointed for specific terms shall hold office from the first day of January of the year of 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 Article IX, Section 12 of the Charter.
- 6.4 Deleted.
- 6.5 Subject to the residence eligibility requirements under the Charter for District Councilors and members of the School Committee, any voter shall be eligible to hold any elective City office.
- 6.6 All cars owned by the City of Framingham shall be designated by a circular label not less than six inches in diameter bearing the words "City of Framingham", and the name of the City Department.
- 6.7 Whenever the council or the mayor shall establish a Multiple-member Bodies, 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. However, nothing herein shall prevent the council or the mayor 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.
- 6.8 In any instance wherein the majority of a Multiple-member Bodies appointed by act of the council or the mayor votes that the appointing authority replace one or more members of such Multiple-member Bodies, 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 council or the mayor to withdraw or revoke said appointments, nor shall the provisions herein be applied in any manner contrary to other provisions of law.
- 6.9 Each Multiple-member 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, except for executive sessions.
- 6.10 Each Multiple-member Body shall provide for keeping of minutes of its meetings. Each Multiple-member Bodies shall provide minutes to the 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.
  - 6.10.1 All votes taken shall be reported in the minutes. For elected boards, the minutes shall include the name and vote of each member voting.
  - 6.10.2 The minutes of each public meeting of a Multiple-member Bodies shall be prepared by the clerk or his or her designee of the respective Multiple-member Bodies, and sent to the City Clerk within ten (10) days, not including weekend days or holidays, following the next meeting of the Multiple-member Bodies; but not later than 45 days after the date when the meeting was held. The minutes

**Deleted:** However, in the instance when an appointed office holder is elected to office in Framingham, such appointed office holder will vacate the appointed office upon being sworn into elective office.

**Deleted:** , but no person holding any elective City office shall simultaneously assume any other elective or appointed City office. The prohibition against holding two elective City Offices or an elected City office and an appointed City office simultaneously shall not apply in reference to an elected Charter Commission Member or ad hoc committee or other temporary committee.

<sup>1</sup> Text of Charter Article IX, Section 12

shall indicate whether they have or have not been approved by the Multiple-member Body when submitted to the City Clerk. If a meeting is cancelled, or if no quorum is present at a scheduled meeting, the City Clerk shall be notified and minutes do not have to be provided.

- 6.10.3 The 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 City Clerk in electronic form and they have been prepared according to the standards defined by the Framingham webmaster, they shall be posted on the Framingham website in addition to being sent to the library.
- 6.10.4 The City Clerk shall note the receipt of minutes. If after 45 days from the date of a posted public meeting of a Multiple-member Bodies, the City Clerk has not received a copy of the minutes, then the City Clerk shall notify the chairperson of the Multiple-member Bodies that the minutes have not been received.
- 6.11 A Multiple-member Bodies 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.
  - 6.11.1 A Multiple-member Bodies shall notify the City Clerk of all executive sessions that were held or will be held. If a Multiple-member Bodies adjourns a public meeting to go into executive session the City Clerk shall be so notified so that the executive session can be entered into the City Clerk's log of meetings.
  - 6.11.2 When a Multiple-member Bodies 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.
  - 6.11.3 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 Multiple-member Bodies.
  - 6.11.4 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.
  - 6.11.5 Executive session minutes of a Multiple-member Bodies, appropriately marked, shall be kept by the clerk of the Multiple-member Body; or shall be stored at the office of the Multiple-member Body, if available; or shall be sent to the City Clerk who shall store these minutes separate from minutes of public sessions. For executive session minutes that have not yet been released, the City Clerk shall maintain a log and may only release a copy to the chair of the Multiple-member Body and shall do so when requested.
  - 6.11.6 Executive session minutes of Multiple-member Bodies that involve the City Solicitor shall be reviewed by the City Solicitor before being released. Release of executive session minutes of Multiple-member Bodies that involve meetings with the City Solicitor must be approved by the mayor to waive the attorney-client privilege for specific communications.
- 6.12 Each Multiple-member Body shall provide a report of its activities to the mayor for publication in the Annual Report by the date and in the format established by the mayor.
- 6.13 The City Clerk shall update the tables in Section 2 of this Article as Officers, Boards and Committees are created or deleted pursuant Massachusetts general laws.
- 6.14 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.