To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act amending the charter of the city of Easthampton.

PETITION OF:

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<th>NAME:</th>
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<tr>
<td>Daniel R. Carey</td>
<td>2nd Hampshire</td>
<td>2/18/2021</td>
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By Mr. Carey of Easthampton, a petition of Daniel R. Carey (with the approval of the mayor and city council) for legislation to amend the charter of the city of Easthampton. Municipalities and Regional Government.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act amending the charter of the city of Easthampton.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 1-3 of article 1 of the charter of the city of Easthampton, which is on file in the office of the archivist of the commonwealth, pursuant to section 12 of chapter 43B of the General Laws, is hereby amended by striking out the words “executive/administrative”, each time they appear, and inserting in place thereof, in each instance, the word:- executive.

SECTION 2. Section 1-4 of said article 1 of said charter is hereby amended by striking out the words “and power or function by a” and inserting in place thereof the following words:- , and power or function by, a.

SECTION 3. Section 1-7 of said article 1 of said charter is hereby amended by striking out the definition of “City bulletin board” and inserting in place thereof the following definition:-

City Bulletin Board – The words “City Bulletin Board” shall mean the bulletin board(s) on which the city clerk posts official notices of meetings and upon which other official municipal notices are posted.
SECTION 4. Said section 1-7 of said article 1 of said charter is hereby further amended by striking out the definition of “City Officer” and inserting in place thereof the following definitions:

City Officer – The words “city officer”, when used without further qualification or description, shall mean any person or persons in charge of any department or division of the city.

City Website – The words “city website” shall mean the official website maintained by the city of Easthampton.

Electronic Publication - The words “electronic publication” shall mean publication by electronic means, including but not limited to posting on the City Website.

Electronic Communication – The words “electronic communication” shall mean direct transmission of messages over communications networks, such as e-mail.

SECTION 5. Said section 1-7 of said article 1 of said charter is hereby further amended by striking out the definition of “Full Council or Full Multiple Member Body” and inserting in place thereof the following definition:

Full Council or Full Multiple Member Body - The words "full council" or “full multiple member body” shall mean the entire authorized complement of the city council, school committee or other multiple member body notwithstanding any vacancy which might exist.

SECTION 6. Said section 1-7 of said article 1 of said charter is hereby further amended by striking out the definition of “general laws” and inserting in place thereof the following definition:
general laws - The words “general laws” (all lower case letters) shall mean laws of the
Commonwealth of Massachusetts which apply alike to all cities and towns, to all cities, or to a
class of two or more cities and or cities and towns of which Easthampton is a member.

SECTION 7. Said section 1-7 of said article 1 of said charter is hereby further amended
by striking out the definition of “Local Newspaper” and inserting in place thereof the following
definition:-

Local Newspaper - The words "local newspaper" shall mean a newspaper of general
circulation within the city, with either a weekly or daily circulation.

SECTION 8. Said section 1-7 of said article 1 of said charter is hereby further amended
by striking out the definition of “Majority Vote” and inserting in place thereof the following
definition:-

Majority Vote - The words “majority vote" when used in connection with a meeting of a
multiple member body shall mean a majority of those present and voting, unless another
provision is made by ordinance, by-law, or the Multi Member Body’s own rules. When used in
connection to the city council, “majority vote” shall always refer to a majority of the full council
membership.

SECTION 9. Said section 1-7 of said article 1 of said charter is hereby further amended
by striking out the definition of “Open Meeting Law” and inserting in place thereof the following
definition:-

Open Meeting Law - The words “Open Meeting Law” shall mean sections 18 to 25 of
chapter 30A of the General Laws and any amendments thereto.
SECTION 10. Said section 1-7 of said article 1 of said charter is hereby further amended by striking out the definition of “Voters” and inserting in place thereof the following definition:-

Voters - The word "voters" shall mean registered voters of the city.

SECTION 11. The third sentence of subsection (a) of section 2-1 of article 2 of said charter is hereby amended by striking out the word “district”, each time it appears, and inserting in place thereof, in each instance, the following word:- precinct.

SECTION 12. Said third sentence of said subsection (a) of said section 2-1 of said article 2 of said charter is hereby further amended by striking out the word “districts” and inserting in place thereof the following word:- precincts.

SECTION 13. Subsection (c) of said section 2-1 of said article 2 of said charter is hereby amended by striking out the word “district”, each time it appears, and inserting in place thereof, in each instance, the following word:- precinct.

SECTION 14. Section 2-3 of said article 2 of said charter is hereby amended by striking out the second sentence and inserting in place thereof the following 2 sentences:- An exception may be authorized by majority vote of the council for any member whose expertise may provide a benefit to the city, provided this employment is not permanent and approved by the state ethics commission. The member may receive a stipend not to exceed the current salary of the council. The member must recuse himself from any all business or votes regarding the department he is employed by during the term of his employment. Except as provided herein, no former member of the city council shall hold any compensated appointed city office or city employment until six months following the date on which such former member’s service on the city council has terminated.
SECTION 15. Section 2-4 of said article 2 of said charter is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) Expenses - Subject to appropriation, the council members shall be entitled to reimbursement of their reasonable actual and necessary expenses in the performance of their duties if approved by the council president and if budgeted funds are available.

SECTION 16. Clause (ii) of subsection (c) of section 2-6 of said article 2 of said charter is hereby amended by striking out the first sentence and inserting in place there of the following sentence:- Special meetings of the city council shall be held at the call of the council president, or, on the call of any three or more members, by written notice delivered in hand or to the place of residence of each member, or by electronic communication to the official city e-mail address of each member, and which contains a listing of the items to be acted upon.

SECTION 17. Clause (v) of said subsection (c) of said section 2-6 of said article 2 of said charter is hereby amended by striking out the word “All” and inserting in place thereof the following words:- Except as otherwise provided for in this Charter, all.

SECTION 18. Section 2-7 of said article 2 of said charter is hereby amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d) Notice - The city council shall give not less than five days’ notice to any city officers, members of city agencies, or city employees it may require to appear before it under the provisions of this section. The notice shall include specific questions or topics on which the city council seeks information and describe with reasonable particularity the matters on which examination is requested.
No person called to appear before the city council under this section shall be required to respond to any question not relevant or related to those questions or topics presented in advance and in writing. Notice shall be by electronic communication, and delivery in hand, or by registered or certified mail to the last known place of residence of any such person.

SECTION 19. The first sentence of subsection (a) of section 2-8 of said article 2 of said charter is hereby amended by striking out the figure “3” and inserting in place thereof the following words: - three (3).

SECTION 20. The first sentence of subsection (b) of said section 2-8 of said article 2 of said charter is hereby amended by striking out the figure “3” and inserting in place thereof the following words: - three (3).

SECTION 21. Section 2-9 of said article 2 of said charter is hereby amended by striking out subsections (b) and (c) and inserting in place thereof the following 2 subsection: -

(b) Measures, In General – The city council may pass any measure through all of its stages at any one meeting, except proposed ordinances, appropriation orders, and loan authorizations. Should any city councilor seek to have a measure passed through all of its stages at one meeting, such city councilor shall notify the clerk of the council in writing prior to the publication of the agenda for the meeting where the vote on the measure would occur, that the councilor seeks to have the measure passed through all of its stages at one meeting. Upon receipt of such notice the clerk of the council shall add “REQUEST FOR IMMEDIATE CONSIDERATION” before that item on the city council’s agenda, so as to notify the public that the measure may pass through all if its stages at that meeting. If any member of the city council
objects to the passage of a measure through all if its stages at any one meeting, the measure shall be sent to the appropriate council committee in accordance with Section 2-6 c (v).

On the first occasion that the question of adopting any measure presented by standing or special council committee is put to the city council, except an emergency measure as defined in Section 2-9 (a), if a member objects to the taking of a vote, such objection is seconded by another member, the vote on such measure shall be postponed until the next regular or special meeting of the city council. If when the matter is next taken up for a vote, four or more members object to the taking of the vote, the matter shall be further postponed for not less than five additional days. This procedure shall not be used more than once for any measure notwithstanding any amendments made to the original measure.

(c) Publication - Every proposed ordinance, appropriation order or loan authorization, except emergency ordinances as provided in Section 2-9 (a) shall, at least 10 days before its final passage, be published in summary in a local newspaper, unless required by the General Laws to be published in full, and shall also be published in full by electronic publication. Upon final passage, the ordinance, appropriation order or loan authorization shall be posted in full on the city bulletin board, the city website and published as may be required by law.

SECTION 22. Said article 2 of said charter is hereby further amended by striking out section 2-10 and inserting in place thereof the following section:-

Section 2-10. COUNCIL REVIEW OF CERTAIN APPOINTMENTS

The mayor shall submit to the city council the name of each person the mayor desires to appoint to any city office, as a department head or as a member of a multiple-member body, but not including any position which is subject to the civil service law pursuant to chapter 31 of the
General Laws. The city council shall refer each such name as is submitted to it to a standing or special committee of the city council which shall investigate each such candidate for appointment and may make a report, with recommendations, to the full city council not less than seven (7) nor more than forty five (45) days following such referral. The committee may require any person whose name has been referred to it to appear before the committee, or before the city council, to give such information relevant to such appointment as the committee, or the city council, may require.

Appointments made by the mayor shall become effective on the forty-fifth day following the date on which notice of the proposed appointment was first presented at a regularly scheduled meeting of the city council, unless the city council shall within the said 45 days vote to reject such appointment, or unless the city council has sooner voted to affirm the appointment. For the appointment of a department head appointed by the mayor, the council must act upon said appointment at the next regularly scheduled meeting following the meeting at which the appointment was first presented to the full council or that appointment shall become effective. Rejection by the city council shall require a two-thirds vote of the full council, except that an appointment to a multiple member body may be rejected by a majority vote of the full council. The question on rejection of any appointment made by the mayor shall not be subject to the procedure of charter objection provided in Section 2-9 (b) of this charter.

SECTION 23. Subsection (b) of section 2-11 of said article 2 of said charter is hereby amended by striking out the heading and inserting in place thereof the following heading:-

Precinct Councilor.
SECTION 24. Said subsection (b) of said section 2-11 of said article 2 of said charter is hereby further amended by striking out the word “district”, each time it appears, and inserting in place thereof, in each instance, the following word:- precinct.

SECTION 25. Said section 2-11 of said article 2 of said charter is hereby further amended by striking out subsection (c) and inserting in place thereof the following subsection:-

(c) Filling of Vacancies By City Council - Whenever a vacancy shall occur in the office of councilor-at-large or in that of precinct councilor and there is no available candidate to fill such vacancy in the manner provided in Section 2-11 (a) or (b), the vacancy shall be filled by the remaining members of the city council. The council president shall call a special meeting of the council solely for the purpose of choosing an applicant within thirty (30) days of such vacancy. Persons elected to fill a vacancy by the city council shall forthwith be sworn and shall serve until the next regular election at which time the position shall be filled by the voters. The person elected by the voters shall forthwith be sworn and shall thereafter serve for the remainder of the original unexpired term, or if the term has expired to the term, for which the person is elected. Persons elected by the city council to fill a vacant position shall not be entitled to have the words "candidate for re-election" printed against their names on the election ballot.

SECTION 26. The second sentence of subsection (c) of section 3-1 of article 3 of said charter is hereby amended by striking out the words “next biennial city election” and inserting in place thereof the following words:- year following the election in which the mayor is elected.

SECTION 27. The first sentence of section 3-3 of said article 3 of said charter is hereby amended by inserting after the word “charter” the following words:- or ordinance.
SECTION 28. Section 3-4 of said article 3 of said charter is hereby amended by striking out the seventh sentence and inserting in place thereof the following sentence:—The removal shall take effect on the thirtieth day following the date of filing in the office of the city clerk the notice of removal by the mayor.

SECTION 29. The last sentence of section 3-5 of said article 3 of said charter is hereby amended by striking out the figure “thirty” and inserting in place thereof the following figures:—forty-five (45).

SECTION 30. Section 3-6 of said article 3 of said charter is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:—

(b) Special Meetings of the City Council - The mayor may at any time call a special meeting of the city council, for any purpose, by causing a notice of such meeting to be delivered in hand or to the place of business or residence of each member of the city council or through electronic communication to each councilor’s official city e-mail address. Such notice shall, except in an emergency of which the mayor shall be the sole judge, be delivered at least forty-eight weekday hours in advance of the time set and shall specify the purpose or purposes for which the meeting is to be held. Such notice and meeting shall comply with the Open Meeting Law.

SECTION 31. Section 4-1 of article 4 of said charter is hereby amended by striking out subsection (c) and inserting in place thereof the following subsection:—

(c) Powers and Duties - The school committee shall have all powers which are conferred on school committees by general laws and such additional powers and duties as may be provided by the charter, by ordinance, or otherwise and not inconsistent with said grant of powers
conferred by general laws. The powers and duties of the school committee shall include but shall not be limited to the following:

(1) To hire, fire, and make all employment decisions regarding the superintendent of schools, including but not limited to, negotiation of the superintendent’s employment contract and evaluation of the superintendent’s job performance.

(2) To create and establish policies for the school district.

(3) To review, approve and implement subject to appropriation by the city council the annual operating budget for the school department;

(4) In conjunction with the superintendent of schools:

a. To develop school district wide goals and objectives; and

b. To design and assess performance standards; and

(5) To negotiate or oversee the negotiation and to approve all contracts with the school districts unionized employees, or delegate negotiation of, and approve contracts with union personnel.

(6) General charge and superintendence of all school buildings and grounds and shall furnish all school buildings with proper fixtures, furniture and equipment. The school committee shall provide ordinary maintenance of all school buildings and grounds; provided however, the city council may, by ordinance, provide for the establishment of a central municipal maintenance department which may include maintenance of school buildings and grounds. Whenever the school committee shall determine that additional classrooms are necessary to meet the educational needs of the community, at least one member of the school committee, or a designee
of the school committee, shall serve on the agency, board or committee to which the planning or
construction of such new, remodeled or renovated school building is delegated.

SECTION 32. The first sentence of subsection (f) of said section 4-1 of said article 4 of
said charter is hereby amended by inserting after the figure “eighteen” the following figure:-
(18).

SECTION 33. Section 4-2 of said article 4 of said charter is hereby further amended by
striking out the heading and inserting in place thereof the following heading:- SCHOOL
COMMITTEE CHAIRPERSON.

SECTION 34. Said section 4-2 of said article 4 of said charter is hereby further amended
by striking out the word “president”, each time it appears, and inserting in place thereof, in each
instance, the following word:- chairperson.

SECTION 35. The first sentence of section 5-2 of article 5 of said charter is hereby
amended by inserting after the figure “seven” the following figure:- (7).

SECTION 36. Said first sentence of said section 5-2 of said article 5 of said charter is
hereby further amended by inserting after the word “newspaper” the following words:- and by
electronic publication.

SECTION 37. The first sentence of section 5-3 of said article 5 of said charter is hereby
amended by inserting after the word “law,” the following words:- but in no event fewer than 60
days.
SECTION 38. The second sentence of said section 5-3 of said article 5 of said charter is hereby amended by striking out the words “of”, the first time it appears, and inserting in place thereof the following words:- and by electronic publication.

SECTION 39. Section 5-5 of said article 5 of said charter is hereby amended by striking out clause (d).

SECTION 40. Said article 5 of said charter is hereby further amended by striking out sections 5-6 to 5-8, inclusive and inserting in place thereof the following 2 sections:-

SECTION 5-6. ACTION ON THE BUDGET

(a) Public Hearing - Forthwith upon its receipt of the proposed operating budget the city council shall provide for the publication in a local newspaper and by electronic publication a notice stating the time and place, not less than seven nor more than fourteen days following such publication, at which it will hold a public hearing on the proposed operating budget as submitted.

(b) Review - The city council shall refer the budget to a standing or special committee to consider, in open public meetings, the detailed expenditures proposed for each city agency and may confer with representatives of each such agency in connection with its review and consideration. The city council may require the mayor, or any other city agency, to furnish it with such additional information as it may deem necessary to assist it in its review and consideration of the proposed operating budget.

(c) Action by City Council - The city council shall adopt the budget by majority vote, with or without amendments, within sixty (60) days following the day the proposed budget is received by it, or such other period as may be provided by general law. In amending the budget,
the city council may delete or decrease any programs or amounts except expenditures required by law, or for debt service. If the city council fails to take any action with respect to any item in the proposed budget within sixty days following the date of its receipt of the proposed budget, or such other period as may be provided by general law, such amount shall, without any action by the city council, become a part of the appropriations for the ensuing fiscal year and shall be available for the purposes specified.

SECTION 5-7. SUPPLEMENTARY BUDGETS, OTHER APPROPRIATIONS

(a) Intradepartmental Transfers - With the approval of the mayor funds appropriated for one line item within the appropriation made for a particular city agency may be transferred to another line item within the same city agency. Whenever such a transfer is authorized by the mayor notice of the transfer, and the circumstances under which such transfer was deemed advisable, shall be filed with the clerk of the city council. Notice of these transfers shall be forwarded via electronic communication to the city council, and by electronic publication to the public.

(b) Interdepartmental Transfers:

The city council may, by vote of its entire membership, approve the transfer of funds appropriated for the use of one city agency to the use of another city agency. Requests to the city council for the transfer of funds from one city agency to another shall be made by the mayor, in writing, and shall include a statement setting forth the reason the additional funds are needed by the agency to which it is proposed they be transferred and shall be accompanied by a certificate signed by the agency from which the appropriation is proposed to be taken stating either (1) that such transfer will not prevent that agency from performing its vital functions, or (2) that the
transfer will prevent the agency from performing one or more of its vital functions. A copy of this request shall, forthwith, be posted on the city bulletin board, and by electronic publication. The city council shall refer the transfer to a standing or special committee for consideration and recommendation to the full council. Interdepartmental transfer requests which shall include at least two readings and a public hearing by the city council.

(c) Supplementary Appropriations - Whenever the mayor shall submit to the city council a request for a new appropriation of any sum of money, either as a supplement to some item in the annual operating budget or for an item, or items, not included in the annual operating budget as adopted, the city council shall first refer the supplemental appropriation to a standing or special committee for consideration, and not act upon such request until it has (1) given notice by publication in a local newspaper of the request and by electronic publication, and (2) received the advice and recommendation of the standing or special committee and (3) held a public hearing concerning such request. The publication of the notice and the public hearing shall be generally in conformity with the provisions of Section 5-6(a) concerning the proposed annual operating budget. A majority vote shall be required for approval of all supplementary appropriations under this section.

(d) Capital Improvement Program - The mayor shall submit a capital improvement program to the city council at least ninety (90) days before the start of each fiscal year. It shall include:

(i) A clear and concise general summary of its contents;

(ii) A list of all capital improvements proposed to be undertaken during the next ensuing five years, with supporting information as to the need for each capital improvement;
(iii) Cost estimates, methods of financing and recommended time schedules for each improvement, and,

(iv) The estimated annual cost of operating and maintaining each facility and piece of major equipment involved.

This information is to be annually revised by the mayor with regard to the capital improvements still pending or in the process of being acquired, improved or constructed.

SECTION 41. The second sentence of section 6-3 of article 6 of said charter is hereby amended by inserting after the word “experience” the following words:- or a combination thereof.

SECTION 42. Said article 6 of said charter is hereby further amended by striking out sections 6-4 and 6-5 and inserting in place thereof the following 2 sections:-

SECTION 6-4. DEPARTMENT OF PUBLIC WORKS

(1) Establishment, Scope - There shall be a department of public works responsible for the performance of all public works related activities of the city as allowed by general laws and with respect to public works related functions and activities as may be provided by administrative code in accordance with Section 6-1(b) or by ordinance in accordance with Section 6-1(a).

(2) Board of Public Works – The mayor shall appoint a board of public works which shall consist of three persons appointed for terms of three years each so arranged that the term of one member shall expire each year. The board of public works, acting through the mayor, shall be responsible for the overall supervision of the department of public works including but limited to
the appointment, supervision and review of the director of public works, and for the
establishment of priorities and policies to govern the operation of the department. The board of
public works shall be deemed to be water commissioners, sewer commissioners, and road
commissioners and shall have authority to establish the fees or charges for all services provided
by the department of public works.

(3) Director of Public Works - The department of public works shall be under the direct
control and supervision of a director of public works who shall be appointed by and who shall be
responsible to the board of public works. The director of public works shall serve for a term of
three years, or until a successor is chosen and qualified. The director shall not be a member of
the board of public works. The director of public works shall be a person especially fitted by
education, experience and training to perform the duties of the office. The director of public
works shall be responsible for the supervision and coordination of all activities of the department
of public works in accordance with general laws, city ordinances, administrative code and rules
and regulations. The director of public works shall be subject to the terms of the board of public
works appointment and shall be governed by the rules and procedures for all city employees as
designated by the department of human resources.

SECTION 6-5. DEPARTMENT OF HUMAN RESOURCES

(a) Establishment, Scope - There shall be a department of human resources which shall
be responsible for all personnel related functions and activities of the city, including, but not
limited to, the following:

1) Plan, administer and direct all phases and components of the city personnel plan,
including a wage and salary administration, position classification, sick and vacation leave,
employee grievance procedure, accident prevention programs, physical examinations, equal
opportunity programs, personnel transactions and all record keeping concerning city employees
whether regular, part time, temporary, intermittent or otherwise.

  2) Develop new and revised personnel policies and practices and recommend the same to
the mayor and city council for implementation, where such action is necessary.

  3) Review all requests by city agencies for new personnel, or for increased hours for any
existing personnel, and make recommendations to the mayor and to the city council concerning
such requests.

  4) Advise and assist all city agencies and employees in all aspects of public employment
including recruitment, evaluation, promotion, transfer, dismissal, wages, hours, hours and other
conditions of employment, insurance benefits and any related matters. The department shall
assure that all employees every benefit to which such employee is entitled and, conversely, shall
assure that no employee receives any benefit to which such employee is not entitled.

  5) Determine before any employee shall be hired, reinstated, transferred or promoted by
any city agency that:

      (a) There is an existing vacant position to be filled.

      (b) The salary which is proposed to be paid is within the existing salary schedule for the
position.

      (c) There is a sufficient sum of money in the available appropriation of the agency to
fund the position.
(d) There has been compliance with the civil service law, pursuant to chapter 31 of the General Laws, and rules, if applicable, and with any collective bargaining agreements which may be applicable.

6) Succession plans and a longevity program.

7) Supervise the registration of all persons who are to be employed by the city in any capacity, and certification of lists of eligible persons to appointing authorities whenever vacancies occur.

8) Development and maintenance of a centralized personnel records system for all city departments.

All city officers and other appointing authorities shall cooperate with the personnel department by providing to it, upon request, any and all information relating to city personnel matters as may from time to time be made.

(b) Director of Human Resources - The department of human resources shall be under the direct control and supervision of a director of human resources who shall be appointed by the mayor, subject to the provisions of Section 2-10. The director of human resources shall serve for a term of three years and until a successor is appointed and qualified. The director of human resources shall be a person especially fitted by education, experience and training to perform the duties of the office. Desirable qualifications to consider when such an appointment is to be made, but not to be construed as mandated by this provision, would include: knowledge of the principles and practices and equipment of office management; knowledge of city ordinances, rules and regulations relating to employees and to city personnel manners; knowledge of the state civil service law, pursuant to chapter 31 of the General Laws, and rules and practices; knowledge
of the principles and practices of personnel administration; ability to establish and to maintain
effective working relationships with a wide variety of public officers, employees and the public.
The director of human resources shall be responsible for the supervision and coordination of all
activities of the department of human resources in accordance with general laws, city ordinances,
administrative code and rules and regulations.

SECTION 43. Section 7-2 of article 7 of said charter is hereby amended by striking out
the words “at a preliminary” and inserting in place thereof the following words:- in the.

SECTION 44. Said section 7-2 of said article 7 of said charter is hereby further amended
by striking out the word “district”, each time it appears, and inserting in place thereof, in each
instance, the following word:- precinct.

SECTION 45. Said article 7 of said charter is hereby further amended by striking out
section 7-4 and inserting in place thereof the following section:-

SECTION 7-4. PRECINCTS

The territory of the city shall be divided into five precincts so established as to consist of
compact and contiguous territory, bounded insofar as possible by the center line of known streets
or ways or by other well-defined limits. The city council shall from time to time, but at least once
in each ten years, review such precincts to insure their uniformity in number of inhabitants in
accordance with general laws.

SECTION 46. Section 7-7 of said article 7 of said charter is hereby amended by striking
out the first sentence and inserting in place thereof the following sentence:- The city council or
the school committee shall hold a public hearing and act with respect to every petition addressed
SECTION 47. The second sentence of subsection (b) of section 7-8 of said article 7 of said charter is hereby amended by striking out the figure “fifteen” and inserting in place thereof the following figure:- thirty (30).

SECTION 48. Said section 7-8 of said article 7 of said charter is hereby further amended by striking out subsection (c) and inserting in place thereof the following subsection:-

(c) Action on Petitions - Within ninety (90) days following the date a petition has been returned to the clerk of the council or the secretary of the school committee by the city solicitor and after publication in accordance with the provisions of Section 2-9(c), the city council or the school committee shall act with respect to each initiative petition by passing it without change, by passing a measure which is stated to be in lieu of the initiative measure, or by rejecting it. The passage of a measure which is in lieu of an initiative measure shall be deemed to be a rejection of the initiative measure. If the city council or the school committee fails to act with respect to any initiative measure which is presented to it within ninety (90) days following the date it is returned to it by the city solicitor, the measure shall be deemed to have been approved on such ninetieth (90th) day. If an initiative measure is rejected, the clerk of the council or the secretary of the school committee shall promptly give notice of that fact to the person designated on the petition as having filed the same, by certified mail.

SECTION 49. The first sentence of subsection (d) of said section 7-8 of said article 7 of said charter is hereby amended by inserting after the figure “forty-five” the following figure:- (45).
SECTION 50. Subsection (a) of section 7-9 of said article 7 of said charter is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:-

If, within thirty (30) days following the date on which the city council or the school committee has voted finally to approve of any measure a petition signed by a number of voters equal to twelve (12) percent of the total number of voters as of the date of the most recent general city election and addressed to the city council or to the school committee as may be, protesting against the measure or any part thereof is filed with the secretary of the school committee or clerk of the council the effective date of such measure shall be temporarily suspended.

SECTION 51. Section 8-4 of article 8 of said charter is hereby amended by striking out the words “and words importing the masculine gender shall include the feminine gender” and inserting in place thereof the following words:- words importing any gender shall include all genders.

SECTION 52. Said article 8 of said charter is hereby further amended by striking out section 8-6 and inserting in place thereof the following section:-

SECTION 8-6. PERIODIC REVIEW, CHARTER AND ORDINANCES

(a) Charter Review - At least once in every ten years, in every year ending in a zero, the city council shall provide for a review of the charter by a special or standing committee of the city council with four members of the council appointed by the president and five additional persons nominated by the council president and confirmed by majority vote of the city council. The said committee shall file a report within fifteen (15) months following the appointment of its members recommending any changes in the charter which it may deem to be necessary or
desirable. All charter recommendations shall require a two-thirds (2/3) vote by both the special committee and the full council.

(b) Ordinance Review - At least once in every ten years, in every year ending in five, the city council shall provide for a review of all ordinances of the city by a special or standing committee of the council in consultation with the City attorney, for the purpose of determining if any amendments or revisions may be necessary or desirable. A report, with recommendations, shall be submitted to the city council within fifteen (15) months following the appointment of its members.

(c) Copies of Charter and Ordinances - Copies of the charter and ordinances of the city, as most recently amended or revised, shall be kept available for distribution to any person who may request the same at the office of the city clerk in accordance with applicable general laws and guidelines.

SECTION 53. Subsection (a) of section 8-8 of said article 8 of said charter is hereby amended by inserting after the first sentence the following sentence:- All meetings must be posted on city bulletin boards and the city website.

SECTION 54. Said subsection (a) of said section 8-8 of said article 8 of said charter is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:- Regular meetings of all multiple member bodies shall be held in public buildings of the city of Easthampton and shall conform to the Open Meeting Law.

SECTION 55. Subsection (b) of said section 8-8 of said article 8 of said charter is hereby amended by striking out the third sentence.
SECTION 56. The first sentence of section 8-11 of said article 8 of said charter is hereby amended by inserting after the word “board” the following words:- and through electronic publication.

SECTION 57. The third sentence of the second paragraph of section 8-15 of said article 8 of said charter is hereby amended by striking out the word “coterminous” and inserting in place thereof the following word:- concurrent.

SECTION 58. Said charter is hereby amended by striking out article 9 and inserting in place thereof the following article:-

ARTICLE 9

TRANSITIONAL PROVISIONS UPON AMENDMENT OF THIS CHARTER

SECTION 9-1. CONTINUATION OF EXISTING LAWS

All general laws, special laws, town by-laws, town meeting votes, and rules and regulations of or pertaining to the city that are in force when this charter is amended and not specifically or by implication repealed by such amendment, shall continue in full force and effect until amended or repealed or rescinded by due course of law, or until they expire by their own limitation.

SECTION 9-2. CONTINUATION OF GOVERNMENT AND ADMINISTRATION

Upon amendment of this charter, all city agencies shall continue to perform their duties until re-elected, re-appointed, or until successors to their respective positions are duly appointed or elected, or until their duties have been transferred and assumed by another city agency.
SECTION 9-3. TRANSFER OF RECORDS AND PROPERTY

Upon amendment of this charter, all records, property and equipment whatsoever of any city agency, or part thereof, the powers and duties of which are assigned in whole or in part to another city agency by such amendment, shall be transferred forthwith to such agency.

SECTION 9-4. CONTINUATION OF PERSONNEL

Upon amendment of this charter, any person holding a city office, or a position in the administrative service of the city, or any person holding full time employment under the city, shall retain such office, or position, or employment, and shall continue to perform the duties of such office, position or employment until provision shall have been made for the performance of those duties by another person or agency; provided, however, no person in the permanent full time service of the city shall forfeit their pay grade, or time in service of the city. All such persons shall be retained in a capacity as similar to the capacity in which they were serving at the time this charter is amended as is practicable and any reduction in the personnel needs of the city shall be accomplished through a policy of attrition, unless specific provision is otherwise made in this article or the amendment.

SECTION 9-5. EFFECT ON OBLIGATIONS, TAXES, ETC.

All official bonds, recognizances, obligations, contracts, and other instruments entered into or executed by or to the city before the amendment of this charter, and all taxes, assessments, fines, penalties, forfeitures. incurred or imposed, due or owing to the city, shall be enforced and collected, and all writs, prosecutions, actions and causes of action, except as herein otherwise provided, shall continue without abatement and remain unaffected by such amendment.
to the charter; and no legal act done by or in favor of the city shall be rendered invalid by reason
of the amendment to this charter.

SECTION 9-6. TIME OF TAKING EFFECT

Any amendments to this charter shall be made in accordance with the General Laws and
provisions of this charter governing same.