

SENATE No. 2547

Senate, January 8, 2024 -- Substituted as a new draft (Senator Velis) for the Senate Bill amending the charter of the city of Westfield (Senate, No. 2423).

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act amending the charter of the city of Westfield.

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

1 SECTION 1. Section 9 of the charter of the city of Westfield, which is on file in the
2 office of the archivist of the commonwealth, as provided in section 12 of chapter 43B of the
3 General Laws, is hereby amended by striking out the word “chairman”, each time it appears, and
4 inserting in place thereof, in each instance, the following word:- chair.

5 SECTION 2. Clause 6 of section 9 of said charter is hereby amended by striking out the
6 second paragraph.

7 SECTION 3. The first paragraph of section 15 of said charter is hereby amended by
8 adding the following sentence:- No person shall return nomination papers for more than 1 elected
9 position for the city of Westfield and no person shall appear more than once on any municipal
10 election ballot.

11 SECTION 4. Section 21 of said charter is hereby amended by striking out the word “his”
12 and inserting in place thereof the following words:- that candidate’s.

13 SECTION 5. Said charter is further amended by striking out section 26 and inserting in
14 place thereof the following 2 sections:-

15 Section 26. Appearance before city council.

16 The city council may at any time request specific information on any municipal matter
17 within the city council's jurisdiction from the mayor and may request the mayor's presence to
18 answer written questions relating to such matter at a meeting to be held not earlier than 1 week
19 after the mayor's receipt of such questions. The mayor shall personally, or through a head of a
20 department or a member of a board, attend such meeting and publicly answer all such questions.
21 The person so attending shall not be obligated to answer questions relating to any other matter.
22 The mayor may attend and address the city council at any time, in person or through the head of
23 a department or a member of a board, upon such subject as the mayor may desire.

24 Section 26A. Investigations by city council.

25 Upon a majority vote of the city council, the city council, or any committee thereof duly
26 authorized by the city council, may investigate a financial transaction of any office or department
27 of the city government, the official acts and conduct of any official and, by similar investigation,
28 secure information upon any matter.

29 SECTION 6. Section 33 of said charter is hereby amended by striking out the second
30 paragraph.

31 SECTION 7. Said section 33 of said charter is hereby further amended by striking out the
32 word "his" and inserting in place thereof the following words:- the official's.

33 SECTION 8. Section 35 of said charter is hereby amended by striking out the word “his”
34 and inserting thereof the following words:- the contractor’s.

35 SECTION 9. Section 37 of said charter is hereby amended by striking out the word
36 “chairman” and inserting in place thereof the following word:- chair.

37 SECTION 10. Section 39 of said charter is hereby amended by striking out the word
38 “vice-chairman” and inserting in place thereof the following word:- vice-chair.

39 SECTION 10. Said section 39 of said charter is hereby further amended by striking out
40 the word “chairman” and inserting in place thereof the following word:- chair.

41 SECTION 11. Said section 39 of said charter is hereby further amended by striking out
42 the word “his” and inserting in place thereof the following words:- the mayor’s.

43 SECTION 12. Said charter is hereby further amended by striking out section 44.

44 SECTION 13. Said charter is hereby further amended by adding the following 2
45 sections:-

46 Section 55. Vacancies on the City Council, School Committee or Municipal Light Board

47 If, at any time during a term, a vacancy occurs on the city council, school committee or
48 municipal light board from any cause and there are more than 6 months until the next biennial
49 preliminary election for the vacant seat, the city council shall order a special election to fill the
50 vacancy for the unexpired term. If there are 6 months or less until the next biennial preliminary
51 election for the vacant seat, the vacancy shall not be filled. Vacancies on the city council, school
52 committee or municipal light board shall not change the number of affirmative votes required for
53 majority or two-thirds majority.

54 Section 56. Charter Amendment Processes

55 (a) The city may amend this charter following any process provided for under the
56 Massachusetts General Laws.

57 (b) If the city council chooses to amend the charter by petitioning the General Court for
58 special legislation, the city council president shall appoint an ad-hoc charter amendment
59 committee to manage the charter amendment process and comply with the process established in
60 this section. The city council shall create a working document entitled “proposed charter” which
61 shall incorporate the approved amendments into the version of the charter that existed prior to
62 the appointment of the ad-hoc charter committee. The proposed charter shall be an internal
63 working document until it is approved for submission as special legislation in accordance with
64 paragraph (f) below.

65 Proposed amendment topics shall be submitted by motion to the city council and referred
66 to the ad-hoc charter committee by majority vote.

67 The ad-hoc charter committee, or the city council, shall hold at least 1 public hearing for
68 each topic. Such public hearing may include multiple topics, but each topic shall be presented
69 separately. The public may ask questions of fact and express opinions in favor or against each
70 proposal at the hearing.

71 The topics shall be investigated and deliberated by the ad-hoc charter committee. The ad-
72 hoc charter committee shall make recommendations to the city council. If there is a positive
73 recommendation for an amendment, the amendment shall be presented to the full city council in
74 the form of a resolution to amend the proposed charter. The city council may approve the
75 resolution to amend the proposed charter by two-thirds majority vote.

76 When the amendment process is complete, as determined by the ad-hoc charter
77 committee, the ad-hoc charter committee shall publicly post the proposed charter for not less
78 than 10 days after which period the committee shall prepare a resolution to petition the General
79 Court to file special legislation amending the charter. The city council may approve the
80 resolution by two-thirds majority vote. If the city council does not approve the resolution, the ad-
81 hoc charter committee may make further amendments and recommendations following the
82 process defined above.

83 The mayor may approve or deny the resolution in accordance with the Massachusetts
84 General Laws.

85 SECTION 14. This act shall take effect upon its passage.