



Town of Franklin

Town Charter Overview

Town Council
November 1, 2024
&
December 17, 2025

Jamie Hellen, Town Administrator
Mark Cerel, Town Attorney

Town Charter - Major Milestone Moments

1. **1978** - Franklin created the Council-Administrator form of government
 - a. Predominant form of govt across the country
 - b. Massachusetts is a Home Rule state, not all cities and towns have a charter
 - c. Franklin is one of about a dozen or so communities with this form of gov't

2. **1984** - Charter Commission 5-year review of growing pains
 - a. Commission report included tonight

3. **1995** - Charter Commission Review
 - a. The charter amendment that represents the majority of today's system
 - b. Commission report included. Read the conclusion on page 9/10. "Lead the way"

4. **2007-2014** -
 - a. Series of technical clarifications/updates from state laws
 - b. The major change was to appoint/ratify the Treasurer-Collector, rather than elect
 - c. 2014 a non-binding question regarding support for a Mayor was defeated nearly 2-1

Procedures to alter the Town Charter

Amendment to a municipal charter is governed by MGL Chapter 43B. Two provisions:

- **Elected Charter Commission** (Formal) & Ballot Question
 - a. Step 1: 15% of voters must sign a petition to have an election of a commission.
 - i. The Council then orders the ballot question within 30 days OR it automatically goes on the ballot.
 - b. Step 2: Candidates run for a Charter Commission. MGL 43B, section 4.
 - c. Step 3: Commission has specific statutory procedures to follow on how to conduct a Charter process. MGL Sections, 5, 6, 7, 8 and 9.
 - d. Step 4: Charter amendment is required to go to voters at a ballot
 - e. Usually this choice is used for comprehensive, structural changes to the entire organization. A final recommendation is up or down ballot vote, no amendments.
 - f. Process requires hired facilitation and an appropriated budget.
 - i. Recent examples: Saugus, Amherst, and Framingham.
 - ii. Franklin used this in 1984 and 1995.

Procedures to alter the Town Charter

Amendment to a municipal charter is governed by MGL Chapter 43B. Two provisions:

- Ad Hoc Subcommittee (informal)
 - a. Establish an informal Ad-Hoc Committee of the Town Council (Rules of Procedure)
 - b. Home Rule Legislation or Ballot Question
 - c. This process CANNOT include substantive changes to the form of government (i.e. composition, mode of election, terms of the legislative body, duties of the town administrator and other structural changes to the legislative body of the government.)
 - d. This process has been used by Franklin for the past 30 years.