



## MEETING MINUTES

### CHARTER REVIEW COMMITTEE MEETING THURSDAY, FEBRUARY 27, 2025 6:30 PM

EVERETT CITY HALL, 484 BROADWAY, CITY COUNCIL CHAMBERS, 3RD FLOOR  
EVERETT, MA 02149

---

#### CALL TO ORDER

Chairman Van Campen called the meeting to order at 6:30 PM.

City Clerk Sergio Cornelio was accepted as the temporary recording secretary for the committee in Mr. Flood's absence.

#### ROLL CALL

##### Members Present

Guerline Alcy Jabouin, Darren Costa, Rosa DiFlorio, Kathleen Parker, David Pretti, David Senatillaka, Robert Van Campen

Mr. Cornelio called the roll. There were 7 members present. A quorum was established for the transaction of the committee's business.

The committee received a communication from Member Capone that he was ill and would be unable to attend the meeting.

#### PLEDGE OF ALLEGIANCE

Chairman Van Campen led the committee and audience members in the Pledge of Allegiance.

#### APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Minutes of the Charter Review Committee Meeting of 12/05/2024

The minutes of the Charter Review Committee meeting of 12/05/2024 were presented for approval. Member DiFlorio requested that the names of the current and former Ward 3 councilors be removed from the discussion of a potential issue with Section 2-1(b). The meeting minutes were approved as amended by a voice vote.

RECEIVED  
CITY CLERKS OFFICE  
EVERETT, MA  
2025 JUL 28 A 9:07

The minutes of the Charter Review Committee meetings of 01/09/2025 and 01/30/2025 were accepted as submitted by voice vote.

## **COMMUNICATIONS**

### **Response to Open Meeting Law Complaint**

City Clerk Sergio Cornelio drafted and filed a response to the Open Meeting Law complaint discussed at the committee's last meeting in regards to the committee's minutes not being up-to-date.

Minutes of three meeting of the committee were submitted for approval as part of this agenda; the only outstanding minutes due for the committee are for the committee's meeting of 02/20/2025,

## **UNFINISHED BUSINESS**

### **1. Continue Review of Charter – Review Articles 9 (Complete) & 10**

The committee continued its review of proposed charter changes starting with Article 9 of the Charter – General Provisions

#### **Section 9-6(a)      Periodic Review of Charter**

This change was proposed by KP Law, working with the City Clerk to review the charter.

#### **Current Language**

Not later than the first day of July, at ten (10) year intervals, in each year ending in a four (4), the mayor and city council shall provide for a review to be made of the city charter.

#### **Proposed Language**

Not later than the 1st day of July, at 10 year intervals, in each year ending in a 0, the mayor and city council shall provide for a review to be made of the city charter.

#### **Committee's Action**

The committee accepted the proposed change as it will prevent charter review and ordinance review from being performed in back-to-back years.

#### **Section 9-6(b)      Periodic Review of Charter**

This change was proposed by KP Law, working with the City Clerk to review the charter.

### **Current Language**

This review shall be made by a special committee to consist of nine (9) members.

(1) Four (4) members shall be appointed by the city council president, two  
(2) of whom shall be members of the city council and two (2) of whom shall be voters of the city but shall not be elected or appointed officers or employees of the city.

(2) Five (5) members shall be appointed by the mayor, all of whom shall be voters of the city but shall not be elected or appointed officers or employees of the city.

### **Proposed Language**

This review shall be made by a special committee of 7 members,

(1) 3 members shall be appointed by the city council president from amongst the registered voters of the city, one of which may be a city councilor and one of which shall not be an elected or appointed officer or employee of the city.

(2) 4 members shall be appointed by the mayor, all of whom shall be voters of the city of which no more than 2 may be elected or appointed officers or employees of the city

### **Committee's Action**

The committee reaffirmed its decision from the last meeting to reject any changes to the composition to the charter review committee even though there had previously been some support for allowing a limited number of city employees to serve on the committee.

### **Section 9-7(a)(2) Uniform Procedures Governing Multiple-Member Bodies - Meetings**

This change was proposed by KP Law, working with the City Clerk to review the charter.

### **Current Language**

(2) Special meetings of any multiple member body shall be held on the call of the chairman or by one-third (1/3) of the members of the body by written notice delivered in hand or to the place of residence of each member at least forty-eight (48) hours in advance of the time set, which shall contain notice of the subjects to be acted upon. A copy of the notice shall also be posted in accordance with law.

### **Proposed Language**

(2) Special meetings of any multiple member body shall be held on the call of the chairman or by 1/3<sup>rd</sup> of the members of the body by written notice delivered in hand or to the place of residence of each member at least 48 weekday hours in advance of the time set, which shall contain notice of the subjects to be acted upon. A copy of the notice shall also be posted in accordance with law.

### **Committee's Action**

The only proposed change was to add the word "weekday" between the number 48 and the word "hours", which clarifies how hours are to be calculated. The committee

accepted change on a voice vote.

**Section 9-7(d) Uniform Procedures Governing Multiple-Member Bodies - Quorum**

This change was proposed by KP Law, working with the City Clerk to review the charter.

**Current Language**

- (1) A majority of the members of an appointed multiple member body shall constitute a quorum.
- (2) Unless some other provision is made by the multiple member body's own rules while a quorum is present, except on procedural matters, a majority of the full membership of the body shall be required to vote on any matter representing an exercise of the powers of the multiple member body, and that General Law provisions related to any vote to meet in "executive session" shall always require a majority of members of the body.

**Proposed Language**

- (1) A majority of the full membership of an appointed multiple member body shall constitute a quorum.
- (2) Unless some other provision is made by law or the multiple member body's own rules while a quorum is present, a majority of those present and voting shall be required to vote on any matter representing an exercise of the powers of the multiple member body.

**Committee's Action**

The committee accepted the changes, which clarified the language contained within the subsection, as presented on a voice vote.

**Section 9-8 Number and Gender**

This change was proposed by KP Law, working with the City Clerk to review the charter.

**Current Language**

Words importing the singular number may extend and be applied to several persons or things; words importing the plural number may include the singular; and words importing the masculine gender shall include the feminine gender.

**Proposed Language**

Words importing the singular number may extend and be applied to several persons or things; words importing the plural number may include the singular; and words importing a particular gender shall be interpreted to include any.

**Committee's Action**

The committee accepted the change by a voice vote as part of the effort to make the charter gender neutral.

**Section 9-10(b)      Computation of Time**

This change was proposed by KP Law, working with the City Clerk to review the charter.

**Current Language**

The last day of the period shall be included, unless it is a Saturday, Sunday or legal holiday, in which event the period shall be extended to the next day which is not a Saturday, Sunday or legal holiday.

**Proposed Language**

The last day of the period shall be included, unless it is a Saturday, Sunday or legal holiday, in which event the period shall be extended to the next day which is not a Saturday, Sunday or legal holiday unless otherwise provided by law.

**Committee's Action**

The committee accepted the proposed change, by voice vote, as it is a only minor legal wording change.

**Section 9-11      Oath of Office of Mayor, City Council, and School Committee**

This change was proposed by KP Law, working with the City Clerk to review the charter.

**Current Language**

(a) A mayor-elect .(as applicable), the city council-elect, and the school committee members-elect shall, on the first Monday in the January of each even-numbered year, except when said first Monday falls on a legal holiday, in which event on the following day, no later than eight o'clock in the evening (8:00 PM), meet and be sworn to the faithful discharge of their duties.

(b) The oath may be administered by the city clerk, the assistant city clerk, or by any person qualified to take oaths or affirmations.

(c) A certificate that the oath or oaths have been taken shall be entered in the journal of the city council.

(d) In case of the absence of the mayor-elect or any members-elect of the city council or school committee on the day the oath of office is administered, the oath may at any time thereafter be administered to those persons by the city clerk, the assistant city clerk or by any person qualified to take oaths or affirmations. A certificate of each oath subsequently taken shall be entered in the journal of the city council.

(e) After the oath has been administered to the city council members present, they shall organize by electing from among their number a person to serve as the president as provided in section 2-2. The member senior in years of continuous service on the city council shall preside during this election. If two (2) or more members are equally senior in continuous years of service on the city council, the member senior both in continuous years of service and age shall preside.

(f) After the oath has been administered to the school committee members present, they shall organize by electing from among their number a person to serve as the chair, as provided in section 4-2. The member senior in years of continuous service on the school committee shall preside during the election. If two (2) or more members are equally senior in continuous years of service on the school committee the member senior both in continuous years of service and age shall preside.

#### **Proposed Language**

(a) The oath of office may be administered by the city clerk, the assistant city clerk, or by any person qualified to take oaths or affirmations.

(b) A certificate that the oath or oaths have been taken shall be entered in the journal of the city council.

(c) In case of the absence of the mayor-elect or any members-elect of the city council or school committee on the day the oath of office is administered, the oath may at any time thereafter be administered to those persons by the city clerk, the assistant city clerk or by any person qualified to take oaths or affirmations. A certificate of each oath subsequently taken shall be entered in the journal of the city council.

#### **Committee's Action**

The committee accepted the proposed changes. on a voice vote, for the following reasons:

1) The former subsection (a) conflicted with changes made to subsections 2-1(b)(2), 2-1(b)(3), 4-1(b)(2) and 4-1(b)(3) in a prior revision and changes being made to subsection 3-1(b)(2) and 3-1(b)(3) in this revision.

2) The former subsection (e) was, more or less, a duplication of subsection 2-2(a)(1).

3) The former subsection (f) was, more or less, a duplication of subsection 4-2(a)(1).

#### **Section 9-15      Felony Convictions**

This change was proposed by KP Law, working with the City Clerk to review the charter.

#### **Current Language**

N/A (New)

#### **Proposed Language**

(1) Any person who has been finally convicted of a state or federal felony involving a violation of the public within the 5 years preceding the date of the general or special election at which they seek to be elected shall not be eligible to petition for, or serve in, any elective office.

(2) Any elected official of the city who has been finally convicted of a state or federal felony while serving shall be deemed to have vacated their office and shall be eligible for election or appointment to any city position only after the expiration of 5

years from the date of said conviction; provide, however, if the felony at issue involves a breach of the public trust, such person shall be eligible for election or appointment to any city position only after the expiration of 10 years from the date of said conviction.

#### **Committee's Action**

The committee agreed that it made sense to centralize the language associated with how felony convictions affects a person's ability to hold office or other city employment to one place in the charter. This would make it easier to change the language whenever it is decided that a change is appropriate.

The committee discussed if it made sense to categorize felonies into groups so it might make some sense to lift the prohibitions on holding offices and city employment after a period of time for persons committing lesser infractions.

The committee also discussed what is considered to be a "breach of the public trust". They wanted a definition of the term before they further considered the proposed changes.

Mr. Cornelio agreed to contact Lauren Goldberg of KP Law to attempt to get answers to the committee's questions.

As such, the committee postponed any decision on the acceptance of the proposed changes to the charter's felony conviction language until the answers to their questions are obtained.

The committee concluded its review of proposed charter changes with Article 10 of the Charter – Transitional Provisions.

#### **Section 10-1 (a) Continuation of Existing Laws**

This change was proposed by KP Law, working with the City Clerk to review the charter.

#### **Current Language**

All general laws, special laws, city ordinances, and rules and regulations of or pertaining to Everett, including special acts creating regional entities and arrangements of which the city is a member, that are in force when this charter takes effect, and not specifically or by implication repealed by this charter, shall continue in full force and effect until amended or repealed, or rescinded by law, or until they expire by their own limitation.

#### **Proposed Language**

All general laws, special laws, city ordinances, and rules and regulations of or pertaining to Everett, including special acts creating regional entities and arrangements of which the city is a member, that are in force when this charter or any amendments thereto takes effect, and not specifically or by implication repealed by this charter or any amendments thereto, shall continue in full force and effect until amended or repealed, or rescinded by law, or until they expire by their own limitation.

### **Committee's Action**

The committee accepted the proposed changes, by voice vote, as they are only minor legal wording changes..

### **Section 10-2**            **Continuation of Existing Laws**

This change was proposed by KP Law, working with the City Clerk to review the charter.

### **Current Language**

All city agencies shall continue to perform their duties until re-elected, reappointed, 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.

### **Proposed Language**

Delete

### **Committee's Action**

As there is no transition that needs to take place with this charter update, this subsection is no longer necessary. The committee, by voice vote, agreed to delete the subsection with this update.

### **Section 10-3**            **Transfer of Records and Property**

This change was proposed by KP Law, working with the City Clerk to review the charter.

### **Current Language**

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, shall be transferred immediately to that agency.

### **Proposed Language**

Delete

### **Committee's Action**

As there is no transition that needs to take place with this charter update, this subsection is no longer necessary. The committee, by voice vote, agreed to delete the subsection with this update.

### **Section 10-4/2**        **Effect on Obligations, Taxes, Etc.**

This change was proposed by KP Law, working with the City Clerk to review the charter.

### **Current Language**

All official bonds, recognizances, obligations, contracts, and other instruments entered into or executed by or to the city before the adoption 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 otherwise provided in this charter, shall continue without abatement



and remain unaffected by the charter; and no legal act done by or in favor of the city shall be rendered invalid by reason of the adoption of this charter.

#### **Proposed Language**

All official bonds, recognizances, obligations, contracts, and other instruments entered into or executed by or to the city before the adoption of this charter or amendments thereto, 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 otherwise provided in this charter, shall continue without abatement and remain unaffected by the charter; and no legal act done by or in favor of the city shall be rendered invalid by reason of the adoption of this charter.

#### **Committee's Action**

The committee accepted the proposed change, by voice vote, as it is only a minor legal wording change.

#### **Section 10-5/3(c) Disposition of Certain Special Laws – Incumbents**

This change was proposed by KP Law, working with the City Clerk to review the charter.

#### **Current Language**

Certain special laws recognized and retained with respect to incumbents in office at the time of charter adoption

Incumbents now serving in the following offices shall have all the rights afforded by these acts, but upon the vacating of office by the incumbents by resignation, retirement, or other cause, such offices will be subject to the city's charter provisions relating to appointment, and the city's personnel policies and procedures:

- (1) The building inspector pursuant to Chapter 518 of the Acts of 1920;
- (2) The city engineer pursuant to Chapter 136 of the Acts of 1927;
- (3) The Director of Veterans' Services (Commissioner of Soldier's Relief and State and Military Aid) pursuant to Chapter 92 of the Acts of 1932;
- (4) The city clerk and assistant city clerk pursuant to Chapter 8 of the Acts of 1926; and
- (5) The treasurer pursuant to Chapter 166 of the Acts of 1947.

#### **Proposed Language**

Delete

#### **Committee's Action**

As all of the incumbents serving in these offices have moved on since the original version of this charter was implemented, this committee voted, by voice vote, to eliminate this subsection as a part of this update.as it is no longer necessary.

**Section 10-5/3(e) Certain Other Obsolete Special Laws Repealed**

This change was proposed by KP Law, working with the City Clerk to review the charter.

**Current Language**

The following acts hereby stand repealed:

- (1) Chapter 355 of the Acts of 1892, Chapter 366 of the Acts of 1896; and Chapter 152 of the Acts of 1902 of or relating to the city's charter;
- (2) Chapter 260 of the Acts of 1917, Chapter 57 of the Acts of 1933, and Chapter 161 of the Acts of 1934 relating to preliminary elections;
- (3) Chapter 183 of the Acts of 1918 relating to vacancies;
- (4) Chapter 349 of the Acts of 1928 and Chapter 288 of the Acts of 2002 relating to the mayor's term;
- (5) Chapter 361 of the Acts of 1930 relating to biennial municipal elections;
- (6) Chapter 135 of the Acts of 1933 and Chapter 64 of the Acts of 1935 relating to the municipal inaugural;
- (7) Chapter 525 of the Acts of 1943 and Chapter 146 of the Acts of 1990 relating to the school committee;
- (8) Chapter 259 of the Acts of 1949 relating to office-holding; and
- (9) Chapter 308 of the Acts of 1977 relating to initiative petition.

**Proposed Language**

Delete

**Committee's Action**

As these laws were all repealed with the first implementation of this charter, this section is no longer necessary, Therefore, the committee, by voice vote, decided to delete this subsection with this update.

**Section 10-6 Continuation of Existing Laws**

This change was proposed by KP Law, working with the City Clerk to review the charter.

**Current Language**

This charter shall take effect upon its ratification by the voters and in accordance with the following schedule:

- (1) All city officers and employees shall continue to perform their duties in the same

manner and to the same extent as they have performed the same prior to the ratification by the voters of the home rule charter.

(2) The first election of officers under this charter shall be held on the first Tuesday following the first Monday in November 2013 for the purpose of electing a mayor, a city council and members of the school committee. A preliminary election for the purpose of nominating candidates to be elected shall be held on the third Tuesday of September 2013, if necessary, as provided in Article 7 of this charter.

(3) On the first Monday in January 2014 the persons elected as mayor, city council members, and school committee members shall be sworn to the faithful performance of their duties.

(4) Not later than thirty (30) days following the date of the ratification of this charter by the voters, the city clerk shall give to each member of the General Court who represent any part of Everett a copy of the vote ratifying this charter.

(5) Immediately after the election at which this charter is adopted, the board of aldermen shall appoint four (4) persons to a committee, at least one of which shall be a member of the charter commission elected in November 2009, to begin a review of the city ordinances for the purpose of preparing such revisions and amendments as may be needed or necessary to bring them into conformity with the provisions of this charter and to fully implement the provisions of this charter. The city clerk shall be the fifth member and chair of this committee. The committee shall submit a report, with recommendations, within one (1) year following its creation and may submit interim reports with recommendations at any time. The city solicitor, or special counsel appointed for this express purpose, shall serve as an advisor to the committee.

(6) No later than September 2014, the mayor shall promulgate a series of administrative orders providing for the organization of city government into operating agencies in accordance with section 5-1.

(7) Forthwith following the 2013 municipal election, the persons elected as members of the city council shall meet for the sole purpose of reviewing and revising policies and procedures, rules, or interim rules that will govern the conduct of the business of the city council until such time following the taking of the oath of office when the city council adopts permanent rules. Such meetings shall be called by the council member-elect most senior in age and shall be open to the public, although the business of any such meetings shall be confined to the topics identified here. The city clerk shall serve as an advisor to the city council-elect in this endeavor.

(8) As soon as practical following the election at which this charter is adopted, the city clerk and the registrars of voters shall, using existing precinct boundary lines and voting places, divide the city into six (6) equal voting districts, or, as nearly equal as may be, using such existing precinct lines. At the first municipal election held in the odd numbered year following adoption of this charter, until the city has been reapportioned, as provided in Massachusetts General Laws, chapter 54, one (1) ward councilor shall be elected from each such ward, based on the city's most recent reapportionment pursuant to Massachusetts General Laws, chapter 54, and five (5) councilors shall be

elected from the city at large.

(9) Until such time as another salary is established in accordance with the provisions of this charter, the initial salaries for the mayor and for a school committee member shall be the same amount established for those offices at the time of the municipal election next following the election at which this charter is adopted. Until such time as another salary is established in accordance with the provisions of this charter, the initial salary for a city councilor shall be the same amount established for the board of aldermen at the time of the municipal election next following the election at which this charter is adopted.

(10) No later than May 1, 2014, the city council shall promulgate an ordinance providing for a code of conduct and a code of ethics applicable to all appointed and elected officials and employees of the city.

(11) The mayor and the board of aldermen and common council, in office at time this charter is adopted, and the mayor and successor city council elected pursuant to this charter, shall have the authority to adopt measures that clarify, confirm, or extend any of the transitional provisions in order that such transition may be made in the most expeditious manner possible.

(12) So much of this charter as is possible shall take effect following its adoption by the voters. Provisions relating to the election of the city council shall take effect for the municipal election next following the adoption of this charter. Upon taking of office, such council shall operate pursuant to the provisions of Article 2 of this charter.

#### **Proposed Language**

Delete

#### **Committee's Action**

As there is no transition that needs to take place with this charter update, this subsection is no longer necessary. The committee, by voice vote, agreed to delete the subsection with this update.

#### **2. Outstanding Issues List**

As this list was provided by Mr. Flood and he was not at the meeting, the discussion on this list of issues was deferred to the next meeting.

#### **3. Other Proposed Changes**

This discussion was also deferred to the next committee meeting.

#### **NEW BUSINESS**

#### **4. Set date, time and agenda for the committee's next meeting / public hearing**

The next regular meeting of the Charter Review committee was set for Thursday, March 20, 2025 at 6:30 PM.

A public hearing to get feedback on the committee's proposed changes to the charter was scheduled for Thursday, April 3, 2025.

### **ADJOURNMENT**

The meeting was adjourned at 8:09 PM.

(All agendas and reports can be obtained on City of Everett Website)

Respectfully submitted:

***David R. Flood***

Charter Review Committee Recording Secretary  
Everett City Council Office