

April 6, 2022

Dear Mayor Sisitsky, Honorable Councilors, business leaders, and residents:

We all desire a Downtown that brings us pride, where we eagerly take friends to dinner, shop for our daily needs, or meet to conduct the people's business.

It is time for all of us to show our commitment to Downtown Framingham, and support our current small businesses, encourage new business growth, and build a center where residents feel safe with easy access to shopping, food, entertainment, and transportation. And doing so with the utmost respect and compassion for our downtown residents and visitors.

Accomplishing these goals require us to identify strategies that will make our commerce center more inviting, revitalize and expand our public facilities, increase public parking, encourage private wealth creation, and expand services for our most vulnerable residents.

The pathway to revitalization is found by following the proven pathway from other communities: build consensus among residents, businesses, landowners, and community leaders; develop a comprehensive strategic plan; and do the work necessary to implement the plan. Local business enclaves, like our downtown, are the backbone of Framingham's economy, and it is critically important to help them sustain their existence.

The following actions taken together, we believe, will set us on this pathway:

1. Convene Blue Ribbon Commission to revitalize our municipal campus;
2. Formalize Downtown Community Cares weekly working group;
3. Remove billboards to further advance the beautification of downtown;
4. Approve the Aggressive Solicitation Ordinance; and,
5. Expand Opportunity Zone incentives into downtown.

These efforts will give all interested parties a voice at the table, assemble the resources necessary, and provide the structure to achieve our goal.

In addition, as our Mayor works with our partners in state government on plans for a new courthouse, parking facilities, and transportation improvements, we need to make a generational investment in our Municipal Campus that will feature a new municipal office building, and arts and culture center.

Our reconstituted Economic Development Corporation, reorganized municipal department, and the strategic use of grants and tax incentives will provide the tools and talent necessary to support and grow our local workforce. Lastly, we need to explore with local property owners the creation of a Business Improvement District and expand recreational and employment opportunities for our youth.

The best way to reinvigorate our diverse Downtown into the more vibrant commerce, culture and civic center we all desire is by listening to and engaging each other and working together as a team. As always, we look forward to our discussion on this matter.

Respectfully proposed,

Councilors Michael Cannon, George P. King, and John A. Stefanini



# Framingham Council

## **Establishing a Blue Ribbon Commission to Invest in our Municipal Campus**

- Whereas,** the good stewardship of our public assets requires an inclusive and transparent process, consideration of our short- and long-term needs, and development of a comprehensive plan; and,
- Whereas,** Framingham’s capital assets are in need of improvements in excess of our legal means to make such replacements or repairs; and,
- Whereas,** Framingham’s seat of government in its Memorial Building, a tribute to our residents that paid the ultimate sacrifice, is one such public asset; and,
- Whereas,** Framingham residents, officials and employees want a modern, efficient, effective, and accessible place for making governmental decisions, implementing municipal programs and services, and conducting business with and for the residents of Framingham that retains the best and most capable workforce, encourages collaboration, and promotes innovation; and,
- Whereas,** Taxpayers want more efficient and effective operations by consolidating and housing municipal and school operations together where practicable; and
- Whereas,** Downtown landowners and businesses want our municipal corporation to be a good neighbor by investing in our buildings and grounds in our commerce center; and
- Whereas,** Framingham Town Manager convened a Committee on Building Plan Implementation, so-called Blue Ribbon Committee, to develop a plan for our public assets; now,
- Therefore,** be it resolved by the Council of Framingham to reconstitute and recharge the Town Manager’s Blue Ribbon Committee to update its findings and recommendations for the good stewardship of our public assets, including the seat of our local government.

*Be it resolved by the Framingham Council, as follows:*

### **SECTION 1. Blue Ribbon Commission to Invest in our Municipal Campus**

- A. Commission: The Blue Ribbon Commission be comprised of the following fifteen (15) members, or their respective designees: the mayor, chair of the council, chair of the school

committee, chair of the planning board, chair of the disability commission, chair of the newly reconstituted Economic Development Committee, chair of Framingham Business Association, Boston Region Metropolitan Planning Organization (MPO) representative, dean of the legislative delegation, and, select by the mayor, a veteran, retired municipal employee, municipal union leader, two downtown residents, and downtown business owner. The Commission will be co-chaired by the representatives of the mayor, council, school committee, and planning board.

B. Purpose. The Commission purpose is to advise municipal leaders in identifying and meeting the short- and long-term needs of its leaders, workers, and residents to have safe, efficient, and effective space to convene and conduct the business of the municipality and school department of Framingham, including recommendations for ordinances and budgets to achieve its recommendations. Said report shall include recommendations to enhance our downtown campus that includes a new municipal office building, renovation of the Memorial Building as a community, cultural and meeting center, other public facilities, and additional parking spaces. The Commission shall survey the needs of public officials and municipal and school workers, identify opportunities to utilize innovate structures, techniques and technologies to achieve operational efficiencies, and solicit input from the public in developing a comprehensive plan for Framingham's capital assets. The Commission shall also consider transportation improvements and potential new justice center. Said Commission shall make its report no later than November 1, 2022.

C. Membership, Terms and Vacancies. Any vacancy in the membership of the Commission not filled by each respective organization within thirty days of notification by the city clerk shall be filled by the chair of the council.

## **SECTION 2. Effective Date**

This resolution shall take effect upon its passage.



# Framingham Council

April 6, 2022

Charles J. Sisitsky, Mayor  
City of Framingham  
Memorial Building  
Framingham, MA 01702

Dear Mayor Sisitsky:

As you know, Framingham has successfully convened working groups over the past few decades to address spikes in activity or concerns to ensure the harmonious and productive presence of all visitors, residents, and businesses in our downtown commerce center.

In the past, when the working group, modelled on those in other communities, is successful in addressing concerns, it has been phased out when its goals are achieved only to be revived when something happens. Therefore, we respectfully request that you formalize this group with an executive order to ensure that its mission and work continue long after our respective stewardships have ended.

We have attached a draft modelled on Framingham Police Department's current working group for your review.

On behalf of the Council,

Sincerely,

Philip R. Ottaviani, Jr.  
Chair

Attachment

CC: Lester Baker, Police Chief  
Council



# MAYOR CHARLES J. SISITSKY

EXECUTIVE ORDER #EO2022-???

## Establishing the Downtown Community Cares Working Group

- Whereas, our Downtown is the home of a diverse collection of people, entities, and businesses engaged in the exchange of idea, culture, services, and commerce;*
- Whereas, everyone wants to peacefully and productively coexist;*
- Whereas, creating harmony amongst these varied interests and beings requires a coordination, resources, and a comprehensive approach;*
- Whereas, numerous municipalities, including Framingham from time to time, have convened such committees to bring down silos and create compassionate and lasting harmony to the populace, diverse commerce centers;*
- Now therefore, a permanent broad-based committee of all interested parties to reduce risk in our community is created pursuant to the authority vested in the Mayor under Article III, Section 2 of the Framingham Home Rule Charter and the general municipal police power and power to protect public health and safety incorporated therein, be it ordained as follows:*

### Downtown Community Cares Working Group

#### A. Goal

To create compassionate and lasting harmony among visitors, businesses, and residents in our populace, diverse downtown commerce center.

#### B. Purpose

Provide a forum to bring together various stakeholders in the downtown commerce center to address public safety and quality of life issues. The Working Group provides all the participants with the opportunity to discuss what each group is seeing or doing in the downtown area. The members discuss:

- FPD crime and quality of life calls in the downtown area;
- What each agency / business has been doing in the past several months in the area;
- Current or proposed items being worked on for implementation; and,
- Ideas that may make us more effective downtown

The Working Group will work with families and individuals that are facing difficult challenges and may need services from more than one community agency. The goal is to work together to ensure families and individuals are safe, healthy and have the opportunity to thrive. The Group is a police-led initiative made up of designated staff from community and government agencies that

meet weekly to address specific situations regarding clients facing elevated levels of risk, and develop immediate, coordinated, and integrated responses through mobilization of resources.

This innovative model mobilizes resources already in place to address specific situations before an emergency occurs. The Group reduces demands that are currently borne by the criminal justice system, health system, and families by more effectively applying the capacities of our human service partners and our police resources, and mitigating those critical upstream risk factors that lead to harm, crime, and/or death.

Moreover, the criteria for intervention is unique: the case must signify a high probability and strong intensity of harm, and require a multi-disciplinary approach. The case is then “filtered” to determine whether collaborative intervention is necessary, a process used to protect the individual’s privacy. Our model is efficient: we don’t have lengthy meetings diagnosing anything. Each case takes approximately four minutes.

### **C. Working Group**

The executive Working Group shall be advisory to the Mayor and comprised by representatives of the following groups and any others as may volunteer to the Chief of Police may from time to time add:

- Mayor’s Office
- Police Chief
- Council
- Downtown Framingham, Inc
- SMOC
- Advocates – PES
- Property owner
- Business owner
- Fire Chief
- DPW Director
- JRI
- Metro West Medical Center
- Wayside Youth and Family
- Code Enforcement Officer
- Living Room on Union Ave

The Working Group shall be convened and chaired by the Deputy Police Chief. The Group shall meet as needed, but no less frequently than twice per month. The Group is not a multiple-member body and its deliberations are confidential.

**NOW, THEREFORE, SO ORDERED.**

MAYOR OF CITY OF FRAMINGHAM

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Charles J. Sisitsky, Mayor

Date:

April 6, 2022

Dear Colleagues:

Over the past year, there has been a dramatic increase in incidents of aggressive and unsafe solicitation that create public safety hazards, especially the aggressive solicitation of cars in traffic on major roadways throughout Framingham. Unlike other jurisdictions, Framingham does not have a policy covering such matters. This proposal adopts best practices from other jurisdictions to provide the Police Department with an effective tool by giving it the power to fine and arrest in circumstances where aggressive solicitation is involved.

The draft ordinance would target behavior where an individual is in fear of their person or property and where the solicitation involves intimidation and contact. In addition to defining aggressive solicitation and prohibiting solicitation in certain areas, it would allow for the collection of data and analysis of results in order to enhance street outreach and services including, emergency shelter, housing, employment and health services. Enabling the city to better collaborate with non-profit partners to reach out to panhandlers in order to link them with needed services and will also provide educational outreach to the public regarding options to properly make donations.

The attached proposes to regulate the manner and place of solicitation to enhance public safety by prohibiting aggressive solicitation and solicitation in certain areas that create public safety hazards. This proposal does not seek to criminalize panhandling, but provides a balance between the protected right of solicitors to ask for assistance with the public right to peacefully travel in public areas.

The draft ordinance would prohibit solicitation in an aggressive manner in public places and prohibits all solicitation when the person being solicited is in the following places: bus/rail shelter or bus/rail stop; parking garage or parking lot; sidewalk café; a line waiting to be admitted into a commercial establishment; or, in a crosswalk. Also, solicitation is prohibited within ten feet (10) of an ATM machine or facility, and an entrance or exit to a bank or check cashing business during hours of operation. It would also prohibit solicitation on streets and highways including medians and exit ramps.

As always, I look forward to our discussion on this matter.

Respectfully proposed,

Councilors Michael Cannon, George P. King, and John A. Stefanini



# Framingham Council

## **An Ordinance Regulating the Manner and Place of Solicitation**

*Be it ordained by the Framingham Council, as follows:*

### **Section 1.**

Article V of the Framingham Ordinance are amended by adding at the end thereof the following new section:

Section 35. The manner and Place of Solicitation

35.1 Definitions.

For purposes of this section:

35.1.1 Aggressive manner means:

1. Approaching the person being solicited in a manner that is:
  - a. Intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or
  - b. Intended to or is likely to intimidate the person being solicited into responding affirmatively to the solicitation.
2. Conduct during soliciting that includes:
  - a. Intentionally or recklessly making any physical contact with or touching another person in the course of the solicitation, or approaching within an arm's length of the person, except with the person's consent; or
  - b. Using violent or threatening gestures or profane, offensive or abusive language; or
  - c. Intentionally or recklessly blocking or interfering with the safe or free passage of a pedestrian or vehicle.
3. Closely following or continuing to solicit a person who has been solicited and who has informed the solicitor by words or conduct that such person declines the solicitor's request.

35.1.2 Automated teller machine means a device, linked to a financial institution's account records, which is able to carry out transactions, including, but not limited to: account transfers, deposits, cash withdrawals, balance inquiries, and mortgage and loan payments.

35.1.3 Automated teller machine facility means the area comprised of one (1) or more automated teller machines, and any adjacent space which is made available to banking customers after regular banking hours.

35.1.4 Bank means any association or corporation chartered by the Commonwealth under M.G.L. c. 168, 170, 171 or 172, or an individual, association, partnership or corporation incorporated or doing a banking business in the Commonwealth subject to the supervision of the Commissioner of Banks.



- 35.1.5 Bus shelter means a covered structure at a bus/rail stop providing protection against the weather for people waiting for a bus or train.
- 35.1.6 Bus/rail stop means a place on a bus or rail route, usually marked by a sign, at which buses or trains stop for passengers to alight and board.
- 35.1.7 Check cashing business means a location that houses a person or entity engaged in cashing checks, drafts or money orders for a consideration licensed under M.G.L. c. 169A.
- 35.1.8 Parking lot means a cleared area dedicated and intended for parking vehicles.
- 35.1.9 Parking garage means a building designed specifically to be for automobile parking.
- 35.1.10 Public place means any area or building owned, leased, operated or controlled by or on behalf of any government, municipality, public authority or public corporation in the City which is generally accessible by the public, including but not limited to any City street, sidewalk, bridge, tunnel, park, playground, recreation area, cemetery, school or school grounds, building, facility, driveway, parking lot or parking garage, and the doorways and entrances to buildings and dwellings.
- 35.1.11 Sidewalk café means that portion of the public right-of-way kept, used, maintained, and held out to the public as a place where food or drink are served for consumption on the premises, or which is used directly in conjunction with a pedestrian pick-up window.
- 35.1.12 Solicit means to request an immediate donation of money or other thing of value from another person, regardless of the solicitor's purpose or intended use of the item requested. The solicitation may be, without limitation, by the spoken, written, or printed word, bodily gestures, signs, performing or offering to perform any service or by other means of communication.
- 35.2 No person shall solicit in an aggressive manner in a public place.
- 35.3 No person shall solicit when the person being solicited is:
  - 35.3.1 In a bus/rail shelter or at a bus/rail stop; or
  - 35.3.2 In a parking garage or parking lot; or
  - 35.3.3 In a sidewalk cafe; or
  - 35.3.4 In a line and waiting to be admitted into a commercial establishment; or
  - 35.3.5 In a crosswalk.
- 35.4 No person shall solicit within ten (10) feet of:
  - 35.4.1 An automated teller machine or an entrance or exit of an automated teller machine facility during the time it is available for customers' use; or
  - 35.4.2 An entrance or exit to a bank or check cashing business during business hours.
- 35.5 No person shall solicit while walking on, standing on or going into any street or highway used for motor vehicle travel, or any area appurtenant thereto (including medians, shoulder areas, bicycle lanes, turning lanes, ramps and exit ramps).
- 35.6 Enforcement.

The provisions of this section may be enforced by the Framingham Police Department.
- 35.7 Penalties.
  - 35.7.1 Any person who violates any subsection of this section 35 shall be punished by a fine of not more than one hundred dollars (\$100.00) or by a judicial order of community service in lieu of a fine or some combination thereof.

35.7.2 Any person who continues to violate any subsection of this subsection 35 after being ordered to stop by a member of the Police Department may be arrested and kept in custody in accordance with [M.G.L. c. 272 s. 59](#).

**Section 2.**

Severability.

If any provision in this ordinance shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.



# Framingham Council

*Be it ordained by the Framingham Council, as follows:*

## **An Ordinance to Reduce the Number of Billboards**

### SECTION 1.

Section 1.4 of Article VII is hereby adding the following new definition in alphabetical order:

1.4.? Digital Billboard: An off-premise sign utilizing digital message technology, capable of changing the static message or copy on the sign electronically. A Digital Billboard may be internally or externally illuminated. Digital Billboards shall contain static messages only, and shall not have animation, movement, or the appearance or optical illusion of movement, of any part of the sign structure. Each static message shall not include flashing or the varying of light intensity. A Digital Billboard is not a Changeable Copy Sign or a Flashing sign as such terms are defined in this Bylaw.

Section 1.4 is further amended in 1.4.13 by adding the following sentence to the end thereof:

This does not include Digital Billboards.

Section 1.6 of Article VII is hereby amended by adding at the end of subsection 1.6.1 the following:

This does not include Digital Billboards.

Section 1.6 is further amended in 1.6.9 by adding the following sentence to the end thereof:

This does not include a Digital Billboard.

Section 1.8 of Article VII is amended in 1.8.2 by adding the following to the end thereof:

- i. This does not include a Digital Billboard as permitted and allowed under this ordinance.

Section 1.9 is amended by adding the following new subsection to the end thereof:

#### 1.9.17 DIGITAL BILLBOARDS

Digital Billboards may be permitted only in the Manufacturing zone within 250 of the center line of the Massachusetts Turnpike Authority and not with 250 feet of a ramp, service area or residential zone pursuant to a relocation agreement between the City acting through its mayor and the owner/operator of a Digital Billboard (the "Digital Billboard Owner") that would require the Digital Billboard Owner to: 1) take down nine (9) existing static Billboards in exchange for the right to

construct a new two-faced Digital Billboard pursuant to the requirements of this ordinance; 2) pays an annual licensing fee of \$12,500 per face; 3) provides not less five hours of display time for Framingham public service messages; 4) demonstrates no negative impacts to any adjacent neighborhoods; and, 5) mitigates community impacts. Such relocation agreement shall also require the Digital Billboard Owner to coordinate regarding community messaging by the City on a space available basis.

- a. Digital Billboards shall be permitted only in the General Manufacturing (M) zone district, facing the Massachusetts Turnpike and only one such sign per every 2,000 feet subject to the other requirements of this Section. The maximum face size of any Digital Billboard allowed under this Section shall not exceed 680 (six hundred and eighty) square feet, including framing or trim.
- b. Digital Billboards shall comply with the operational safety requirements set forth in the applicable Massachusetts Department of Transportation regulations, specifically 700 CMR 3.17. The operational requirements set forth in 700 CMR 3.17, including but not limited to Sections 3.17(2)(a), 3.17(2)(c), 3.17(2)(d), 3.17(2)(e), 3.17(5), 3.17(7), and 3.17(10), are hereby fully incorporated into these Bylaws by reference.
- c. Digital Billboard Owners have the sole option to remove the digital units from the structure at any time, for any reason. During all periods where there are no digital units on the sign structure, the Digital Billboard Owner shall be permitted to operate the sign faces as traditional, printed type.
- d. The technology currently being deployed for Digital Billboards is LED (light emitting diode), but there may be alternate, preferred and superior technology available in the future. Any other technology that operates under the maximum brightness stated in 700 CMR 3.17, as incorporated herein by reference, shall not require the Digital Billboard Owner to seek any additional approvals from the City or seek any amendment to these Bylaws. The City shall expedite any required approvals for technology that is superior in energy efficiency over previous generations or types.

## SECTION 2.

### **Severability**

If any provision of this ordinance shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

## SECTION 3.

### **Effective Date**

This ordinance shall take effect immediately.