

Board of Selectmen
Meeting Minutes
March 3, 2020
Chenery Meeting Room

Present: Selectmen Murby, Peterson, Marcucci; Town Administrator Trierweiler; Assistant Town Administrator Milano; Town Counsel Cerel; Administrative Assistant Clarke

Chairman Murby called the meeting to order at 7:10 PM and announced this meeting is being recorded. He continued saying that since this meeting is on a Primary Election Day he hopes everyone feels a bit more patriotic. Let's take a moment of appreciation for our service members who are serving across the globe to help protect our country.

Announcement

At the end of this regular meeting the Selectmen will be going into Executive Session and not resume in open session.

Appointments

Medfield Energy Committee, Fred Davis Chair; Marie Zack Nolan, member

Mr. Davis remarked to the Selectmen that he was at the meeting to discuss three proposed warrant articles; net zero emissions goal by 2040, electricity aggregation, and the possible hiring of a sustainability coordinator. He continued saying that for the past two years the Town could have been eligible for Green Communities funding in the amount of \$250,000. Now the state has reduced the amount to \$200,000 as there are more Towns making applications. The Committee is now in the process of applying for a grant and the deadline is March 27. The committee estimates it takes about 15-20 hours per week to work on the application, so they are asking to place an article to hire a sustainability coordinator that would follow through with the application work for these grants.

Selectman Marcucci said that he hears the Committee saying they would like someone to do this work; however, it's clear the Town is not going to hire someone before March 27. He went on asking why the Committee did not bring it to the Board's attention over the last two years that there was additional work to be done to apply for the grants.

Mr. Davis responded that he has only been Chair since May. A few years back the Town did receive a \$148,000 grant and the work covered by this grant was not finished until Amy Colleran, facilities Director came on board and completed it this past summer. The Town is not eligible to apply for new funds until that prior work was completed. Mr. Marcucci queried Ms. Colleran about an estimate of how many hours would it take to complete the Green Communities grant; her response about 25 hours per week. Ms. Nolan explained that several years ago the Energy Committee put together a report about energy conservation measures. It's very involved to track the savings and a lot of data-driven work that needs to be done throughout the year. The Committee feels this would be the responsibility of an energy manager or coordinator. Ms. Nolan stated said that other towns have this coordinator, i.e. Millis, Westwood Sherborn, and Ashland. Mr. Marcucci said that it seems a starting point would be a list of work to be accomplished and the number of hours it would take.

Mr. Peterson said that he has observed the Energy Committee since its inception. Originally Michael Sullivan attended the meetings and he oversaw the connection between the Town and the committee and what needed to get done. Then Andrew Seaman came in for a couple of years, then Jerry McCarty for a short time. Now Amy is attending, but she really does not have the time to do all of the work the Energy Committee would like to have done. Without that staff person being at the meetings, taking the ideas, and moving initiative forward, we have lost out on these grants.

Mr. Marcucci pointed out that Mr. Peterson attended those meetings, but didn't discuss with the BOS a list of items that needed to be done. Perhaps we could have figured out the specific tasks and who could do them. Everyone would like to have their own staff person, or a building, or even a car, but for the people who are paying for this you can't do it that way. Mr. Marcucci would like to understand before we hire someone what they are going to do for how many hours a week. Placing an article on the warrant is not the route to take for hiring an energy manager. It should go through the normal procedure we have for hiring.

Mr. Murby said that he went through the Green Communities annual report and, prior to reading the report, he had no idea how much work was involved or the amount of money that can be captured. He did not recommend a warrant article either and agreed with Selectman Marcucci; it should go through the normal channels, not Town Meeting.

Mr. Davis said that the next proposed article the Committee is recommending involves setting a Net Zero Emissions Goal by 2040. First step is to develop a Net Zero Action Plan by November 2021 that outlines specific strategies. The Committee has been taking action to reduce the Town's carbon emissions by installing municipal solar arrays, converting to LED street lights, promoting residential and commercial energy efficiency programs to name a few, Eversource has a pilot program to convert neighborhoods from natural gas to ground source heat. However in the last couple of weeks Mr. Davis learned that the Governor wants to change the state's goal from 80% to 100% by 2050.

Selectman Murby said that he is not a fan of empty broad statements at town meeting. His concern is that we don't have a plan for how we will get there. Mr. Davis stated that he does not have that answer which is why a plan has to be written. Without it we will never get there and maybe in five years it will have to be re-written. He continued that at some point somebody is going to say we must act on those net zero emissions and I do believe at that time it will be the Board of Selectmen who must act on it.

Selectman Murby said that he would want to know the logic behind a plan and to have a plan that clearly articulated the reasons why specific actions were being taken. Selectman Marcucci said that he didn't think the BoS was in a position tonight to take a vote on this article.

Mr. Davis remarked that the third article the Energy Committee is proposing is to authorize the Selectmen to initiate a process to implement Community Choice Aggregation. He said that it involves the Selectmen negotiating a contract with an electrical supplier on behalf of the

residents. Eversource will continue to be the electric utility but not the electricity supplier. The new supplier will deliver cleaner energy than typical electricity suppliers by using, a cleaner mix of energy sources. The article also authorizes the Selectmen to appoint a committee to oversee the project.

Selectman Murby said that there are a lot of suppliers out there trying to get residents to sign up for their program. He receives letters once or twice a month from a supplier offering greener electricity. He suspects a lot of other people in Town get the same solicitation and they and they are fully capable of deciding what they want to do on their own, without town involvement. Selectman Murby said he would support this if residents were offered the choice to *opt in* instead of an *opt out* option. A detailed discussion then ensued over whether town residents were, in fact, capable of making a sound choice around this issue on their own. Selectmen Murby suggested that public efforts to promote environmentally responsible action by residents is best achieved by making the case for that action, rather than applying the coercive power of government to compel that action. Mr. Davis said that there has to be a balance between doing things that make sense and doing the hard work required to also ensure residents are being asked to do things that also make good economic sense. By the end of the discussion, the Energy Committee had tentatively agreed to withdraw the article addressing the hiring of a sustainability coordinator and to refer that issue to the town's Personnel Board. The Selectmen thanked the Energy Committee for all the good work they are doing for the Town.

Facilities Director, Amy Colleran; discuss LED lighting change

Ms. Colleran stated that she would explain Eversource initiative called LED Lamp Exchange. Eversource provided new energy saving LED lamps, removed all the old fluorescent bulbs, replaced with new LEDs, and then recycled the old lights all within a 60 day timeframe. With over 60-100 lamps in the schools, it had to be a summer project, however, we didn't have the manpower so we were able to negotiate with Eversource to cover the cost of materials and labor and an electrician was hired through Eversource. Total project cost was \$200,000 with no cost to the Town. It's estimated to save Medfield \$91,000.00 per year in energy.

Ms. Colleran continued saying that it was such a successful project that Eversource came back and offered to do the Town Buildings; Town Hall, Town Garage, Library, Pfaff Center and the Council on Aging. Not the Public Safety Building as they already have LEDs. The cost is \$79,000, again covered by Eversource and we will realize approximately \$27,000 in energy savings per year. In terms of the environmental impact from changing out the lights, this equates to saving 175 trees or taking 20 cars off the road.

Commonwealth Electrical Technologies is the engineering company and one of their electricians did a lighting audit on each of our buildings and discovered we do have some existing LED lamps in some buildings. The plan is the electrician will bypass that light fixture and will make sure it is noted on our audit so that we have accurate numbers for our annual green community report for the state. Mr. Peterson was surprised that municipal buildings were not all LEDs. He thanked Amy for completing this project.

Selectman Murby asked Ms. Trierweiler how we would account for the savings to be sure we have them. Ms. Trierweiler stated the budget will not be adjusted until the second year once we

realize the actual cost savings. For example the streetlight budget amount remains the same amount it was before we purchased them; once we have two years of figures on savings then we will adjust the budget accordingly.

Selectman Murby stated that sounded reasonable if we can see an actual cost savings Ms. Colleran said that process is ongoing and was one of the drivers for moving energy costs to the facilities budget. Ms. Colleran said there are two contracts to be signed, one for Eversource, and the other for Commonwealth Technologies. Chairman Murby called for a vote.

Vote: On a motion made by Selectmen Peterson to sign both contracts, seconded by Selectman Marcucci, the vote was unanimous.

Jean Mineo; update and potential vote of lease agreement for MSH Chapel; Vicky Schepps, Attorney

Ms. Mineo said that I believe you all have the latest version which Steve Nolan worked on to address some of the things we discussed last time. Namely restructuring the phases and addressing access. Mark and Vicky have discussed earlier today, and, as we have no issues, we would like to move forward. Mr. Marcucci said that he has two questions; first he did not think we should agree to the arbitration clause. The second, we have a seven year period in pre-construction with three one-year extensions. But, for the construction phase, there is no specific schedule and that seemed amorphous. Mark Cerel said that what was proposed is when they are ready to enter the construction phase, a schedule will be agreed upon and the project will proceed until it reaches substantial completion. This ensures that there won't be a breakdown on the project schedule.

Resident Bill Massaro was recognized and he commented that this is his first chance to see the lease. He questioned how you measure progress if you sign a 99 year lease. In addition, the RFP draft for developers requires that the project be designed and built in accordance with the master plan and the land disposition agreement, and that it also integrates with Mass Historic. He didn't see any of those requirements in the lease or requirements to comply with MEPA. Mark Cerel responded that it's not specifically addressed, however when they are ready to proceed in that direction and, subject to Selectmen review and approval, it will be picked up at that point. Mr. Massaro was concerned that the process is correct before the Selectmen approve it. His concern about MEPA continues.

Selectman Murby remarked that he thinks Bill is saying that there are covenants with the state and historic preservation and with this one building we expect it to be renovated in a manner consistent with the master plan. Mark commented that the project may not be big enough to have MEPA involved but as far as historic preservation if that is in place we have to comply.

Selectman Marcucci said that he agreed with Mark that if the town has to approve the specifics, we need to make sure any plans are consistent with other obligations. Something to think about - do we need to incorporate it into the lease? Ms. Schepps said that what she asks is that we take this iteration which addresses basic concerns and incorporate tonight's suggestions. Then perhaps we can bring this to a final contract.

Ms. Trierweiler stated that an appraisal must be done on the Chapel. Originally she planned on doing this in-house, however the Board of Assessors feels they do not have the commercial and historical expertise, so we need to hire an outside appraiser. Jean asked if we need to come back to a Board of Selectmen meeting for final approval. Mark said the he would like to see a final draft before the Selectmen are authorized to sign.

Jean said she wanted to thank Vicky for all her time and assistance along with Steve and so many other people within the Town with their useful comments; she is so grateful.

Action Items

Warrant for March 30 Town Election

Selectman Murby said that he had an editorial suggestion and a correction of the misspelling of the date in the warrant; it should be thirtieth. Four paragraphs down, it should read one Planning Board member and one Housing Authority member. Ms. Trierweiler suggested that the Selectmen vote to sign the warrant tonight and then come to Town Hall to sign the corrected warrant **and it was so voted.**

Dale Street School Feasibility Study Agreement

Selectmen are requested to vote to authorize Chairman Murby to sign the agreement; however Mr. Murby did find inaccuracy that he feels needs correction. Ms. Trierweiler suggested the Board authorize the signing and then Selectman Murby will come to Town Hall and sign the corrected copy **and it was so voted.**

Housing Choice Designation Application

Town Planner Sarah Raposa requests the Selectmen to vote to authorize Chairman Murby sign the application form. Mr. Murby queried what amount of grant money we can expect. Town Administrator said it was up to \$250,000 and the Town can spend it on anything we would like in terms of capital. She continued that she would like to commend Sarah and Yvonne who worked really hard getting the 120 number and going back to review to be sure they did not miss anything. It was noted that Building Inspector Gary Pelletier's signature is required stating that the information contained in the application is accurate.

Vote: On a motion made and seconded it was voted unanimously to authorize Chairman Murby to sign the Housing Choice Designation Application

Eligible Purchase Certificate

Ms. Trierweiler said that this relates to the sale of 14 Turtle Brook Way. It is one of the affordable units and in December DHCD ran the lottery for the home and found an eligible buyer.

By signing this document the Town approves the owner and verifies that it is one of our affordable units.

Vote: On a motion made and seconded it was voted unanimously to authorize Chairman Murby to sign the Eligible Purchaser Certificate relating to 14 Turtle Brook Way.

Discussion Items

Hinkley Property

Mr. Murby stated he will discuss this in Selectmen reports.

Municipal Building Stabilization Fund

Ms. Trierweiler said that the Selectmen are authorized under the creation of the Fund to vote to increase the amount taxed and contributed each year by a maximum of 2.5%.

Vote: On a motion made and seconded it was voted unanimously to increase the contribution to the Municipal Building Stabilization Fund by 2.5% and as recommended by the Town Administrator.

Annual Budget

Ms. Trierweiler stated there was no new update tonight as the financial team is still reviewing the budget. However as it stands now, a balanced budget will require a reduction of the current budget request of over a million dollars. The financial team has identified approximately \$320,000 in cuts, many of which will impact existing programs. Ms. Trierweiler was concerned we are talking tonight of adding an energy manager position yet we are cutting positions in other departments. We are still working with the Warrant Committee, who have a separate set of cuts and they are working with the School Committee on cuts to their budget.

Warrant Articles

Ms. Trierweiler said that currently we have 41 Articles; however, she just learned that the Conservation Commission would like to request to add an article. There are still discussions on several articles that may not move forward. Selectman Murby said that the issue in the discussions around Rosebay, if that doesn't work out on Pound Street; an article may be proposed to do something like that for the Hinkley Property. So perhaps it makes sense for us to ask Town Meeting for authorization for senior housing on the Hinkley property.

Licenses and Permits (consent calendar)

Selectman Murby has a question about one of the requests; to discuss after approving four
Granted as noted by the Chair:

Friends of the Dwight-Derby House a one-day wine and beer permit for the event, Cheryl O'Malley Art Show on March 30 5-9:00 PM to be held at Medfield TV Studio, North Meadows Road

Richard DeSorgher, Chair High School 50th Reunion Committee, a one-day wine and beer permit for the Social Gathering on September 25, 2020 8-11:30PM in the vestry of the First Parish Church, 25 North Street

First Parish Church a one-day wine and beer permit for event Kick Off for the Fund Drive on March 14, 2020 6-10PM in the vestry of the church

Medfield Boy Scouts permission to use the MSH site for their Fall 2020 Boy Scout Camporee October 16-18, 2020

Selectman Murby said that he wants to defer approving the request from Zelus Beer to serve and sell their product outdoors at the Soles of Medfield 10K Race. We approved the race previously and no neighbor attended that meeting, however, given the sensitivity around races in the past we should have Zelus come in to make a presentation. Selectmen agreed.

Town Counsel Cerel asked, do we know the circumstances regarding the camporee security and safety?. Ms. Trierweiler said that some of the organizers of the event met with the Fire Chief, Police Chief and the Building and Grounds Committee and everyone approved. The Scouts will stay away from the buildings and they will just campout in the fields.

Mr. Cerel said that his concern is from a liability standpoint and that the event be supervised adequately.

Town Administrator Update

Ms. Trierweiler said that she received notice that Medfield is once again a Tree City.

The primary election polls closed at 8 PM and 4,349 residents voted. It was a great turnout.

She then outlined the next meeting dates: March 17, Board of Selectmen meeting; March 24, Warrant Hearing; April 1, a joint meeting with School Committee, Dale Street School Building Committee, Warrant Committee and Board of Selectmen. Meeting to be held in the High School Library

Selectmen Report

Selectman Marcucci said the Dale Street School Building Committee met last week and, as he was traveling, he participated remotely. The request for the adjustment of the Feasibility Study Agreement was discussed. The committee will meet tomorrow March 4, 7PM at the Public Safety Building. A Community Forum will be held on Monday March 9 at 6PM at the high school. The Affordable Housing Trust is meeting Thursday at 7:30 PM at the DPW garage. There is no public update on collective bargaining. Selectmen will discuss the issue tonight during the Executive Session.

Selectman Peterson announced the Medfield Foundation Legacy Fund Committee collected another \$20,000. They are working towards raising a million dollars. The committee is working on a "Why We Give Campaign." The Town Wide Master Planning Committee will hold its second public forum Thursday March 26, P.M. at the high school. This will be the last opportunity for public input. The third public forum will be held when the report is sent to the Town; attended the Medfield Energy Committee meeting last night; discussion revolved around the presentation to the Selectmen tonight.

Mr. Murby attended the ZBA meeting where they discussed the Rosebay project. He said that from his standpoint the meeting was well run; very clear the ZBA was working hard to consider the merits of the project, the needs of the Town and listening to the neighbors' objections. Continuing, he said that you all may recall when we discussed the project at the beginning of February, the Housing Authority was going to ask for clarification on the RFP. We received a letter from Ms. Lohen that said she reviewed it with the attorneys and they did not make

comment on the adequacy of the RFP; and the second was that the disposition question actually is not something that has to be answered before you issue a development contract. It is something that should be addressed before the contract is awarded. The Housing Authority said that they were voluntarily reissuing the RFP and that led to a lengthy discussion at the ZBA meeting.

Selectman Murby attended the Historical Society meeting last night and the topic was the history of baseball. The speaker is the vice president of the Topsfield Historic Society. Mr. Murby did not know that baseball goes all the way back to the Plymouth Colonies and they called it stoolball. An interesting thing is that there was an English version of the game that involved five bases. The speaker covered all the basics of baseball to the Civil War; when she then focused on the Red Sox and the original downtown stadium before Fenway. She asked the question “does anyone know how many World Series the Red Sox has won.” I felt I should have known the answer but maybe not. So the answer is nine; five in the early days and four recent.

Mr. Murby reported on the Hospital Development Committee meeting that he attended. The discussion was about where things are going. The Development Committee approved the RFP for the consultant; Committee will be requesting \$50,000 in additional funding to supplement the existing funding. Currently some of the existing appropriation is reserved for environmental work.

Resident Chris Potts was recognized. She asked Selectman Marcucci to ask the Dale Street Building Committee at their meeting tomorrow night to make public the documents used at their last meeting as she cannot find them posted on the website and they are really rich content. Mr. Marcucci said that he will renew his request to the committee that they get posted.

Executive Session

At 8:42PM Selectman Murby announced that the Board will go into Executive Session under Exemption 6: the lease of real property involving the Dwight Derby House and Hinkley property. He declared that an open meeting may have a detrimental effect on the negotiating position of the public body considering the purchase, exchange, lease or value of the property, and Exemption 3: to discuss strategy with respect to collective bargaining, as an open meeting may have a detrimental effect on the government’s bargaining position; and to discuss strategy with respect to pending or threatened litigation involving a Medfield Police Officer third party injury claim. He declared that an open meeting may have a detrimental effect on the litigating position of the public body.

Selectman Peterson called for a roll call vote; Selectman Marcucci yes; Selectman Murby yes; Selectman Peterson yes.

Respectfully submitted,

Evelyn Clarke

