

## **Medfield School Building Bylaw Review Committee**

Meeting notes 4/4/2022

Attendees: Sarah Lemke, Russ Hallisey, Bob Morill, Tom Marie, Carolyn Casey, Cynthia Greene. Brittney Franklin hosted and set up the meeting.

Meeting began at 6:30 pm via Zoom. Bob read the introduction for a public meeting by zoom. Committee members introduced themselves and acknowledged they were participating remotely.

Meeting Focus: The Committee worked on meshing the current draft of the proposed new School Building Committee Bylaw (SBCB) with the existing Permanent Building Committee Bylaw (PBCB).

The following topics were discussed in-depth.

- Which sections of the PBCB apply to the draft SBCB
- Which sections do not apply to the draft SBCB
- Where should the draft SBCB be placed in relation to the existing PBCB
- Feedback and suggestions on the draft SBCB from the Town attorney
- Feedback from public comments sent by email
- The pros/cons of having a clerk present at all meetings to take the minutes of the School Building Committee, and how to pay for such services.
- Manner in which the minutes and audio recordings of all future school building committee meetings will be available to the public.
- Ways to ensure that the public has ample opportunity to give input into any future school building projects

As a result of these discussions, edits were made to the proposed School Building Committee Bylaw. The completed draft is attached to these minutes.

Next Meeting 4/6/2022 @6:30

Meeting Tasks

- Discuss any public comments (submitted by email) that have not been previously discussed
- Discuss any additional feedback from Town attorney on current SBCB proposal
- Final editing (if needed) and reading of current draft of proposed SBCB
- Vote on proposed SBCB
- Approve meeting minutes from 4/4/2022

Minutes of the 3/29/2022 meeting prepared by Russ Hallisey were unanimously approved. Motion to adjourn unanimously approved @ 8:15

DRAFT of the proposed SBCB created on 4/4/2022

Proposed Revisions to 10-20:

§ 10-20

There shall be a Permanent Planning and Building Committee (hereinafter "Committee") responsible for overseeing the planning, prioritizing, design, approvals, construction, reconstruction, alteration or enlargement of all buildings owned by the Town or constructed on land owned, leased, or operated by the Town.

- A. The Committee shall consist of five members appointed by a majority vote of the Town of Medfield Board of Selectmen.
- B. Each member of the Committee shall be a resident in the Town of Medfield. No member of the Committee shall be a paid employee of the Town.
- C. Among the members, the Board of Selectmen should endeavor to appoint a member with expertise in architecture, building engineering, commercial or municipal construction, and/or construction law/contracts. If volunteers with this expertise are not available for appointment, the Board of Selectmen shall have the discretion to appoint instead any individual meeting the qualifications set forth in Subsection B.
- D. The Town Administrator or his/her appointed designee, the Town Facility Manager and one member of the Town Warrant Committee each shall be appointed as ex-officio members in addition to the five-member Committee.
- E. Committee members shall serve a term of three years.
- F. If a Committee member chooses to resign his or her term, the Board of Selectmen shall appoint a replacement to complete the unexpired portion of that term. Expiring terms shall end on June 30 of each calendar year. A member may hold his or her seat after his or her term expires until a successor is qualified.
- G. The Committee shall have supervisory authority and oversight for all projects other than any School Project, as hereinafter defined that fall under MGL c. 149, MGL c. 149A, MGL c. 30, § 39M, and MGL c. 7C. The Committee may, with the consent of the Board of Selectmen, delegate its authority to another governing board, committee, commission or Town official should the Committee's involvement be deemed unnecessary.

- H. The Committee, in consultation with the Town Facility Manager, shall be responsible for assessing the current conditions of all Town facilities and projecting their useful life.
- I. The Committee shall be responsible for projecting the need to replace and/or renovate existing facilities and maintain a Facilities Master Plan with a prioritized list of future needs.
- J. The Committee, or the SBC (as hereinafter defined), as applicable, shall, subject to Town Meeting project authorization and appropriation, conduct feasibility studies and final designs, oversee construction of projects, procure project management (if required), procure design, architectural and engineering services as it deems necessary or as required by law.
- K. Prior to commencement of a project or feasibility study, the relevant user department shall designate up to two people to serve as ex officio members to support the completion of the project or feasibility study and represent the needs of that department.
- L. Any user department seeking to construct, reconstruct, alter or enlarge a building under its jurisdiction shall file a project application with the Board of Selectmen; if the Board of Selectmen determines that the project should proceed, it shall refer the application to the Committee, or the SBC, as applicable. The Committee, or the SBC, as applicable, shall meet with the applicant department and if the project is deemed viable by the Committee, or the SBC, as applicable, shall present its findings to the Board of Selectmen for approval to start a feasibility study.
- M. If, after the completion of a feasibility study, it is deemed by the Board of Selectmen that the proposed construction project is necessary, the Committee, or the SBC, as applicable, shall conduct the final design process subject to Town Meeting approval of all funding and review of projected budgets with the Board of Selectmen and Warrant Committee.
- N. The Permanent Planning and Building Committee shall report its progress on all capital projects on an as-needed basis or as requested by the Board of Selectmen.

O. With respect to each School Project, the requirements of this Section 10-20 shall be overseen by a School Building Committee (hereinafter "SBC")(in lieu of the Committee). The SBC shall be responsible for overseeing the planning, prioritizing, design, approvals, construction, reconstruction, addition or enlargement of any school building owned or to be owned by the Town (each a "School Project"). The SBC shall have supervisory authority and oversight for all School Projects that fall under MGL c. 149, MGL c. 149A, MGL c. 30, § 39M, and MGL c. 7C.

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P. With respect to each School Project, the requirements of Section 10-20(A)-(F) shall be superseded with the following:

1. SBC Composition:

a. The SBC shall consist of twelve (12) voting members and at least three (3) non-voting members.

b. Voting Members: All voting members of the SBC (or any subcommittee established thereunder) shall be Medfield residents and shall not be employees of the Town of Medfield. The voting members shall be appointed as follows:

i. The School Committee shall appoint four (4) voting members to the SBC. Two appointments will be current School Committee members whose terms are not coterminous. Two additional appointments will be Medfield residents with pertinent experience in education, if possible.

ii. The Town Moderator shall appoint four (4) voting members to the SBC. One appointment will be a current Warrant Committee member, selected by the Warrant Committee. One appointment will be a Medfield resident over sixty-five (65) years of age. Two appointments will be residents at large.

iii. The Select Board shall appoint four (4) voting members to the SBC. One appointment will be a Planning Board member, selected by the Planning Board to represent the Planning Board's interests, including, without limitation, the interests of the Town-Wide Master Plan. Three (3) appointments will be residents with expertise in pertinent areas such as architecture, building engineering, commercial or municipal construction, and/or construction law/contracts, at least one (1) of which appointees shall have expertise in energy/sustainability measures (including knowledge of Medfield's energy goals to meet Net Zero). No current member of the Select Board may be appointed to the SBC.

c. Non-Voting Members: The following individuals will be ex-officio, non-voting members of the SBC:

i. The Superintendent of Schools and/or his/her appointed designee.

ii. The building Principal(s) directly affected by the School Project.

iii. The Town Administrator, in consultation with the appropriate Town departments (other than the School Department) and/or his/her appointed designee.

iv. Such additional member(s) to be appointed by the Select Board, if and to the extent the same become required in order to obtain funding under [MGL c. 70B- correct reference to MSBA statute?]

d. Except as provided in subparagraph [e] below, the term of each member's appointment shall expire upon the completion or earlier termination of the applicable School Project.

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e. If an SBC member's term as an elected or appointed official expires or such member chooses to resign from their appointment, the appointing authority who initially selected such member will be responsible for selecting a member for the balance of the School Project.

2. Procedural Requirements:

a. A minimum of 7 voting members of the SBC shall be present at any meeting to constitute a quorum.

b. All actions of the SBC shall require a vote of agreement by a minimum of two-thirds (8 of 12) of the voting members of the SBC.

c. All meetings (including subcommittee meetings) shall be subject to the Open Meeting Law [MGL c. 30A § 18-25]- and minutes shall be taken. With the exclusion of subcommittee meetings (for which the subcommittee shall be responsible for taking minutes), the Town of Medfield shall provide a Clerk (the cost of which shall be funded by the School Department's budget) to take minutes of the meeting and to endeavor to record (audio or video) the meeting. The minutes and recordings shall be available to the public on the School Department's webpage throughout the duration of the School Project.

Q. The SBC shall hold periodic public hearings to solicit Town residents' feedback about the School Project, including on the School Project schedule, scope and estimated cost range.

R. The SBC shall report its progress on all School Projects, a minimum of once every (6) months during the duration of such project, to the Select Board and the School Committee.

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