



TOWN OF MEDFIELD MEETING NOTICE

Posted:

Town Clerk

Posted in accordance with the provisions of M.G.L. c. 30A, §§18-25

This meeting will be held remotely on Zoom. Members of the public who wish to view, listen to, or participate via Zoom may do so by joining by one of the following options:

1. To join online, use this link:
<https://medfield-net.zoom.us/j/86182695280?pwd=cEVBak5CeWtuNENKTVJzclF5Zmo4UT09>
 - a. Webinar ID: 861 8269 5280
 - b. Password: 417477
2. To join through a conference call, dial 929-436-2866 or 312-626-6799 or 253-215-8782 or 301-715-8592 or 346-248-7799 or 669-900-6833
 - a. Enter the Webinar ID: 861 8269 5280
 - b. Enter the password: 417477

School Building Committee Bylaw Review Committee **Board or Committee**

PLACE OF MEETING	DAY, DATE, AND TIME
Remote Meeting on Zoom	Tuesday, March 15, 2022 at 7:00 pm

Agenda (Subject to Change) Revised

1. Public Comment (15 Minutes).
 - a. Committee will take public comment at the beginning of the meeting. Those wishing to comment will have 90 seconds each.
 - b. Committee is soliciting public comments and not questions at this time.
2. Discuss Key Questions
 - a. How many members should be on the Committee?
 - b. Who appoints the members to the Committee?
 - c. What are the qualifications of the members?
 - d. Residents vs Non-Residents
 - i. Voting or Non Voting

3. Discuss Tasks/Action Items and Next Meeting

School Building Committee Bylaw Review Committee

March 7, 2022

Minutes

Present: Robert Morrill, Carolyn Casey, Cynthia Greene, Russ Hallisey, Sarah Lemke, Thomas Marie, Johanna Hilvert (joined at 7:30)

Bob Morrill called the meeting to order and read the following statement:

“Pursuant to Governor Baker’s March 12, 2020 Order suspending Certain Provisions of the Open Meeting Law, G.L. C.30A, section 18, and the Governor’s March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Medfield School Building Bylaw Review Committee is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to listen to or view this meeting while in progress may do so by following the instructions on the agenda and meeting notice.” All votes subject to remote participation will be taken as roll call votes, and the meeting is being recorded. This order has been extended through July of 2022.

Robert Morrill, Carolyn Casey, Cynthia Greene, Russ Hallisey, Sarah Lemke, Thomas Marie, announced they were participating remotely.

Town Moderator Scott McDermott gave an introduction and discussed the background, citizens petition at the 2021 Annual Town Meeting, and procedures for the Committee. Scott stated that he has appointed Bob Morrill as Chair of the committee.

Committee members gave brief introductions:

Robert Morrill: 22 year resident, served on the Warrant Committee, honored to serve on this committee

Carolyn Casey: 30 year resident, served five terms on the School Committee, focus is on education, involved in school building projects in 1990s, long standing issue of a committee and happy to be working on a solution

Russ Hallisey: 35 year resident, Real Estate Attorney, served on ZBA, Bylaw Review Committee, proud to give back

Cynthia Green: 34 year resident, Recycling Committee, MEC, TWMPC, Bylaw Review Committee with Russ

Sarah Lempke, 15 year resident, Planning Board for seven years, Real Estate Attorney, excited to be serving on the Committee.

Thom Marie, 24 year resident, Warrant Committee for six years including serving as Chair, youth coaching, St. Edwards, excited of opportunity to serve

Town Administrator Kristine Trierweiler discussed protocol and committee operations including discussion of remote meeting requirements, public comment.

Kristine discussed the timeline in relation to dates: Warrant Hearing on 3/29 and Warrant Report to the printer on 4/5. Committee discussed some concerns with meeting that April deadline for a Special Town Meeting. Scott suggested they review the materials that have been drafted by both Selectmen Marcucci and Chris Potts.

Kristine will make Brittney Franklin available to the Committee. Ms. Franklin has been pulling together bylaw examples from other towns.

Committee discussed the issue of a new Permanent Planning and Building Committee (PPBC) bylaw, and amendment to existing, PPBC or two separate bylaws. Thom Marie discussed the Committee having their own starting point of review of existing bylaws from other towns vs what had been provided. Scott advised the committee that these are background materials to begin the discussions but the Committee should pick their own starting point.

Sarah Lemke stated there are questions that should be the starting point for the Committee:

1. How many people should serve?
2. How long is the term length?
3. Who appoints the committee members?
4. Who recommends the people to be appointed and do they have to be residents?
 - a. Non voting, ex officio?
5. What are requirements for expertise?
6. What is the scope of the Committee?
 - a. Whom do they receive their assignments from?

Committee discussed the logistics of the upcoming agendas. Meeting will be Tuesdays from 7:00 to 8:30. Committee discussed public comment and determined they will solicit public comment, not questions, at the next meeting. Public Comment will be the first 15 minutes and each person

will get 90 seconds to speak, the committee will finish each meeting reviewing tasks and setting the agenda for the next meeting.

Committee discussed the MSBA process, what does that mean for the bylaw, will the Town need a separate bylaw, what is the role of the School Superintendent on the SBC. Should a quorum of the School Committee be on the new SBC?

Committee asked Kristine to clarify the role of the Superintendent and MSBA. Do they require the Superintendent to be on the Committee, and are they required to be a voting member.

Committee discussed the need for just one bylaw for the School Building Committee regardless of MSBA involvement.

Johanna Hilvert introduced herself to the Committee: 22 year resident, four kids, member of the Warrant Committee, Commercial Real Estate Attorney

Agenda for the next meeting was set:

Public Comment

15 Minutes, 90 Sec per speaker

Comments should be on the formation of the committee not the school

Committee to review the following questions:

1. How many members?
2. Who Appoints?
3. Qualifications
4. Resident vs Non Resident
 - a. Voting or Non Voting

Motion to adjourn at 8:15 made by Sarah Lemke, seconded by Bob Morrill, Roll Call vote 7-0.

Respectfully submitted,
Kristine Trierweiler

§ 30-56. School Facilities Committee.

- A. The School Facilities Committee shall consist of nine members appointed for three-year terms.
- B. Three members shall be appointed by the Moderator, three by the Selectmen, and three by the School Committee, the initial appointments by each appointing authority to be for one-, two-, and three-year terms. This provision shall take effect as terms of present appointees expire.
- C. The School Facilities Committee shall, as circumstances require, investigate and study the condition and adequacy of school facilities, and shall report to the Town Meeting its recommendations as to major maintenance and remodeling of present buildings, additions thereto, new buildings, and location and acquisition of sites.
- D. The School Facilities Committee may proceed on its own initiative in these matters and shall respond promptly to all written requests from the School Committee.

ARTICLE IV
Building, Planning and Construction Committee
[Adopted as Ch. 26 of the 1996 By-laws; amended 11-18-2013 STM by Art. 16]

§ 12-12. Establishment. [Amended 11-17-2014 ATM by Art. 16]

There shall be a Building, Planning and Construction Committee consisting of seven members, including one member of the Planning Board, appointed by said board, and six members appointed by the Town Manager. The members appointed by the Town Manager shall include a registered professional engineer or architect, an attorney admitted to practice in Massachusetts, a person employed in the construction industry or a related trade or occupation, a person with a discipline in Environmental Sciences or a member of the Conservation Commission, and two other persons.

§ 12-13. Term of committee members set; department head to be ex-officio.

- A. The terms of the members of the Building, Planning and Construction Committee shall be for three years; the terms of office of members shall be so arranged that as nearly an equal number of terms as is possible shall expire each year.
- B. In addition to the foregoing members, the department head of each given project shall be a non-voting, ex-officio member.
- C. Said Committee shall choose its own officers and shall serve without pay.

§ 12-14. Committee to survey Town needs.

The Committee shall be responsible for surveying the growth of the Town, the building needs of the community, and the physical condition of all existing Town buildings.

§ 12-15. Committee to determine building needs and make recommendation.
[Amended 11-17-2014 ATM by Art. 18]

The Committee shall meet with the various Town agencies from time to time to determine the need for additions or renovations to any existing buildings, or for the construction of new buildings for the Town, and shall report to the Town Manager its recommendation with regard to such additions, renovations, or construction.

§ 12-16. Committee to supervise authorized work. [Amended 11-17-2014 ATM by Art. 18]

Whenever the addition to or renovation of any existing building, or the construction of new buildings is authorized by the Town Meeting and appropriation made therefor, the Town Manager may assign the Building, Planning and Construction Committee to be responsible to the Town Manager for the supervision of all work relating thereto, including architect selection (if required), site planning, preliminary drawings, final plans, preparation of request for construction bids and supervision of all construction.

§ 12-17. Scope of chapter defined.

This chapter shall apply to the new construction of or new addition to existing buildings, and to renovations which are not ordinary and normal maintenance or replacement projects and which are capital improvements within the meaning of § 39-9; provided, however, that this chapter shall not apply to road, bridge, sewer, sidewalk construction or re-construction, or maintenance of parks; provided, further, that this chapter shall not apply to buildings under the control of the School Department if the Town Meeting authorization shall specifically assign responsibility to the School Department.

ARTICLE IX
School Building Rehabilitation Committee
[Adopted 11-16-2015 ATM by Art. 12]

§ 12-33. Purpose.

The purpose of this by-law is to provide a permanent School Building and Rehabilitation Committee ("SBRC") that shall have continuing responsibility to direct engineering and architectural studies to determine the current physical condition of the Town School Department buildings and to make recommendations to the Town relative to proposed rehabilitation, expansion and/or new construction projects.

§ 12-34. Establishment.

There shall hereby be established an SBRC, which shall oversee and supervise the design, construction, reconstruction, major alteration, renovation, enlargement, major maintenance, demolition, and removal of Town School Department buildings as provided in this by-law.

§ 12-35. Committee membership.

A. Voting Members. The SBRC shall be comprised of seven members, or where specified, their designees, all of whom shall be registered voters of the Town of Dedham, and all serving on the SBRC without compensation, as follows:

- (1) Two School Committee members, or designees.
- (2) One Board of Selectmen member, or designee.
- (3) One Finance and Warrant Committee member, or designee.
- (4) Three Members-at-Large appointed by Town Moderator, whose appointments shall be made consistent with the appointment goals identified in 963 CMR 2.10(3)(b) and (e) to provide a broad range of expertise and perspective, and which appointment(s) may, but need not, include a parent of a child enrolled in the Town's school system at the time of such appointment(s).

B. Ex Officio Members.

- (1) Persons holding the following offices shall be considered ex officio members of the Committee, with a voice but no vote, and therefore shall not count towards the quorum required for the SBRC to take action under the Open Meeting Law:
 - (a) Town Manager, or Town Manager's designee;
 - (b) Superintendent of Schools; and
 - (c) Principal of the affected school for the duration of the project involving that school.

(2) Further, for each project, the SBRC may designate temporary ex officio members or staff, with the approval of the Town Manager, or other Town residents with particular expertise to advise the Committee, solely and exclusively in an advisory capacity, related to a particular project. The SBRC may also consult with, and seek participation from, other Town employees with applicable expertise, including but not limited to: (i) building maintenance and engineering staff; (ii) finance and procurement staff; (iii) school system administrators; (iv) school business management staff; (v) school system curriculum and programming staff; and (vi) direct student-support staff, such as teachers and counselors.

§ 12-36. Term of appointment.

- A. Members of the SBRC serving on behalf of multiple-member bodies, or their designees, shall serve for such periods of time as may be authorized by each member's respective multiple-member body in its sole discretion.
- B. The three Members-at-Large shall be appointed for alternating three-year terms. Pursuant to Section 6-4 of the Town Charter, in making the original appointments under this By-Law, the appointing authority shall designate one Member-at-Large to serve for three years, one Member-at-Large to serve for two years, and one Member-at-Large to serve for one year. Thereafter, vacancies shall be filled for three-year terms, except as otherwise provided below. Upon expiration of a term, Members-at-Large shall continue to serve until a successor has been appointed and qualified. Notwithstanding the foregoing, however, the appointing authority may authorize Member-at-Large to serve for such additional period or periods of less than three years as will allow a Member-at-Large to serve until the completion of a project on which they have participated. When filling any vacancies in the position of a Member-at-Large arising other than by expiration of the term, the appointing authority shall make such appointments for the remainder of the unexpired term or otherwise to continue to provide for alternating terms.
- C. Ex officio members listed in § 12-35B(1) shall serve for such period(s) as they hold their respective underlying positions and as specified therein. In the case of a Town Manager's designee, such designee shall serve for the period authorized by the Town Manager.

§ 12-37. Officers.

The SBRC shall annually elect among its members a chairperson, vice-chairperson, clerk and such other officers as the SBRC, in its discretion, shall deem necessary and proper.

§ 12-38. Duties.

The SBRC shall be responsible for monitoring the Massachusetts School Building Authority Grant Program application process and advise the Eligible Applicant (as defined under G.L. c.70B, § 2) during the selection and construction of the Approved Project, including but not limited to: initiation and direction of engineering/architectural

studies, subject to an appropriation for such purposes, to determine the current physical condition of Town School Department Buildings. Recommendations of the SBRC shall be made to the Town in accordance with applicable law, and after consideration of factors likely to maximize state reimbursement available for school building construction and/or rehabilitation projects.

§ 12-39. Effective date.

This By-Law shall take effect on July 1, 2016, at which time the appointment of the four Members-at-Large then in office shall be deemed to have expired, and the size of the SBRC shall be reduced from 11 voting members to seven voting members, and three ex officio members as set forth herein.

There shall be a Permanent Municipal and School Building Committee to be appointed by the Board of Selectmen and consisting of nine citizens, of which three members shall be appointed for a term of three years, three members to be appointed for a term of two years, and three members to be appointed for a term of one year, and thereafter all appointments to be made for a term of three years. Said committee shall plan future municipal and school building needs and may engage architectural and consulting services necessary to issue annual reports or building plans for Town Meeting action as the needs dictate for future municipal and school building construction or alterations.

26. Permanent Building Committee

There shall be a permanent building committee appointed by the Board of Selectmen consisting of five (5) members. In making the original appointments, the Board shall appoint two members for three-year terms, two members for two-year terms, and one member for a one-year term. Thereafter, when annual appointments are made, the Board shall appoint one member or two members as may be required for a term of three years to fill the places of such members whose terms have expired. No member shall be deemed ineligible to serve successive terms. The Board may make interim appointments as required to fill unexpired terms of any members ceasing to serve.

The Permanent Building Committee shall consider the request of any department, board, Town officer or the Town Meeting for the construction, renovation, or addition to Town buildings and other park, recreation or school facilities, and report promptly to each such request and the recommendation of the Committee to Town Meeting.

The Permanent Building Committee, following Town Meeting approval and appropriation for any construction, renovation or addition to Town buildings or facilities, will have the general supervision and review of construction project for which the Town Meeting has made an appropriation. (6/20/89)

2.6.2 Permanent Public Building Committee There shall be a Permanent Public Building Committee (hereinafter “Committee”) responsible for overseeing the design (including feasibility studies), construction, reconstruction, alteration or enlargement of all buildings owned by the Town or constructed on land owned, leased, licensed or operated by the Town.

2.6.2.1 The Committee shall consist of the Town Manager or his or her designee and six additional members appointed by majority vote of an appointing authority. The appointing authority shall consist of the Moderator, the Chairman of the School Committee, the chairman of the Select Board, the Chairman of the Board of Library Trustees, and the Chairman of the Park and Recreation Commission.

2.6.2.2 Each of the members appointed by the Appointing Authority shall be a registered voter of the Town of Needham. No member appointed by the Appointing Authority shall be a paid employee of the Town, or serve as an elected official, or elected member of another standing Town board, committee or commission, except Town Meeting, or serve as an appointed member of another standing Town board, committee, or commission directly involved in the design, permitting, and/or financing of public buildings.

2.6.2.3 Among the members appointed by the Appointing Authority, there shall be a commercial general contractor, an architect, an engineer, and an attorney, if qualified individuals with the necessary expertise are available for appointment, and two other residents. If a commercial general contractor, architect, engineer, or attorney, as the case may be, is not available for appointment, the Appointing Authority shall have the discretion to appoint instead any individual meeting the qualifications set forth in 2.6.2.2 with construction, engineering, or accounting experience to fill that vacancy

2.6.2.4 The Town Manager, if a member, shall serve ex officio. A member serving as the designee of the Town Manager shall serve at the discretion of the Town Manager. Members appointed by the Appointing Authority shall serve for terms of three years.

2.6.2.5 The Appointing Authority shall, following the effective date of this section, appoint members of the Committee as follows: Two members for one year, two members for two years and two members for three years. Upon the expiration of a term, future appointments shall be for terms of three years, except that if a member vacates his or her seat before the expiration of his or her term, the Appointing Authority shall appoint a replacement to complete the unexpired portion of that term. Expiring terms shall end on December 31 of each year. A member may hold his or her seat after his or her term expires until a successor is qualified.

2.6.2.6 Definitions For the purpose of this Section 2.6.2 the following words shall have the following meanings:

- a. architect: a person with educational training and experience in the field of architecture, and a professional registration.
- b. building: a structure in a portable or fixed location, with an area of at least one hundred square feet, having a roof or providing shelter, including swimming pools.
- c. clerk-of-the- works: an individual responsible for day-to-day inspection of a project. He or she shall prepare and maintain detailed daily records of a project’s progress and shall report to the project manager.

d. commercial general contractor: a person with the educational training and experience in general construction of a commercial nature, and a commercial general contractor's license, or at least ten years of experience as a commercial general contractor.²

e. designer: an individual, corporation, partnership, sole proprietorship, joint venturer, joint stock company, limited liability partnership or other entity engaged in the practice of architecture, landscape architecture, or engineering. If the designer is an individual, he or she shall be registered as an architect, landscape architect or engineer in the Commonwealth of Massachusetts, and if the designer is one of the other categories listed above, the majority of the partners or owners shall be registered as an architect, landscape architect or engineer in the Commonwealth of Massachusetts.

f. direct construction cost: the direct cost for material, labor and equipment to construct, reconstruct, enlarge or alter a building.

g. engineer: a person with educational training and experience in his or her engineering discipline, and a professional registration.

h. feasibility study: prepared by a designer, and identifies the needs of a building user as well as alternatives for meeting the user's functional requirements. It includes surveys and testing, including environmental impacts, access for the disabled and cost estimates.

i. final design: prepared by a designer, the final design includes a schematic design, design development, final drawings and specifications, bidding documents and contract documents.

j. indirect construction costs: architectural and engineering fees, furnishings and equipment, permit and license fees, project management costs, salaries for the project manager and clerk-of-the-works, financing costs, and project contingencies.

k. project: a project is a proposed construction, reconstruction, alteration or enlargement of any building owned by the Town or constructed on land owned, leased or operated by the Town.

l. Project Committee: a committee consisting of the Permanent Public Building Committee members and the representatives designated by a User Agency for a specific building project. A member of the Permanent Public Building Committee shall serve as chairperson for all Project Committee activities.

m. project manager: an individual who acts on behalf of the Committee, and who is responsible for the day-to-day supervision of a project. He or she shall maintain project records, issue emergency directives, and oversee the clerkof-the-works and other project participants.

n. total project cost: the combination of the direct and indirect construction costs.

o. User Agency: an elected or appointed board, committee or commission, including the Select Board, School Committee, Library Trustees, Park and Recreation Commission, Memorial Park Trustees, Conservation Commission, or other board, committee or commission having responsibility for a building.

2.6.2.7 The Committee is responsible for projects having a total project cost of \$500,000 or more. The Committee may defer its jurisdiction in the instance where the project includes little or no actual building construction.

2.6.2.8 The Committee shall develop and publish procedures describing its activities. The Committee shall submit a report of all its activities for publication in the Town's annual report.

2.6.2.9 The Committee shall invite to its meetings representatives from the Board of Health, the Commission on Disabilities, and any health and safety committee or other advisory committee for the project appointed by the relevant User Agency.

2.6.2.10 The Committee shall, subject to appropriation, conduct feasibility studies and final designs, oversee the construction of projects, procure designer and consultant services as it deems necessary or as required by law. The relevant User Agency shall determine the functional need and utility of a project.³

2.6.2.11 Before the commencement of a feasibility study and before any hiring for a project, the relevant User Agency shall designate two people to serve on the Project Committee as its representatives. The User Agency may replace its representatives as it deems necessary. The User Agency representatives shall have full voting rights and shall have full participation in all the Project Committee's deliberations and actions.

2.6.2.12 Any User Agency seeking to construct, reconstruct, alter or enlarge a building under its jurisdiction shall file a project application with the Committee. The Committee shall meet with the User Agency. At the request of the User Agency or at the discretion of the Committee, a feasibility study shall be conducted. Prior to the commencement of a feasibility study, the feasibility study funding shall be submitted as part of the capital improvement planning process in accordance with Section 2.2.2 of this by-law and funded by Town Meeting. The Project Committee and the User Agency shall review the completed feasibility study. Upon review, the Project Committee and the User Agency shall each indicate on a separate, signed copy whether they will accept, amend or reject the feasibility study. These provisions do not preclude the User Agency from conducting independent studies relating to its functions.

2.6.2.13 If a feasibility study approved by the Project Committee and the User Agency shows that a proposed construction project is necessary, the Project Committee shall conduct a final design. Prior to the commencement of the final design, the final design scope of work and its funding shall be submitted as part of the capital improvement planning process in accordance with Section 2.2.2 of this by-law and funded by Town Meeting. Prior to approval of a final design and contract documents by the Project Committee, a draft version shall be reviewed by the Project Committee and the User Agency. The final design and contract documents shall not be considered approved until the Project Committee and the User Agency acknowledge their approval in writing.

2.6.2.14 A description of the estimated total project cost shall be prepared for all feasibility studies and final designs.

2.6.2.15 Whenever project funding approval is sought from the town meeting, the Project Committee and the User Agency shall provide a detailed report to the town meeting that includes an explanation of the project need, scope of work, schedule and costs.

2.6.2.16 The Committee shall employ project managers and clerk-of-the-works for each project as it deems necessary.

2.6.2.17 The Town Clerk shall maintain a register of Committee members, and of architects, engineers, contractors, accountants, and attorneys that are willing to serve on the Committee. The Town Clerk shall maintain said register in such form as the Town Clerk, in consultation with the Select Board, may determine and such register may be purged from time to time of such information as the Town Clerk determines to be obsolete and of no further value.

2.6.2.18 Except as the laws of the Commonwealth may otherwise require, the Chairperson of the Committee, or his or her designated representative, shall, upon the termination of the Project Committee: (1) provide the User Agency and the Department of Public Works – Building Maintenance Division (hereinafter “BMD”) with a complete and final set of drawings and specifications of the finished structure, as-built drawings, Operations and Maintenance Manuals, all other contract documents, and attic stock materials used therein, and shall provide to the User Agency and BMD all papers guaranteeing the building or any feature thereof (“warrantees”) for work done thereon, and (2) post a digital copy of remaining records and reports on the town server for the purpose of maintaining detailed records, including any inventory indicating what papers, materials and records were deposited with the User Agency and BMD. Subject to the approval of the Town Clerk and the requirements of M.G.L. Chapter 66, the user Agency and BMD may destroy that portion of the material relinquished to the User Agency and BMD determined to have no substantial value, the balance of such materials being deposited in the Public Administration Collection.

ARTICLE IV
Standing Building Committee
[Adopted as Art. 3, § 6, of the Town Bylaws]

§ 12-11. Establishment; membership; terms.

There is hereby established within the Town of Sharon a committee to be known as the "Town Standing Building Committee," to be made up of six to 10 regular members and special member(s) detailed below, as follows: the six to 10 regular members to be chosen by a selection committee to be made up of one member of the Sharon School Committee, one member of the Sharon Select Board, one member of the Planning Board, one member of the Capital Outlay Committee, one member of the Finance Committee, and one member chosen by the Moderator; all regular members shall be for terms of three years except that the original terms of appointments for at least two members shall be for three years; at least two other members shall be for two years and the remaining members shall be for one year. One special member shall be appointed by each board or committee which has proposed a project for which the Town incurs bonded debt. Said special member shall serve for the duration of the project, and shall have duties and responsibilities with respect to that project only. The selecting committee shall designate the exact number of members of the Town Standing Building Committee.

§ 12-12. Responsibilities.

The Standing Building Committee, as to those projects for which funds are appropriated to the Committee, shall be responsible for:

- A. Financial estimates;
- B. Design, including schematic design, design development, and construction documents (or equivalent documents) developed from the project goals established by the proposing board or committee; and
- C. All aspects of construction, including whatever is necessary to implement or complete a project.

§ 12-13. Proposed projects.

Any board or committee which intends to propose to Town Meeting a project consisting of the erection, alteration, rehabilitation, or remodeling of a Town building shall provide information regarding the project to the Standing Building Committee. This proposal and information shall be simultaneously submitted to the Finance Committee and the Capital Outlay Committee. The Standing Building Committee shall review the proposal and information provided to determine whether the sums requested are reasonable with respect to the financial requirements of the project and shall report to Town Meeting thereon.

§ 12-14. Appropriation and expenditure of funds.

- A. For projects as defined in § 12-13 for which the Town proposes to incur bonded

debt up to \$500,000, funds for the design and construction of a project shall be appropriated to and expended under the direction of the board or committee proposing the project; however, the Standing Building Committee may supervise the construction of said projects at the request of the proposing board or committee.

- B. For all projects as defined in § 12-13 for which the Town proposes to incur bonded debt in excess of \$500,000, the Standing Building Committee shall exercise its responsibilities as set forth in § 12-12, above.

§ 12-15. Feasibility studies.

Any board or committee undertaking a project feasibility study shall inform the Standing Building Committee of the study.

§ 12-16. Drawings and specifications.

The Standing Building Committee shall retain record drawings and specifications. These copies shall be kept on file in the Building Department's office.

§ 12-17. Vacancies.

- A. Any vacancy in the regular membership of the Standing Building Committee shall be filled by the Selection Committee. Any vacancy in the Selection Committee shall be filled by the authority which appointed that member whose position has been vacated.
- B. Any vacancy in the special membership which occurs while the project is still pending, for which the special member was appointed, shall be filled by the board or committee which has proposed said project.

ARTICLE 14. PERMANENT BUILDING COMMITTEE

(Revised ATM 2017.)

14.1. Definitions. For the purposes of this article:

- a. "Project" means the design and/or construction of a building or structure as described in G.L. c. 149 §§ 44A through 44H and G.L. c.149A. A Project is not:
 - i. A public works as described in G.L. c. 30, § 39M;
 - ii. A substation or other structure or any of the service equipment thereof of the Municipal Light Plant (project does include buildings of said plant);
 - iii. Any building of the Housing Authority; or
 - iv. Routine maintenance and upkeep of a building or other structure and its service equipment which are performed on a regular basis.
- b. "Project Goals" means the general objectives and particular needs to be met through the construction of the project.
- c. "Design" is the schematic design, the design development, and the preparation of construction documents (or equivalent documents) developed from the project goals established by the proposing entity.
- d. "Construction" includes all steps necessary to implement or complete a project. Construction does not include: Design, as that term is defined above, or the acquisition of funds.
- e. "Entity" means the Town department, Board or committee proposing a project.

14.2. Membership. There shall be a Permanent Building Committee ((for purposes of this Article 14, the "Committee") consisting of five residents appointed by the Moderator, and one or more Temporary Members, as may be appointed pursuant to Section 14.4. Appointments shall be made so that the Committee includes an attorney, an architect, an engineer, and an individual who is primarily engaged in the construction business. No such member shall be an Officer, Official, or paid employee of the Town, or a member of any Board, except that a Town Meeting Member may be a member of the Committee.

14.3. Term. The term of office shall be three years commencing on July 1.

14.4. Temporary Member. The Committee may appoint, as a temporary additional member or members, one or more individuals who are members or representatives of the entity for which a project is being designed or constructed. A temporary member shall not have a right to vote, and may participate in the activities of the Committee only with respect to the particular project of that entity and only for the period during which the Committee is exercising its functions with respect to such project.

In the case of a school project, the School Committee shall appoint one of its members, or its designee, hereinafter referred to as the School Committee member, to be a temporary additional member of the Permanent Building Committee. The School Committee member shall have the right to vote and to participate fully in the activities of the Committee with respect to all school projects.

14.5. General Duties. The Committee shall be responsible for:

- a. Financial estimates;
- b. The design of every project **estimated to cost more than \$500,000**; and
- c. The construction of those projects for which funds are appropriated to the Committee.

The Committee shall work to achieve the project goals of the proposing entity.

14.6. Financial Requirements and Notification. Any entity that intends to propose a project to Town Meeting shall provide information regarding the project goals and the financial requirements of the project to the Committee at least 120 days in advance of the Town Meeting at which funding of any kind for the project will be requested. This information shall be simultaneously submitted to the Advisory Committee in accordance with Section 11.12. The Committee shall determine whether the sums requested are reasonable with respect to the financial requirements of the project and shall report to Town Meeting thereon.

14.7. Appropriations. The funds for the design and construction of a project shall be appropriated to and expended under the direction of the entity that will supervise the construction of the project in accordance with Section 14.8.

14.8. Supervision of Project Construction. The Committee and the proposing entity shall administer the construction of a project as follows:

- a. The Committee shall supervise the construction of all projects estimated to cost more than \$500,000, unless the Committee and the entity proposing the project agree that the proposing entity shall supervise construction.
- b. The proposing entity shall supervise the construction of all projects estimated to cost less than \$500,000, unless the Committee and the entity proposing the project agree that the Committee shall supervise construction.

14.9. Project Feasibility Studies. Any entity undertaking a project feasibility study shall inform the Committee of the study.

14.10. Design Review Board. Upon appropriation of design funds, the Committee, or the supervising entity if not the Committee, shall notify the Design Review Board of the project and the project shall not proceed except in compliance with Section 46.3.

14.11. Records. All record drawings and specifications shall be retained in accordance with the Massachusetts General Laws.

14.12. Policies and Procedures. The Committee shall adopt, and make available to all Boards, Officers, and Officials, policies and procedures implementing the provisions of this article. They shall cover at least the following subjects:

- a. The information to be submitted under this bylaw; and
- b. The criteria the Committee will use in reviewing project designs.

14.13. General Provisions. The Committee shall also be governed by Articles 2 through 7 of these bylaws and other provisions of these bylaws applicable generally to all Boards, except as it is specifically directed by law or a provision of these bylaws to act otherwise.

(Amended ATM 2017.)

Section 5. Permanent Building Commission

7-5-1. A permanent building commission of not more than 7 members shall be appointed for 3-year overlapping terms. In making appointments to the permanent building commission, the moderator shall endeavor to include town residents with architecture, engineering or construction experience, or knowledge of state public bidding laws. Members shall serve without compensation.

7-5-2. Temporary members. For each municipal project with an estimated cost of more than \$100,000, a temporary member who is a member or representative of the appointed or elected board or committee sponsoring or requesting the project or whose facility would benefit from the project shall be appointed and may participate for the duration of the project as a voting member of the commission.

7-5-3. Ex officio members. For each project, the moderator may appoint town employees or other town residents, with particular expertise or knowledge, to advise the commission related to the particular project. Any such request shall be made to the town moderator, who shall consult with the town administrator with regard to the appointment of town employees, other than school department employees, and to the superintendent of schools for school department employees. Ex officio members shall have a voice, but no vote, in the proceedings of the commission and shall not count towards the quorum needed to conduct business.

7-5-4. The commission shall have charge and direction of the construction and reconstruction of all buildings owned, leased or occupied by the town and it shall have the power to make recommendations concerning the design, plans, specifications and location of other buildings financed, in whole or in part, by other public funds. From time to time the commission shall consult with the ultimate user of such buildings concerning said design, plans, specifications and locations of such buildings.



Brittney Franklin <bfranklin@medfield.net>

Fwd: Comments on ByLaw Review from Bob Allison

Brittney Franklin <bfranklin@medfield.net>
To: Brittney Franklin <bfranklin@medfield.net>

Thu, Mar 10, 2022 at 11:41 AM

----- Forwarded message -----

From: Bob Allison <Bob.A@usa.net>

Date: Mon, Mar 7, 2022 at 5:50 PM

Subject: My Initial thoughts on important considerations for the Committee on the Building Bylaw(s)

To: MEDFIELD, TOWN - Moderator, Scott McDermott <medfieldtownmoderator@medfield.net>

Scott, I have posted the following open letter. I am sending it to you for your reference and perhaps if you know how to contact one or more members you could forward it to them.

Bob

=====

Dear Committee to Study the By-Laws for School Building Committee,

Not being able to attend tonight's meeting of your committee, and not finding a way on the town website to contact you, I am posting this open letter here on the Concerned Citizens of Medfield Facebook page for your consideration.

Firstly, time is short and so speed is of great importance. A new school is one of the most critical concerns facing our town today. Virtually everyone in town wants a new school as soon as possible and given the slow progress by the School Committee and Board of Selectmen since last fall's filed vote, it is incumbent on your committee to work to have a bylaw for this spring's Annual Town Meeting. If that is not possible, it is my understanding that a Special Town Meeting is being planned for June and perhaps this can be a fallback date.

But, while speed is important, it must not take precedence over having a good bylaw that is acceptable to the town. The bylaw must be in line with what the community wants, finds acceptable, and force future issues. This is one of the issues with the current bylaw for the permanent Planning and Building Committee. It states that that committee covers ALL town buildings and failed to recognize the differences in school building projects. This caused a conflict with the bylaw and the recent School Building Committee which was not appointed under that bylaw and had voting members in violation of that bylaw.

To proceed and have a bylaw acceptable to the town to consider, it is imperative that the committee do two things. Solicit town input and listen to the input. The failure to do these two things was one of many but the single greatest failure of the recent school building project. Nearly everyone in town, with the exception of the School Committee, Superintendent, School Building Committee, a majority of the Board of Selectmen, and many members of the Warrant Committee recognize this is the case. Please do not make the same mistake.

This committee must therefore immediately solicit community input, publish the results, and hold a meeting to discuss the results and hear further comments about it from the community. Some questions to be answered that I can think of, and I am sure there are more:

- Should there be one or two bylaws?

I caution that if it is decided to have a separate by-law for School buildings rather than rewrite the existing PP&BC bylaw, the PP&BC bylaw will need to be amended since it currently states that ALL buildings owned, operated, or managed by the town or on town-owned land come under its purview.

- Should town employees be allowed to be voting members and direct the financial matters of buildings?

What if the employee is also a resident?

Or maybe not a resident, but a property owner and so tax payer to the town?

There might be multiple layers to this question.

- Should there be term limits?

If there are should they be X terms or years and out?

Or maybe X terms/years and then a certain time length
before being on the committee again?

- How large should the committee be?

What members should be voting and ex-officio?

What groups and constituencies should be represented?

Should they be listed in the bylaw as required or recommended?

- Who should appoint members?

Select Board, Moderator, School Committee, others?

Should different constituencies be able to appoint,
or nominate for approval, their own members?

- Should the building committee be required to solicit community input?

At what stage(s) of the process?

** It is possible that if community desires are not taken into account on this matter,
there could be an immediate conflict between this proposed bylaw
and a vote of the Town on the other article.

- If one bylaw is decided on and the existing PP&BC bylaw is to be
rewritten and amended, many of the previous questions also pertain
to building committees for other town buildings.

e.g. representation of constituencies, who is a voting member,
size of the committee, soliciting input, ... etc.

I hope you will have other questions on which you desire input from the community.

I am sure the community will have other questions to be answered and much input.

Best Regards,
Bob Allison



Brittney Franklin <bfranklin@medfield.net>

Fwd: state law on SBC Membership- - seems quite open

Brittney Franklin <bfranklin@medfield.net>
To: Brittney Franklin <bfranklin@medfield.net>

Tue, Mar 15, 2022 at 10:45 AM

----- Forwarded message -----

From: Tom Ramlow <tmramlow@gmail.com>
Date: Wed, Mar 9, 2022 at 6:55 PM
Subject: state law on SBC Membership- - seems quite open
To: Kristine Trierweiler <ktrierweiler@medfield.net>

Kristine,

Good to see the by-law writing group getting started. On the state's SBC required membership rules, my reading is ---it is quite open, but we'd do better in our SOI if a lot of these positions w/experience were filled.

Can you tell me if legal counsel agrees?

Thank you

Tom Ramlow

===== =====

ref : <https://www.mass.gov/doc/963-cmr-2-school-building-grant-program/download>

963 CMR: MASSACHUSETTS SCHOOL BUILDING AUTHORITY

2.10: Application and Approval Procedures

2.10: (3) School Building Committee

extracts a.

b. ... the school building committee shall be formed in accordance with the provisions of the Eligible Applicant's local charter and/or by-laws and it is recommended that the city, town, regional school district ... make a reasonable effort to include one or more of the following individuals:... local chief executive officer [none], ... [the town administrator [BoS?] ... at least one member of the school committee, as required by M.G.L. c. 71, § 68; the superintendent of schools etc

There are also references in the following to suggested 12 plus types of SBC members ;

https://www.massschoolbuildings.org/sites/default/files/edit-contentfiles/Documents/Forms/EP/School_Building_Committee_2016.pdf

--

Kristine Trierweiler
Town Administrator
Town of Medfield
459 Main Street
Medfield, MA 02052
508 906 3011 phone
508 359-6182 fax

Follow us:

www.town.medfield.net
Twitter: @townofmedfield

Town House Hours:

Monday 8:30 AM to 4:30 PM

Tuesday 8:30 AM to 7:30 PM

Wednesday 8:30 AM to 4:30 PM

Thursday 8:30 AM to 4:30 PM

Friday 8:30 AM to 1:00 PM

This email is intended for municipal use only and must comply with the Town of Medfield's policies and state/federal laws. Under Massachusetts Law, any email created or received by an employee of The Town of Medfield is considered a public record. All email correspondence is subject to the requirements of M.G.L. Chapter 66. This email may contain confidential and privileged material for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited. If you are not the intended recipient please contact the sender and delete all copies.

--

Brittney Franklin
Assistant to the Town Administrator
Town of Medfield
459 Main Street
Medfield, MA 02052
o: 508-906-3012
c: 399-206-9225



Brittney Franklin <bfranklin@medfield.net>

Fwd: Comment for the SBC By Law group

Kristine Trierweiler <ktrierweiler@medfield.net>
To: Brittney Franklin <bfranklin@medfield.net>

Thu, Mar 10, 2022 at 10:24 PM

Sent from my iPhone

Begin forwarded message:

From: Tom Ramlow <tmramlow@gmail.com>
Date: March 10, 2022 at 8:52:05 PM EST
To: Kristine Trierweiler <ktrierweiler@medfield.net>
Subject: Comment for the SBC By Law group

1. Non -residents should be non-voting members when tax dollars are involved.
2. Mike Marcucci's draft reads well to me, I think the last SBC was one of our best and had a lot of relevant experience. The SBC of the future should include 2 Medfield Senior residents in particular to keep a hard nose focus on ways to lower cost / lower the tax impact as dramatically as possible.

COMMENT : Senior citizens who personally understand the pinch of taxes may act to push / encourage putting a lot less into the school size, add ons, and structures that otherwise make a lot of sense to educators but might still be reduced . [Example - adequate money allocated to the SBC study costs of reductions achieved by going it alone vs MSBA route]

I know you are very aware that expanding public information and perceptions of fairness and "being heard" will be important next time around.

Thank you

Tom Ramlow

This email is intended for municipal use only and must comply with the Town of Medfield's policies and state/federal laws. Under Massachusetts Law, any email created or received by an employee of The Town of Medfield is considered a public record. All email correspondence is subject to the requirements of M.G.L. Chapter 66. This email may contain confidential and privileged material for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited. If you are not the intended recipient please contact the sender and delete all copies.



Brittney Franklin <bfranklin@medfield.net>

Fwd: For School Building Committee Bylaw Committee -- MSBA data & other info.

Brittney Franklin <bfranklin@medfield.net>
To: Brittney Franklin <bfranklin@medfield.net>

Thu, Mar 10, 2022 at 10:32 AM

----- Forwarded message -----

From: **Christine McCue** <christine.mccue@verizon.net>
Date: Wed, Mar 9, 2022 at 12:38 AM
Subject: For School Building Committee Bylaw Committee -- MSBA data & other info.
To: Kristine Trierweiler <ktrierweiler@medfield.net>
Cc: <rmorrill@grcpc.com>

Hi Kristine,

I would appreciate it if you shared this e-mail and the attachments in their entirety with the new School Building Committee Bylaw Committee, and also place the files on the new Google Drive you created. (And thanks a million Bob for joining the committee and serving as chair. I promise to stay out of your hair in the weeks ahead, but just wanted to be sure you had this e-mail too.)

As mentioned tonight, attached is the Excel spreadsheet regarding data on the makeup of more than 40 school building committees that I believe the committee would find very helpful. Virtually all of the information in the spreadsheet came directly from a 2021 MSBA public record request. I did not ask MSBA for information from a few local districts since I already had it (e.g., Wellesley, Millis).

If anyone is interested in looking at the 35+ MSBA source files, just let me know. It took a good amount of time to go through all of the committee forms MSBA had sent me to create the spreadsheet. I was only hoping to save others the time of trying to digest and synthesize so many files. (Our Medfield SBC submission from May 2019 is also attached; at the time the superintendent was a non-voting member.)

At a high level, here's what the committee data shows:

- Average SBC size is 17 members.
- There appears to be a direct correlation between size of committee and whether or not the superintendent is a voting member (with superintendents more likely to be non-voting on smaller committees).
- Most chairs are either school committee members or selectmen/mayors.
- One committee member can wear multiple hats to satisfy MSBA requirements, for example, a local building maintenance official who is MCPPO certified and also has engineering experience would check off three different role recommendations.
- Most SBC membership is rounded out by a variety of community/town roles, including conservation commission members, police chief, teachers, students, parents & community members at large, etc.

For additional background on the citizen's petition, below is the e-mail that I had sent to Mark Cerel on Feb. 11, 2021 as a way to get his insights on what made sense. I would appreciate it if the new committee had that e-mail (if they haven't gotten it already) to provide much-needed context and to address Tom Marie's question/concern about my bylaw draft. My

rough version was only designed to provide an easy way for Mark to see the initial thought process and to get his feedback. In the end, it made a lot more sense to draft the citizen's petition calling for the committee formation instead.

Per Joanna's question, and I'm sure Mark Cerel will reiterate this point: MSBA does not dictate voting/non-voting status of any SBC member, including the superintendent (who is simply recommended as a member). MSBA relies on districts/town to have bylaws in place for such determinations. (The MSBA committee data reinforces this point.)

Thanks in advance for adding all of this to the Google Drive to ensure the School Building Committee Bylaw Committee has background information that I think will be helpful as they plow ahead.

Best,

Chris

(This e-mail was sent to Mark with the redlined draft bylaw as a basic reference to help him understand general thought process.)

From: Christine McCue <christine.mccue@verizon.net>
Sent: Thursday, February 11, 2021 1:41 PM
To: 'Mark Cerel' <mcerel@franklinma.gov>
Subject: Possible Citizens Petition

Hi Mark,

There are a large number of people in town who are confused by Town bylaws (much like me) with regard to governance of school building projects (whether MSBA funded or not), and would like to ensure clarity going forward.

Before getting signatures (which will be easy), I wanted to touch base with you first, and see if it makes sense to meet via Zoom to discuss. There are others who would like to be present too.

Here are the conflicting steps that have taken place/general questions (some we have previously discussed):

1. The last two school building project committee members (for high school and Memorial School, and with MSBA funding) were appointed by the Town Moderator (per School Policy); that did not happen with the Dale Street project.
2. MSBA has no jurisdiction over the committee member appointment process, and states on its standard form that it assumes appointments were made in accordance with town bylaws, amendments, etc. Yet, you and Selectmen have said we have no Town bylaw that governs the school building project; so what does?
3. What kind of official oversight can the citizens of Medfield (via Town Meeting) request to help govern a process that will significantly impact their taxes, land use, educational future of the town, etc.?
4. If a combined bylaw does not work, what are the reasons? Could a School Building Committee-specific bylaw be crafted instead?

5. My understanding based on documents I've seen is that legally, the School Department/School Committee owns the Wheelock property vs. the town, so the Selectmen really don't have jurisdiction over the Dale Street project. Is that true?

It would be great to know if we can talk about this further. There will be another citizen's petition too that is somewhat related to this that will also be coming Kristine's way once we have all of the signatures. That other petition was drafted using language from other Warrant Articles in other towns, so we know it'll pass review by MA AGO. Out of respect for your and Kristine's time, I just wanted to let you know a second one is coming too.

Thank you,

Chris

--

Kristine Trierweiler
Town Administrator
Town of Medfield
459 Main Street
Medfield, MA 02052
508 906 3011 phone
508 359-6182 fax

Follow us:

www.town.medfield.net
Twitter: @townofmedfield

Town House Hours:

Monday 8:30 AM to 4:30 PM

Tuesday 8:30 AM to 7:30 PM

Wednesday 8:30 AM to 4:30 PM

Thursday 8:30 AM to 4:30 PM

Friday 8:30 AM to 1:00 PM

This email is intended for municipal use only and must comply with the Town of Medfield's policies and state/federal laws. Under Massachusetts Law, any email created or received by an employee of The Town of Medfield is considered a public record. All email correspondence is subject to the requirements of M.G.L. Chapter 66. This email may contain confidential and privileged material for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited. If you are not the intended recipient please contact the sender and delete all copies.

--
Brittney Franklin
Assistant to the Town Administrator
Town of Medfield
459 Main Street
Medfield, MA 02052
o: 508-906-3012
c: 399-206-9225

3 attachments

 **Medfield PBPC bylaw change-2021.docx**

17K

 **MSBA-data-committee formation.xlsx**

15K

 **Medfield - Dale Street SBC 5.22.19.pdf**

57K



MEDFIELD PUBLIC SCHOOLS

Office of the Superintendent
459 Main Street - 3rd Floor
Medfield, Massachusetts 02052

Jeffrey J. Marsden, Ed.D
Superintendent
jmarsden@email.medfield.net
(508) 359-2302

May 9, 2019

MAY 13 2019

Mr. Brian Lynch
MSBA Project Coordinator
Massachusetts School Building Authority
40 Broad Street, Fifth Floor
Boston, MA 02109

Dear Mr. Lynch,

In accordance with 963 CMR 2.00, please find attached for your review and approval the change in membership of the School Building Committee for Dale Street School located in the Town of Medfield. I am informing you within (20) calendar days that the committee has changed due to the passing of Mr. Michael Sullivan.

Sincerely,

Jeffrey J. Marsden
Superintendent of Schools

Fielderi Taken 5/22/19

Approved by MSBA

Date _____

*Please attach the certification from the Office of the Inspector General demonstrating completion of the MCPPO Program.
** "Administrator or Manager" refers to a Town Administrator, Town Manager, or an equivalent position

Administrator or Manager" refers to a Town Administrator, Town Manager, or to an equivalent position.

THE BOSTONIAN

卷之三

En el año 1990 se realizó la primera reunión de trabajo entre el Comité de la Caja de Pensiones para la Vejez y de Ahorros y el Comité de la Caja de Pensiones para la Vejez y de Ahorros de la Federación de los Trabajadores de la Construcción y del Sector Industrial.

Committee Member List

Designation	Name and Title	Address	Email Address /Phone	Voting Member
SBC Member who is MCPPO certified*	Kristine Trierweiler Town Administrator	459 Main Street, 3 fl Medfield, MA 02052	ktrierweiler@medfield.net	
Local Chief Executive officer	Michael Marcucci Chair of BOS	3 Causeway Street Medfield, MA 02052	selectmanmarucci@gmail.com	✓
School Committee Member (minimum of one)	Leo Brehm School Committee	249 South Street Medfield, MA 02052	leobrehm@gmail.com	✓
Superintendent of Schools	Jeffrey Marsden Superintendent of Schools	459 Main Street, 3 fl Medfield, MA 02052	jmarsden@email.medfield.net	
Local Official responsible for Building Maintenance	Amy Colleran Director of Facilities Maintenance	459 Main Street, 3 fl Medfield, MA 02052	acolleran@email.medfield.net	
Representative of Office authorized by law to construct school buildings	Mike Quinlan Chair of PBC	1 Stuart Street Medfield, MA 02052	mquinlan@compasspminc.com	✓
School Principal	Steve Grenham School Principal	45 Adams Street Medfield, MA 02052	sgrenham@email.medfield.net	
Member Knowledgeable in educational mission and function of facility	Michael La Francesca Director of Finance and Operations	459 Main Street, 3 fl Medfield, MA 02052	mlafrancesca@email.medfield.net	
Local budget official or member of local finance Committee	Sharon Tatro Member of Warrant Committee	12 West Street Medfield, MA 02052	stattro@kbsfw.com	
Members of community with architecture, engineering	Walter Kincaid PBC Member	133 South Street Medfield, MA 02052	wkincaid@gilbaneco.com	✓
Other: Please provide brief background info/expertise	Michael Weber PBC Member Thomas D. Erb PBC Member Tim Bonfatti PBC Member	40 Planting Field Rd Medfield, MA 02052 1 Newell Drive Medfield, MA 02052 11 Copperwood Rd Medfield, MA 02052	mweber@gastonelectrical.com tde@electricitime.com tbonfatti@compasspminc.com	✓ ✓ ✓

Municipal and School facilities.

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 School Department constructed on land owned, leased, or operated by the Town or School Department.

- A. The Committee shall consist of up to seven five-voting members recommended appointed by the Town Moderator and appointed by a majority vote of the Town of Medfield Board of Selectmen. In the case of School Projects, the Moderator will make the appointments in accordance with Medfield School Policy FB.
- B. Each voting member of the Committee shall be a resident in the Town of Medfield. No voting member of the Committee shall be a paid employee of the Town.
- C. Among the members, the Town Moderator and Board of Selectmen should endeavor to appoint at least one voting member with expertise in architecture, building engineering, commercial or municipal construction, and/or construction law/contracts. Other voting members should come from relevant town boards, plus members from the community at large. If volunteers with the necessaryis expertise are not available for appointment, the Board of Selectmen shall have the discretion to appoint other individuals 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 maximum seven five member Committee members.
- E. Committee members shall serve a term of three years.
- F. If a Committee member chooses to resign his or her term, the Town Moderator will recommend to the Board of Selectmen a possible shall appoint a replacement for appointments 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 that fall under MGL c. 149, MGL c. 149A, MGL c. 30 and c.30A, § 39M, and MGL c. 7C, and M.G.L. c. 70B and CCMR 963 2.0.
- 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. § 10-20 § 10-20 :1. Such Committee actions will be required to adhere to this bylaw § 10-20.
- H. The Committee, in consultation with the Town Facility Manager, shall be responsible for assessing the current conditions of all Town and School 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 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. The Committee shall meet with the applicant department and if the project is deemed viable by the Committee 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 shall hold one or more public hearings to inform town residents about the project, including its timetable, scope and estimated cost range. The project cannot advance to the design stage until public hearings are held. The conduct the Advancement to the final design process will then be 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 (or its delegated agent per G) shall report its progress on all capital projects with the Board of Selectmen on an as-needed basis determined by the Committee, and/or in response to requests by 10 or more citizens, or as requested by the Board of Selectmen.

MA School Building Committees -- MSBA data from Public Record Request; some district data					
District	# SBC members	Chair	Superintendent voting	# Total members voting	Membership beyond MSBA recommendation
Wakefield	28	SC member	Yes	All	teachers, 13 construction/engineering
Rockland	26	Finance member	Yes	All	alumnus, parents (5), realtor, capital planning committee member
Swampscott	24	SC member	Yes	Mix	ConComm, planning board, tech director
Bridgewater-Raynham	21	Engineer	No	Mix	planning board, realtor, law enforcement
Framingham	20		No	Mix	educators
Stoneham	20	SC/architect co-c	No	Mix	town moderator, retired teachers, chamber of commerce
Millbury	20	Former selectm	Yes	All	teachers, parents, asst. principal
Randolph	20		Yes	All	family engagement coordinator, SEPAC chair, 4 extra SC members
Sharon	19	Finance/bldg co-c	No	Mix	5 community members or teachers; references town bylaw for project
Gardner	19	Supt	Yes	Mix	teachers, police chief, fire chief
Andover	19		Yes	All	attorney
Foxboro	19	Bldg chair	Yes	All	
Somerville	18	SC member	Yes	All	multiple teachers/educators
Wellesley	18	SC member	No	Mix	multiple SC members, sustainability, selectmen, community members
Ashland	18		Yes	All	community members
Dennis-Yarmouth	18	SC member	Yes	All	parents, plumber
Haverhill	18		Yes	All	building inspector, former SC member, chief of staff
Somerset	18	SC member	Yes	Mix	student, teachers, former SC members
Groton-Dunstable	17	SC member	No	Mix	
Belmont	17	Engineer	Yes	All	teachers, parents
Westfield	17	Mayor	Yes	All	parent/community members
Whitman-Hanson	17	SC member	Yes	All	3 SC members, 2 bldg maintenance members, 1 teacher (mtgs are public hearings)
Winchester	16	Administrator	Yes	Mix	sustainability, attorney
Millis	16		No	Mix	extra maintainence
Acton-Boxborough	16		Yes	All	former administrator, SC members, selectman
Gloucester	16		Yes	All	community members
Nauset	16		Yes	All	former town officials, local arena owner
Tyngsborough	16	Select/SC co-c	Yes	All	community members
Walpole	16	SC member	Yes	All	3 SC members, 2 community members

Hingham	15	SC member	No	Mix	policy development/community relations, PTO president
Webster	15		No	Mix	head custodian, former asst. supt, community member/athletic director
Harvard	15	SC member	No	Mix	member with A/V experience
Braintree	15		Yes	All	parent advocate, chief of staff
Fitchburg	15	Supt	Yes	All	police, fire, asst. supt.
Revere	15	Mayor	Yes	All	former supt., parent, councilor
Medfield	14	PB&PC chair	Yes	Mix (9 voting)	permanent building committee members
Amesbury	14	Mayor	Yes	Mix (11 voting)	Teachers (3) - non-voting
Needham	14		No	Mix	attorney
Hopkinton	13		No	Mix	PR/marketing/facilitator expertise
Amherst	11	Co-Town Mgr, Supt	Yes	All	2 finance, 3 town managers
Westborough	10	Engineer	Yes	All	engineer

Summary

17 avg size

13 w/SC role

11 w/supt not voting

23 w/all voting

Many have same members fulfilling more than one MSBA recommended role, e.g., same person for CEO and procurement certification, or principal and someone with education expertise. Signer of committee form is not always chief executive officer; superintendent has signed a number of them.