



# 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 and/or listen via Zoom may do so by joining by one of the following options:

## New Zoom Link and Passcode

1. To join online, use this link:  
<https://medfield-net.zoom.us/j/89142765057?pwd=Yk5UTjBDQ2pvMWV6TzkydXV2WWwvdz09>
  - a. Webinar ID: 891 4276 5057
  - b. Password: 475156
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
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## **School Building Committee Bylaw Review Committee Revised**

PLACE OF MEETING	DAY, DATE, AND TIME
Remote Meeting on Zoom	Tuesday, March 22, 2022, 7:00-8:30 pm

## **Agenda (Subject to Change)**

1. Review and vote to approve the minutes from 3/15/22 meeting.
2. Review and possible votes to adopt preliminary consensus reached at 3/15/22 meeting about:
  - a. Who appoints members of the School Building Committee (SBC)?
    - i. Moderator
    - ii. School Committee
    - iii. Board of Selectmen
  - b. Criteria to be applied by each in making appointments.
  - c. Possible permanent SBC membership positions for:
    - i. Superintendent of Schools

- ii. Principal of School which is subject of building proposal
- iii. Town Administrator and/or her designee.

3. Address several remaining issues to include (as time permits):

- a. Size of SBC
- b. Which members are voting and non-voting; criteria to be voting member
- c. Term limits for SBC members
- d. Should SBC be governed by a separate bylaw or incorporated into the existed Permanent Building bylaw?
- e. Who initiates appointment of SBC?

4. End discussion at 8:15, plan next steps and establish agenda for next meeting.

5. Adjourn at 8:30.



## Meeting notes 3-15-22

### Medfield School Building Bylaw Review Committee

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

Meeting began at 7:01 pm via Zoom

#### Public comments

1. Victoria Lia – Concern with nonresidents on the committee as they have no personal or financial attachment to the outcome. Voting members should be residents as they know the town. Nonresidents should not be voting members. Town employees should not be on the building committee and should not be voting members.
2. Chris McCue Potts – School committee should trigger the formation of the committee but not lead it. Town moderator should be an appointer. Members should be those that have qualifications that mirror the master plan (housing/economic development, historic and cultural resources, natural resources and open space, recreation resources, public facilities and services, transportation, sustainability and future resilience, land use and zoning). Who should be on the committee – town employees with special knowledge should be on, but nonvoting; mostly residents and they should be voting. If a small committee, then town administrator, but nonvoting.
3. George Gallagher – employees should participate, nonresidents should be nonvoting. Mike Marcucci's draft was good for who should be on the committee – school committee, Board of Selectman, Moderator, warrant committee, Planning board

Minutes of the 3/7 meeting were unanimously approved.

#### Discussion Questions/Preliminary Determinations

1. Who selects the Committee members?
  - a. Three different entities to appoint members:
    - i. Moderator,
    - ii. School Committee, and
    - iii. Board of Selectmen

The Moderator has the responsibility to appoint the warrant committee members and other committees and so is in a good position to make appointments. The Board of Selectman works with most committees and so can ask committees for recommendations.
2. Key criteria for Committee membership and which of three noted appointed above should appoint:
  - Moderator to appoint
    - Warrant committee member
    - Sr citizen
    - 2 people with building expertise – architect/ engineer/procurement
    - Resident at large
  - School committee
    - 2 members
  - Board of Selectmen

- Planning board member
- 2 people with building expertise architect/engineer/procurement and at least one with energy expertise.
- Others/At Large Members
  - Superintendent of Schools
  - Principal of the school to be built
  - Town Administrator or their designee
    - Town finance
    - Town building maintenance person

Quorum will be of those who are voting members

Question for Kristine Trierweiller – Carolyn will ask and post question and answer to the website – Pros and cons of having the Town Administrator on the committee and may or may not send a designee?

Next meeting tasks:

1. Agree to the minutes
2. Vote on things we agree to at 3/15/22 meeting
3. Address the following questions
  - a. Which members should be voting and non-voting
  - b. Total number to be on the committee
  - c. Who starts the process to appoint the committee?
  - d. Should the School Building Committee be a separate bylaw or incorporated into the Permanent Building bylaw?
  - e. Term limits for committee members

Agreed to only take written comments from the public at the next meeting and have them posted on the website. Committee members will read written comments on the website before the next meeting on 3/22/22. The committee will have a special meeting that will be open for public comment.

Meeting adjourned at 8:31 pm

Respectively submitted by Cynthia Greene





Brittney Franklin &lt;bfranklin@medfield.net&gt;

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## Comments for the SBC Select Committee

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**KEVIN ARTHUR** <ktarthur@verizon.net>

To: bfranklin@medfield.net

Thu, Mar 17, 2022 at 2:35 PM

Hello Ms. Franklin,

My name is Kevin Arthur ([2 Trailside Rd](#)), I was not able to view the Zoom meeting held on Tuesday evening but wanted to present two particular comments to the committee for consideration as they assemble a new SBC and establish the rules that will govern the process.

### **1) How Many Students Do We Plan For?**

A key requirement of any school building (and the primary cost driver) is the size of the school under consideration. The Special Town Meeting that was held on the new school proposal revealed that there was not widespread agreement on what the projected population of the new school should be. The current Dale population was about 400 students and the proposed building was designed to house 600+ students. At the meeting data was provided to show that Medfield has not had significant school population growth and thus should be using a much more conservative number for the projected capacity. Many of the metrics used for cost analysis were \$/pupil or \$/ft. These relative measures masked the underlying disagreement and significant cost driver of the project - the projected population.

**I would like to suggest that prior to the formation of the SBC, and prior to the actual study of what, where, and how to build a school - it should be well established and discussed as a community how many students will occupy the new building on Day One and what projected growth numbers are being used to determine the maximum capacity of the building.**

### **2) Non-Resident School Officials Should Not Vote on the SBC**

While Superintendents and Principals should be involved in the drafting of requirements for a new school, and apparently may need to be members of the SBC (per state regulation), I do not think that they should be voting members. I also strongly object to them making public appeals via official email, and presentations at Town Meeting promoting one side of a Warrant article.

Fundamentally, they are non-resident town employees and should not be allowed to promote or present a new school proposal before the voters. Our Town Meeting is a legislative process to allocate tax payer dollars, non-residents should not be allowed to lobby the voter base for support of a program that will directly impact their areas of responsibility. Their presence at Town Meeting should be allowed to answer questions only, not make presentations.

At this past Special Town Meeting I was offended by Dr. Marsden's comments that he "represents the Medfield residents that are too young to vote" - as a parent, only I represent the interests of my children, our elected officials represent the voters, and town employees only represent themselves while performing their duties.

Thank you,  
Kevin Arthur





Brittney Franklin &lt;bfranklin@medfield.net&gt;

## For School Building Committee Bylaw Review Committee

**Christine McCue** <christine.mccue@verizon.net>  
To: bfranklin@medfield.net  
Cc: "Robert J. Morrill" <RMorrill@grcpc.com>

Tue, Mar 22, 2022 at 11:39 AM

Hi Brittany,

I was hoping you could share this with the School Building Committee Bylaw Review Committee...

### Where does the appointment process originate?

In researching various School Building Committees, and trying to understand overall governance (especially as a non-lawyer!), the attached Wellesley statement helped me the most with wrapping my head around it. With only laywoman's knowledge, here's my best guess with a process that would appear to be compliant with the governing statute:

Step 1: School Committee (which has legal care, custody & control of school buildings and property per statute) votes to authorize starting the process and formally asks the Board of Selectmen and Town Moderator to join it in appointing School Building Committee members. (This would also be close to the existing school policy, attached. That policy would need to be revised once the steps are set.)

Step 2: If the project is in MSBA program, once the committee appointments have been assembled, School Committee could then vote to authorize the chair to SC sign the MSBA committee form, and the town CEO (chair of Board of Selectmen) would do the same, and would submit the form to MSBA. (With a non-MSBA school project, and given Wellesley's statement, it would seem to make sense to have the steps be virtually the same, minus the form to MSBA of course. I am unclear how and when the SBC chair would be named and appointed.)

(With the prior SBC, all of the Permanent Planning & Building Committee members were automatically rolled into the SBC with the chair of the PP&BC appearing before School Committee and Board of Selectmen to request their appointments. There was never an official authorization of the PP&BC to start the SBC appointment process.)

### How many members should serve on SBC?

After reflecting on the last meeting, and seeing how many SBCs in the state have members who wear multiple hats (e.g., one person w/construction experience & procurement certification), it might seem to make sense to have a somewhat flexible bylaw that only states a maximum number of members, and provides for a range of citizens-at-large to serve, e.g., 2-4, dependent on the number of people identified who meet the desired qualifications.

### How do we meet the need for financial expertise among SBC membership?

While I think it's a great idea to have a town staff member with financial expertise serving on the committee, would that mean a Warrant Committee member would not serve on SBC? One of the things that confused me about the prior process was not having a clear understanding of the role and responsibilities of the Warrant Committee member who was appointed to the committee. I had assumed that the appointee would be someone who would help to provide financial consultation, serve as a liaison with the town staff (e.g., debt limits, tax impact, etc.), regularly report to Warrant Committee about SBC progress throughout the planning stage to help WC get it up to speed on financials early on, and to also use the WC as a sounding board on various financial-related decisions. (I deeply respect the financial acumen of the Warrant Committee and had only wished their involvement had been deeper earlier – especially when the first cost projections and tax impacts became known in the spring/summer of 2020.)

It would help immensely if the bylaw review committee could tease this out a bit. With regard to MSBA, it only recommends one or the other on the SBC: a finance committee member, or a town staff member with financial/town budget expertise. Do we want or need both, or just one? (This box may also be checked off with a Town Administrator or her designee serving.)

Thank you!

Chris

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## 2 attachments

 **Wellesley-SBC governance statement.docx**  
422K

 **MPS policy-Section\_F\_-\_Facilities\_Management.pdf**  
54K

## **Charge to the School Building Committee (Revised)**

**July 24, 2018**

### **Introduction**

As described in the School Committee's updated May 8, 2018 [position statement](#) on the Hardy, Hunnewell, and Upham (HHU) Facilities Project, the Committee is committed to addressing the clear needs of the HHU schools. While school committees in Massachusetts have authority and responsibility under the General Laws for establishment and maintenance of school buildings ([M.G.L. c. 71 § 68](#)), the Committee recognizes that the scale of the HHU project requires a broad-based process, involving multiple Town boards as well as interested residents, in order to build consensus around the project. To this end, the School Committee (SC) and the Board of Selectmen (BOS) created the School Building Committee (SBC) in June 2017 and charged it with overseeing the design and building process for both the Hunnewell and Hardy/Upham projects.

On December 13, 2017, the Massachusetts School Building Authority (MSBA) invited the Ernest F. Upham Elementary School into its Core Program. This updated charge to the SBC is intended to address the changes in circumstances driven by this unexpected, but very welcome invitation. While some

## **FACILITIES PLANNING**

### School Building Committee

The Town Moderator creates a school building committee for specific building projects. These committees act as the administrative authority for the projects, subject to approval of various actions by the School Committee and town.

The school building committee has the following responsibilities:

1. To study and make recommendations to the town with respect to school building needs.
2. To review thoroughly with the Superintendent and the School Committee the educational requirements in relation to school buildings.
3. To review previous studies and initiate needed studies with or without consultative assistance.
4. To employ the services of architects and cost estimators and such other professional assistance as it may deem necessary.

### Staff Planning

Arrangements will be made by the Superintendent, working through principals, for the school staff to contribute in the planning of new school buildings. Teachers will be given the opportunity to submit suggestions for possible inclusion in the educational specifications.

LEGAL REFS.: M.G.L. 71:37C and D; 71:68; 71:70  
Massachusetts Board of Education Regulations Governing the School Building Assistance Act, Chapter 645 of the Acts of 1948 as amended, FY 79 and Board of Education 603 CMR, 38:00 and 603 CMR 26:07



**ARTICLE IV**  
**Permanent Planning and Building Committee**  
**[Adopted 4-30-2018 ATM by Art. 37]**

**§ 10-20. Municipal 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 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 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 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 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.