



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:

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

PLACE OF MEETING	DAY, DATE, AND TIME
Remote Meeting on Zoom	Tuesday, March 29, 2022, 6:30-8:30 pm

Agenda (Subject to Change)

1. Public Hearing
 - a. Committee will take public comment at the beginning of the meeting.
 - b. Those wishing to comment will have 2 minutes each.
 - c. Members of the committee would like members of the public to review the meeting minutes from the 03/22/2022 meeting prior to commenting.
 - d. Committee is soliciting public comments and not questions at this time.
 - e. Public comments may also be sent to Brittney Franklin at bfranklin@medfield.net for consideration by the committee.
2. Review and possible votes to adopt preliminary consensus reached at 03/22/22 meeting:
 - a. Sarah's draft of the process section, following the minutes of the 3/22/22 meeting
 - b. Carolyn's draft of the appointment section, following the minutes of the 3/22/22 meeting

3. Draft as a committee additional bylaw language including language to amend existing Permanent Planning and Building Committee bylaw, as necessary, to exclude school building projects from the scope of that bylaw.
4. End discussion at 8:15, plan next steps, and establish an agenda for the next meeting.
5. Adjourn at 8:30.

Meeting notes 3-22-22

Medfield School Building Bylaw Review Committee

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

Meeting began at 7:02 pm via Zoom

Minutes of the 3/15 meeting were unanimously approved.

Discussion Questions/Preliminary Determinations

1. Members tentatively agreed on the following three entities to appoint members:
 - i. Moderator,
 - ii. School Committee, and
 - iii. Selectboard.
2. Superintendent, principal(s) of the school(s) in question, and Town Administrator, or such party's designee, would serve on the Committee as non-voting members.
3. Key criteria for Committee membership and which of three noted appointed above should appoint:
 - School Committee to appoint- 4 total
 - 2 members – the members debated whether 1 or 2 School Committee members would participate and ultimately reached consensus that 2 people would be preferred. The Committee also recommended that the 2 members' terms did not expire at the same time.
 - Consensus that we should have 2 non-employee, non-school Committee members appointed by the School Committee, at least 1 of whom has pertinent educational experience
 - Selectboard to appoint- 4 total
 - Planning Board member, recommended by the Planning Board to the Selectboard, representing the interests of the Town-Wide Master Plan
 - 3 people with building expertise architect/engineer/procurement (using language from section (C) of the existing PBC bylaw), energy, and procurement
 - Moderator to appoint- 4 total
 - Warrant committee member
 - One town resident over 55 years of age
 - 2 other residents at large
 - 12 voting members total
4. Process
 - a. Quorum- 7 members to hold a meeting
 - b. Vote- 2/3rds of the Committee (8/12), not just the quorum then-present
 - c. Chair to be elected by a 2/3rds vote of the full Committee.
 - d. A clerk, provided by the Town, will take minutes at all meetings and ensure that the meeting is recorded.
 - e. Term of each appointment is the length of the school building project under review.
 - f. Vacancy in any position to be filled by the original appointing authority.

- g. Starting the process- Consensus was reached that the process would commence in accordance with the language in the first sentence of subsection (L) of the existing PBC bylaw, substituting the School Committee as the initiating agency in the opening clause.

Next meeting tasks:

1. Prepare a draft of a new clean section to review as a group
 - a. Sarah to draft the process section, following the minutes of the 3/22/22 meeting
 - b. Carolyn to draft the appointment section, following the minutes of the 3/22/22 meeting
2. Amend existing PBC bylaw, as necessary, to exclude school building projects from the scope of that bylaw.
3. Commence next meeting at 6:30 to receive public input, 2 minute limit per speaker, followed by drafting of bylaw language.

Motion to approve the minutes (prepared by Sarah Lemke and reviewed on the zoom screen together) of 3/22 unanimously approved.

Motion to adjourn unanimously approved at 8:40.



Brittney Franklin <bfranklin@medfield.net>

Feedback for Medfield School Building Bylaw Review Committee

1 message

Megan Sullivan <mbsul@comcast.net>

Tue, Mar 29, 2022 at 12:11 PM

To: "bfranklin@medfield.net" <bfranklin@medfield.net>

To the Members of the Medfield School Building (MSB) Bylaw Review Committee on the Preliminary Determinations for the committee composition:

I like much of what you have proposed but hope that you will consider these suggestions:

1) I think having a Planning Board member involved in the process to represent the Master Plan is a great idea.

2) Similarly, I think there should be an official permanent member of this committee who is specifically charged to represent the interests of the town as they relate to Sustainability and the town's goal to be "net zero" (to have no net greenhouse gas emissions) by 2050. The town's Climate Action Plan (TOMCAP) is currently in development after the adoption of the goal at the 2021 Town Meeting. Any future building project should include this goal in its planning.

Decisions that will impact the town's ability to/difficulty with achieving this will be made throughout the process and should be considered at every step (site selection/systems/building materials/planned operations). This person could be a member of the Medfield Energy Committee.

3) Permanent Building Committee (PBC). It seems that you have gone to great lengths to prevent the PBC from having a role in this project. This seems to be an unfortunate overreaction to the recent project. As long as the town has a PBC and their role includes "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." and

"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."

at least one member of the MSB Committee should be required to be a member of the PBC. This will allow for good understanding of system and material choices.

4) Director of Facilities. Since the project will at some point conclude and have to be managed and run by the town and under the PBC, the Director of Facilities should be a part of the committee, even if not a voting member. Input about how the building operates/meets the needs of facilities staff is essential to a smooth transition to an operating building. This person could be included in your drafted item "2".

"2. Superintendent, principal(s) of the school(s) in question, and Town Administrator, or such party's designee, would serve on the Committee as non-voting members."

Thank you for the opportunity to comment on your plans and please let me know if you have any questions.

Megan

Megan B. Sullivan

3/29/22, 12:15 PM

Town of Medfield Mail - Feedback for Medfield School Building Bylaw Review Committee

[36 Whichita Road](#)

508-446-7774 (mobile/text)



Brittney Franklin <bfranklin@medfield.net>

Thank you & feedback

Christine McCue <christine.mccue@verizon.net>

Tue, Mar 29, 2022 at 4:34 PM

To: bfranklin@medfield.net

Cc: "Robert J. Morrill" <RMorrill@grcpc.com>

Hi Brittany & Bob,

Once again, I'm so very grateful for the SBC Bylaw Committee work. If you can share this feedback/points with the Committee, that would be great:

1. Should the Warrant Committee member be non-voting, as was the case with the last SBC? It would make sense to keep that member status consistent with the established advisory role of Warrant Committee overall – especially since the WC will ultimately be casting a vote to approve/dismiss the project. (Appointment process via Town Moderator would remain the same.)
2. If the Committee agrees with point #1 to have the WC as non-voting, that would mean the SBC would have 11 voting and 4 non-voting members, and a total of 15 members overall. Is 11 voting members an okay number?
3. Would you consider adding language to the effect of something like this: "Select Board has discretion to add one additional voting member, if needed to meet grant qualifications or if other circumstances dictate the need for specialized expertise." One just never knows based on MSBA requirements/recommendations/volunteer recruitment outcomes, or the unique nature of a school project (e.g., a historic building), if certain specialized expertise will be needed at any point in time. Tisbury ended up adding someone from its Historic Commission to the SBC for that very reason.
4. Is it worth including in the bylaw a simple sentence regarding subcommittee appointments? Sample sentence: "The SBC may create subcommittees and appoint members to those subcommittees, as needed; any non-voting SBC members would have consistent non-voting status on the subcommittee." (There was some confusion last time regarding one SBC subcommittee member who was non-voting on SBC, but voting on the subcommittee. When the subcommittee appointments were made, member voting statuses were simply overlooked so it may just help to have some clarity.)

I will tune in tonight, but will likely not comment unless anyone needs or wants clarity on above. Most of all, I would really like to see other residents commenting vs. me! I've just been so close to the topic that things jump out at me fairly quickly.

Thanks once again to all.

Best,

Chris

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

A. SBC Composition:

- a. The SBC shall consist of [Cynthia insert].
- b. Except as provided in subparagraph [c] below, the term of each member's appointment shall expire upon the completion or earlier termination of the applicable School Project.
- c. If an SBC member's term as an elected official expires, their employment by the Town of Medfield terminates, or such member chooses to resign their term, the appointing authority who initially selected such member will be responsible for selecting a member for the balance of the School Project.

B. Procedural Requirements:

- a. A minimum of 7 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 (2/3rds) of the membership of the SBC.
- c. All meetings shall be subject to the Open Meeting Law- add statutory reference, shall be recorded and minutes shall be taken. The Town of Medfield shall provide a Clerk to take the minutes of all meetings, ensure the meeting is recorded, and maintain the record of recordings and minutes for all meetings for the duration of the School Project.

C. Jurisdiction/Initiating a School Project:

- a. The SBC 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, MGL c. 7C, and M.G.L. c. 70B and CCMR 963 2.0- limit statutory reference to School Building projects
- b. The SBC shall, subject to Town Meeting project authorization and appropriation, conduct feasibility studies and final designs, oversee construction of School Projects, procure project management (if required), design, architectural and engineering services as it deems necessary or as required by law to facilitate the completion of the School Project.
- c. Following an affirmative vote of the School Committee in accordance with its procedural requirements, the School Committee may file a project application with the Select Board to initiate a School Project [discuss adding any details about what this "application has to include"?]; if the Select Board determines that the School Project should proceed through a feasibility study, it shall convene the SBC by appointing its members and contacting the Town Moderator and the School Committee to require the remaining members of the SBC are appointed within thirty (30) days of approval by the Select Board.
- d. Within thirty (30) days following appointment of all members, the SBC shall commence its meetings in accordance with the procedural requirements hereof and, if the project is deemed viable by the SBC, shall present its findings to the Select Board for approval and funding to start a feasibility study.
- e. Within ___ days of completion of the feasibility study, the SBC shall report back its findings to the Select Board and shall request authorization to continue with the School Project if deemed necessary by a vote of the SBC.

- f. If, after the completion of a feasibility study, it is deemed by the Select Board that the proposed School Project is necessary, the SBC shall commence the design and procurement process for the School Project. The final design process will be subject to Town Meeting approval of all funding and review of projected budgets with the Select Board and Warrant Committee.
- g. Discuss- The SBC shall hold one or more public hearings to inform town residents about the School project, including its timetable, scope and estimated cost range. The project cannot advance to the design stage until public hearings are held.

Misc Sections from PBC Bylaw to consider-

G (second half) 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.

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.

Legend

Yellow highlighting- review

Green highlighting- Chris Potts additions to PBC bylaw

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~~School Building Committee (hereinafter "CommitteeSBC") responsible for overseeing the planning, prioritizing, design, approvals, construction, reconstruction, alteration or enlargement of all school buildings owned by the Town or School Department constructed on land owned, leased, or operated by the Town: or School Department (each a "School Project").

A. ~~A.~~ SBC Composition:

- a. The ~~CommitteeSBC~~ shall consist of five members appointed[Cynthia insert].
- b. Except as provided in subparagraph [c] below, the term of each member's appointment shall expire upon the completion or earlier termination of the applicable School Project.
- c. If an SBC member's term as an elected official expires, their employment by a majority vote of the Town of Medfield Board of Selectmen terminates, or such member chooses to resign their term, the appointing authority who initially selected such member will be responsible for selecting a member for the balance of the School Project.

B. ~~B.~~ Each member of the Committee shall be a resident in the Town of Medfield. No member
Procedural Requirements:

- a. A minimum of 7 members of the ~~CommitteeSBC~~ shall be a paid employee present at any meeting to constitute a quorum.
- b. All actions of the ~~Town~~SBC shall require a vote of agreement by a minimum of two-thirds (2/3rds) of the membership of the SBC.

~~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.~~

- c. ~~G.~~All meetings shall be subject to the Open Meeting Law- add statutory reference, shall be recorded and minutes shall be taken. The Town of Medfield shall provide a Clerk to take the minutes of all meetings, ensure the meeting is recorded, and maintain the record of recordings and minutes for all meetings for the duration of the School Project.

C. Jurisdiction/Initiating a School Project:

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- a. ~~The Committee~~SBC 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~~. ~~limit statutory reference to School Building projects~~
- b. The SBC shall, subject to Town Meeting project authorization and appropriation, conduct feasibility studies and final designs, oversee construction of School Projects, procure project management (if required), design, architectural and engineering services as it deems necessary or as required by law to facilitate the completion of the School Project.
- c. Following an affirmative vote of the School Committee in accordance with its procedural requirements, the School Committee may file a project application with the Select Board to initiate a School Project ~~discuss adding any details about what this "application has to include"?~~; if the Select Board determines that the School Project should proceed through a feasibility study, it shall convene the SBC by appointing its members and contacting the Town Moderator and the School Committee to require the remaining members of the SBC are appointed within thirty (30) days of approval by the Select Board.
- d. Within thirty (30) days following appointment of all members, the SBC shall commence its meetings in accordance with the procedural requirements hereof and, if the project is deemed viable by the SBC, shall present its findings to the Select Board for approval and funding to start a feasibility study.
- e. Within _____ days of completion of the feasibility study, the SBC shall report back its findings to the Select Board and shall request authorization to continue with the School Project if deemed necessary by a vote of the SBC.
- f. If, after the completion of a feasibility study, it is deemed by the Select Board that the proposed School Project is necessary, the SBC shall commence the design and procurement process for the School Project. The final design process will be subject to Town Meeting approval of all funding and review of projected budgets with the Select Board and Warrant Committee.
- g. ~~Discuss-~~ The SBC shall hold one or more public hearings to inform town residents about the School project, including its timetable, scope and estimated cost range. The project cannot advance to the design stage until public hearings are held.

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Misc Sections from PBC Bylaw to consider-

G (second half) 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 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 (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.

Legend

Yellow highlighting- review

Green highlighting- Chris Potts additions to PBC bylaw

DRAFT SECTION FOR APPOINTING SBC MEMBERS

The School Building Committee (SBC) will consist of twelve (12) voting members, and at least three (3) non-voting members.

VOTING MEMBERS

- All voting members shall be Medfield residents
- Voting members shall not be employees of the town of Medfield

The process for appointing SBC voting members:

- The School Committee shall appoint four (4) voting members to the SBC. Two appointments will be current School Committee members whose terms do not expire at the same time (or who will not be up for election in the same year??). Two additional appointments will be Medfield residents with pertinent educational experience if possible.
- The Town Moderator shall appoint four (4) voting members to the SBC. One appointment will be a current Warrant Committee member. The Warrant Committee will select its member to fulfill the SBC responsibilities. One appointment will be a Medfield resident over fifty-five (55) years of age. Two appointments will be residents at large (with pertinent building experience if possible??)
- The Select Board shall appoint four (4) voting members to the SBC. One appointment will be a Planning Board member. The Planning Board will select the member who shall represent 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. No current serving member of the Select Board may be appointed to the SBC.

NON-VOTING MEMBERS

The following individuals will be ex-officio members of the SBC.

- The Superintendent of Schools or his/her appointed designee
- The building Principal(s) directly affected by the building project
- The Town Administrator or his/her appointed designee