



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	Monday, April 4, 2022, 6:30-8:30 pm

Agenda (Subject to Change)

1. Review and approve meeting minutes from the March 29 meeting.
2. Review draft from March 29 meeting/Chair to report on input from town counsel/town administrator on open questions from last meeting.
3. Draft as a committee additional bylaw language as needed.
4. Potential vote on final bylaw language.
5. End discussion at 8:15, plan next steps, and establish an agenda for the next meeting.
6. Adjourn at 8:30.

Meeting notes 3-29-22

Medfield School Building Bylaw Review Committee

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

Meeting began at 6:33 pm via Zoom

Bob read intro for public meeting by ZOOM

Attendees introduced themselves and acknowledged they were participating remotely

First part of the meeting was scheduled for public comments by public participants

Review public comments

1. Megan Sullivan, email 3-29-22 – Planning Board member should be involved with the process, Permanent Building Committee member should be involved with the process, should include a member with energy expertise, Director of Facilities should be involved with the process.
2. Chris McCue Potts, email 3-29-22 – Warrant Committee member should be non-voting, Select Board should have an option to appoint additional SBC members if there is a need for additional expertise, the SBC should be able to create subcommittees and the voting rights of the committee members follows to their positions on the subcommittee
3. Chris McCue-Potts, ZOOM participant – Resident-at-Large members need not have specific skills/qualifications

As no other ZOOM participants wished to comment, VOTED to close the public comment period

Reviewed the Draft Section for Appointing Members and the Draft School Building Committee Bylaw

1. Adding energy expertise to the qualifications for the Select Board's appointments
2. Discussion on how to include the Director of Finance and Operations (for schools) in the mix
3. Keep Warrant Committee member a voting member
4. If additional expertise is needed could be hired as consultants rather than committee members, or can be appointed by Select Board as non-voting members
5. Subcommittee members have same voting status as originally designated
6. Keep residents-at-large without specific skills/qualifications
7. Discussion on how to move forward with finalization of draft
8. Reviewed composition of committee members
9. Separate jurisdiction from process
10. Reviewing several feasibility studies and funds
11. Review some items in the Permanent Building Committee Bylaw that are not applicable to the School Building Committee Bylaw
12. Include required periodic reporting to Town boards
13. Suggest reaching out to Town Administrator and Town Counsel for guidance in some of this drafting, maybe invite them to a meeting
14. Next meeting Monday, April 4th at 6:30pm (no public comment at meeting, just emails)

Next meeting tasks:

1. Agree to the minutes
2. Review and move forward on latest draft of Bylaw

Meeting adjourned at 8:34 pm

Respectively submitted by Russ Hallisey

There shall be a School Building Committee (hereinafter "SBC") responsible for overseeing the planning, prioritizing, design, approvals, construction, reconstruction, alteration or enlargement of any school building owned or to be owned by the Town (each a "School Project").

A. SBC Composition:

- a. The SBC shall consist of twelve (12) voting members and at least three (3) non-voting members.
- b. Voting Members: All voting members of the SBC (or any subcommittee established thereunder) shall be Medfield residents and shall not be employees of the Town of Medfield. The voting members shall be appointed as follows:
 - i. The School Committee shall appoint four (4) voting members to the SBC. Two appointments will be current School Committee members whose terms are not coterminous. Two additional appointments will be Medfield residents with pertinent experience in education, if possible.
 - ii. The Town Moderator shall appoint four (4) voting members to the SBC. One appointment will be a current Warrant Committee member, selected by the Warrant Committee. One appointment will be a Medfield resident over fifty-five (55) years of age. Two appointments will be residents at large.
 - iii. The Select Board shall appoint four (4) voting members to the SBC. One appointment will be a Planning Board member, selected by the Planning Board to represent the Planning Board's interests, including, without limitation, the interests of the Town-Wide Master Plan. Three (3) appointments will be residents with expertise in pertinent areas such as architecture, building engineering, commercial or municipal construction, and/or construction law/contracts, at least one (1) of which appointees shall have expertise in energy/sustainability measures (including knowledge of Medfield's energy goals to meet Net Zero). No current member of the Select Board may be appointed to the SBC.
- c. Non-Voting Members: The following individuals will be ex-officio, non-voting members of the SBC:
 - i. The Superintendent of Schools and/or his/her appointed designee.
 - ii. The building Principal(s) directly affected by the School Project.
 - iii. The Town Administrator, in consultation with the appropriate Town departments (other than the School Department) and/or his/her appointed designee.
 - iv. Such additional member(s) to be appointed by the Select Board, if and to the extent the same become required in order to obtain funding under [\[reference MSBA statute\]](#).
- d. Except as provided in subparagraph [e] below, the term of each member's appointment shall expire upon the completion or earlier termination of the applicable School Project.
- e. If an SBC member's term as an elected official expires or such member chooses to resign from their appointment, the appointing authority who initially selected such member will be responsible for selecting a member for the balance of the School Project.

B. Procedural Requirements:

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

- b. All actions of the SBC shall require a vote of agreement by a minimum of two-thirds (8 of 12) of the voting members of the SBC.
- c. All meetings (including subcommittee meetings) shall be subject to the Open Meeting Law [add statutory reference]- and minutes shall be taken. With the exclusion of subcommittee meetings (for which the subcommittee shall be responsible for taking minutes), the Town of Medfield shall provide a Clerk to take the minutes of all meetings and ensure the meeting is recorded. The Clerk shall also maintain the record of recordings and minutes for all meetings for the duration of the School Project.

C. SBC Jurisdiction:

- a. The SBC shall have supervisory authority and oversight for all projects that fall under MGL c. ____ [insert statutory reference to state statute governing school building projects, including, without limitation, MSBA requirements][- maybe some of these? 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- BRITTNEY REVIEW WITH MARK]
- 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.

D. Initiating a School Project/Review of School Projects

- a. 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.
- b. Within thirty (30) days following appointment of all members, the SBC shall commence its meetings in accordance with the procedural requirements hereof. If the School Project is deemed viable by the SBC, shall present its findings to the Select Board for approval and funding to start a feasibility study. [what is the scope of the feasibility study?] where does the Select Board get the funding for this study?
- c. Within ____ days of completion of the feasibility study, the SBC shall hold at least one (1) public hearing to inform town residents about the School Project, including the results of the feasibility study. Following such public hearing, the SBC 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. 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 “Design Phase”). 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. As part of the Design Phase, the SBC shall hold one or more public hearings to inform Town residents about the School Project, including the Project schedule, scope and estimated cost range.

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

Legend

Yellow highlighting- review

Green highlighting- Chris Potts additions to PBC bylaw

Blue highlighting- Follow up Items



Brittney Franklin <bfranklin@medfield.net>

School Building Bylaw Review Committee ("SBBRC") - Public Input - Bruce Beardsley, 10 Hickory Drive, Medfield

BRUCE BEARDSLEY <beardsleysix@comcast.net>

Wed, Mar 30, 2022 at 5:04 PM

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

Cc: "nmilano@medfield.net" <nmilano@medfield.net>, BRUCE BEARDSLEY <beardsleysix@comcast.net>

Brittney,

Below are my comments for consideration by the SBBRC at its meeting on March 30, 2022.
Thank you for sharing this with SBBRC and your efforts.

Best regards,

Bruce Beardsley
10 Hickory Drive
[Medfield, MA 02052](#)

Thank you all for your diligence and work on behalf of the Town. I offer the following for your consideration.

1) Re "Senior Citizen" - very strongly suggest that 55+ is not at all an appropriate standard to provide such "senior citizen" perspective. Full Social Security benefits begin at 65 y.o. and such is increasing. Resident and town-wide concerns have heavily focused on "fixed-incomes" and "seniors being forced-out" due to increased real estate tax burden. A typical 55 y.o. is in peak earning years. Suggest 70 (or at least 65+) if part of the rationale is to have senior "representation" on the committee.

2) Re "expertise" - suggest that experience in Municipal Finance/Tax-exempt Bonds would be very helpful. Having myself some (limited) experience in this field, it seems to me that such expertise was noticeably lacking during the Dale Street SBC discussions and such experience on the SBBRC would be helpful.

3) Re "SBBRC Governance" - suggest that certain governance matters are better-dealt with by the committee itself -- versus being proscribed by the bylaw. Examples:

- > Strongly suggest proscribing a Vice Chair (in addition to Chair/others) in order to preside in absence of the Chair
- > Suggest the SBBRC self-determine the Chair and others
- > While I thought your approach on quorum works, suggest the SBBRC determine voting "thresholds" e.g. majority, two-thirds or other - for various votes.

4) Re "consultation and transparency" - the existing Permanent Building Committee bylaw calls for some (limited) coordination with the Select Board and Warrant Committee. I strongly suggest you consider language in the bylaw to (i) stress committee transparency and (ii) foster periodic and joint reporting to SB, WC, School Committee and Public. You might potentially consider Public Hearings at certain points in the process and you may want to consider a SBBRC website and posting of documents.



Brittney Franklin <bfranklin@medfield.net>

SBC Bylaw Review Committee

Stephen Callahan <callahanstephend@gmail.com>

Thu, Mar 31, 2022 at 6:28 PM

To: bfranklin@medfield.net

Dear SBC Bylaw Review Committee Members,

I should state that the following are my personal comments and not necessarily the views and opinions of the Warrant Committee.

I was listening to your recent discussion regarding the representation of Permanent Building Committee (PBC) members on the SBC. I am prefacing these comments with the point that I was unsure where you ended up on it, however, I wanted to bring to your attention a possible alternative that could be studied by the SBC.

It is possible that one alternative that could be studied may involve more than just a school building. I am not necessarily taking a position on this, but one alternative I have heard discussed is to plan two buildings at the Dale St and Pfaff site to accomodate a school and a community/rec center for Park & Rec use. (replace the Pfaff center). I am assuming the community/park rec center would be under the PBC bylaw. So having flexibility to allow for at least one existing PBC member might be important.

Thank you for all you do.

Best,

Steve Callahan
33 Pederzini Dr



Brittney Franklin <bfranklin@medfield.net>

School Building Bylaw Review Committee ("SBBRC") - April 4, 2022 Public Input - Bruce Beardsley, 10 Hickory Drive, Medfield

BRUCE BEARDSLEY <beardsleysix@comcast.net>
To: "bfranklin@medfield.net" <bfranklin@medfield.net>
Cc: "nmilano@medfield.net" <nmilano@medfield.net>

Mon, Apr 4, 2022 at 8:56 AM

Brittney,

Below are my comments for consideration by the SBBRC at its meeting on April 4, 2022. Thank you for sharing this with SBBRC and your efforts.

Best regards,

Bruce Beardsley
10 Hickory Drive
[Medfield, MA 02052](#)

Thank you all for your diligence and work on behalf of the Town. I offer the following for your continued consideration.

Re "SBBRC Governance" - suggest the bylaw provide for a Vice Chair (in addition to Chair/others you identified) to preside in absence of the Chair. Suggest the Committee elect its own officers.

Re "2/3 voting requirement" - suggest voting "threshold" e.g. majority, two-thirds or other is best left to the SBC. While a 2/3 super-majority standard may (in some instances) lead to group consensus, it can also leave the Committee without an outcome capable of achieving the required 2/3 support -- in which case the Town would find itself further delayed and without a plan for taxpayer consideration. The fact that ultimate approvals will require 2/3's support at both Town Meeting and Ballot Election (let alone our recent history), the Committee should be well-incented towards developing a proposal capable of gaining broad taxpayer support.

Re "Senior Citizen Member" - suggest at least 65+ if such member is intended to provide senior "representation" and for it to be perceived as such.

Again, many thanks for your work and consideration.

Bruce Beardsley

On 03/30/2022 5:04 PM BRUCE BEARDSLEY <beardsleysix@comcast.net> wrote:

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Bruce Beardsley
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Again, many thanks for your efforts and consideration.

Bruce Beardsley

Again, many thanks for your efforts and consideration.

Bruce Beardsley



Brittney Franklin <bfranklin@medfield.net>

For SBC Bylaw Review Committee -- public hearing(s)

Christine McCue <christine.mccue@verizon.net>

Mon, Apr 4, 2022 at 4:26 PM

To: Brittney Franklin <bfranklin@medfield.net>

Hi Brittney – Thanks in advance for forwarding this to the SBC Bylaw Review Committee for consideration. I'll save Bob Morrill one more e-mail this time around! Thanks, Chris

Hello all,

It was great to watch the rest of the last SBC bylaw committee meeting, and to see support for some kind of public hearing requirement incorporated into the draft under development. Thank you!

One bit of clarification based on your latest discussion:

With regard to the last MSBA process and feasibility study, there were four critical milestone decisions that needed to be made during that phase: 1) Grade configuration, 2) New or addition/renovation,

3) Site selection and 4) Preferred design schematics (and not necessarily in that order). (Some might argue that determining projected enrollment for building size was also a significant decision-making point.)

All of the aforementioned critical steps/decisions would be required during a MSBA feasibility study phase, so it's important to consider when public hearings might be most valuable from a process standpoint. A public hearing held at the end of an MSBA feasibility study is too late (the official agreement for the most recent study had an end date of Nov. 30, 2021). It would seem that one or more public hearings need to be held at one or more points during the feasibility study phase to help guide critical decision-making points.

Related to this, as you may be aware, a group of voters filed a Citizen's Petition for Town Meeting that seeks to add a common-sense public hearing requirement in the new or existing bylaw before committee votes are cast on site selection for either a new school or town building. This article will not be needed if the hearing requirement can somehow be incorporated into your draft, which would be extremely beneficial and save valuable Town Meeting time.

(Please know, the submission of the citizen's petition was not meant to circumvent your current process. The warrant closing date fell before the SBC review committee was formed, so it was only submitted as a safety measure because of its extreme importance.)

Attached is some background/rationale for the requirement that was compiled for Warrant Committee discussion next week. Admittedly, the one clarification the article/Citizen's Petition currently lacks is specificity related to advanced notice. The original hope was to mirror a typical Planning Board or ZBA public hearing notification process, for example vs. a public meeting that has been mislabeled as a "public hearing" and only requires 48-hours advanced notice.

Once again, thank you for taking the time to take these suggestions/thoughts into consideration as you continue to forge ahead with so much great work.

Best,

Chris



Citizens Petition-public hearing request 2022.pdf
1179K

Bob,

A few points of clarification after our discussion

1. The Permanent Planning and Building Committee (PPBC) is responsible for developing and implementing the 20 year capital plan that includes both Town and School building projects. Some of those projects can involve some interior alterations. I would suggest that instead of "alteration," in the opening preamble of the bylaw, the committee use "addition". For example I don't believe we would convene a SBC for a boiler repair project that included minor alterations to the interior of a building. Another example would be the current renovations of the portico at the Dale Street School. Those projects identified in the 20 year capital plan should remain with the PPBC.

Amy Collieran, our director of facilities, works with the PPBC and the Capital Budget Committee on those 20 years building capital projects that include both town and schools. This should also be noted if you are planning on modifying the existing PPBC bylaw to exclude all school projects. By nature some will still fall under the PPBC instead of triggering the formation of the SBC.

2. I would prefer that it not be designated that a Clerk be provided for meeting minutes. We don't currently do that for our committees, including the PPBC, and it is an added expense I cannot guarantee will be funded nor has it been included in the budget for FY2023. We will designate a staff person in attendance for the meeting to be responsible for the minutes if the Committee itself does not want to take that on, for example I currently complete the minutes of the PPBC.

In prior building projects, including the most recent Dale Street School Project, the Public Safety Building Project and the DPW Garage project, the Owners Project Manager (OPM) was tasked with the minutes once they have been hired for a project. Their expertise in the technical aspects of what is being discussed at those planning and then construction meetings is invaluable in making sure those key points are recorded in the minutes.

We also cannot guarantee that meetings will continue to be on zoom and be recorded using that platform. If the emergency rules suspending certain aspects of the Open Meeting Law are lifted, a quorum of the committee must be physically present and zoom may no longer be necessary. This is not to say that I don't favor continuing the medium, but we cannot guarantee that we will have the means to continue to record every meeting. The current requirement under the Open Meeting Law is to maintain minutes of the meeting.