



## Clean Energy Future Committee

Date: Friday April 24, 2020

Time: 8:00 a.m.

Location: Conducted via remote participation

To register for the Zoom Meeting:

<https://us02web.zoom.us/join/zoom-join?zjs=1&zoom-join=1>

After registering, you will receive a confirmation email containing information about joining the meeting.

Members of the public are asked to send written comment to:

[kpruitt@town.arlington.ma.us](mailto:kpruitt@town.arlington.ma.us).

### **\*Notice to the Public on meeting privacy\***

In the interests of preventing abuse of videoconferencing technology (e.g. "Zoom Bombing") all participants, including members of the public, wishing to participate via Zoom must register for each meeting and will notice multi-step authentication protocols. Please allow additional time to join the meeting. Further, members of the public who wish to participate without providing their name may still do so by telephone at 929-436-2866. Meeting ID: 867 8137 8166 Password: 034459.

Documents related to the below agenda items follow as attachments to this document.

### **Agenda**

8:00 – 8:10: Review meeting ground rules

8:10 – 8:15: Review & Approve Minutes from 3/27/2020 meeting

8:15 – 9:30: Review draft Clean Energy Supply measures for Net Zero Plan

Next meeting: May 22, 2020

### Attachments:

- 1) Governor Charles Baker's 3/12/2020 Executive Order Suspending Certain Provisions of the Open Meeting Law
- 2) Meeting minutes from 3/27/2020
- 3) Draft Clean Energy Supply Measures



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**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS  
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

**WHEREAS**, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”); and

**WHEREAS**, many important functions of State and Local Government are executed by “public bodies,” as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

**WHEREAS**, both the Federal Centers for Disease Control and Prevention (“CDC”) and the Massachusetts Department of Public Health (“DPH”) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

**WHEREAS**, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

**WHEREAS**, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

**WHEREAS** section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

**NOW THEREFORE**, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

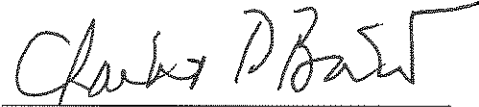
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 6:40 PM this 12th day of  
March, two thousand and twenty.

A handwritten signature in cursive script that reads "Charles D. Baker". The signature is written in dark ink and is positioned above a horizontal line.

CHARLES D. BAKER  
GOVERNOR  
Commonwealth of Massachusetts



## **Clean Energy Future Committee Meeting Minutes**

*Draft – for approval at the 4-24-2020 meeting*

March 27, 2020

8:00 – 9:30 a.m.

Virtual Meeting – Hosted on Zoom

Members present: Jim DiTullio, Ryan Katofsky, Ken Pruitt, Dave Levy, Marc Breslow, Emily Sullivan, Coralie Cooper, Shelly Dein, Pasi Miettinen, Nellie Aikenhead, Dan Amstutz, Adam Chapdelaine

Members not present: Dan Dunn

The meeting convened at 8:07 a.m.

### **Video Meeting Procedures**

Mr. Pruitt read a set of prepared remarks introducing the procedures that the Committee would follow in order to hold a virtual meeting. Governor Baker recently signed an Executive Order in response to the COVID-19 pandemic allowing virtual meetings, which suspended the usual Open Meeting Law requirement that a quorum of committee members be physically present in order to hold an official committee meeting.

### **Meeting Minutes**

Ms. Cooper moved to have the Minutes from the 2/28/2020 meeting approved. Mr. Chapdelaine seconded the motion. Mr. Pruitt called the Committee's attention to several small edits offered by Dan Amstutz. Afterward, a roll call vote was held to approve the Minutes from 2/28/2020 as amended. The Committee unanimously approved the Minutes with Mr. DiTullio abstaining.

### **Agenda Item 1: Status of Fossil Fuel Warrant Article #13**

Patrick Hanlon, a leader in the Clean Heat for Arlington campaign, spoke to the Committee about the status of Town Meeting Warrant Article #13, the fossil fuel bylaw. The Warrant Article would create a new bylaw prohibiting new fossil fuel piping in new homes and substantial renovations. Mr. Hanlon began by summarizing the public hearing on the Warrant Article held by the Select Board on March 9, 2020. At that meeting, after hearing presentations by several advocates, the Select Board approved the Warrant Article text as submitted, with some small changes. The appeals process, for example, in part 6 of the text, was adjusted to have the Town Manager handle any appeals. Other minor edits were also made. However, section 5(b), which sets out procedures for waivers to the bylaw, included placeholder language about criteria for granting waivers that has not been finalized. The Select Board did not provide guidance

on revising that language. Mr. Hanlon flagged this is an issue that still needs to be addressed. Another issue that was discussed but not resolved at the meeting was the definition of Major Renovation. As drafted, the definition is met when there is alteration of 50% of the gross floor area of a commercial building, or 75% of the gross floor area of a residential building. There was discussion on whether the residential definition for Major Renovation should be met with a smaller percentage – such as 50% instead of 75%, which many argue still constitutes a “gut renovation.” The Select Board was open to further discussion on this point, and agreed that the proponents should keep working on the language.

A working group of Clean Energy Future Committee members as well as bylaw proponents from Mothers Out Front and Sustainable Arlington met after the Select Board meeting to discuss this and other outstanding questions. After further review and discussion, the working group decided that most major renovations that exceed 50% of gross residential floor area are so extensive that they also exceed 75% of gross floor area. For this reason, a decision was made to maintain the residential definition of Major Renovation at alteration of 75% of gross floor area.

Mr. Hanlon noted that this year’s Annual Town Meeting may be postponed due to the COVID-19 pandemic, and even if one is held, it may not include non-budgetary items. For this reason, Warrant Article 13 may not be considered until a potential fall special Town Meeting. Given that delay, there is a possibility that the Attorney General will rule on the legality of the very similar Brookline fossil fuel bylaw before Arlington’s bylaw is considered at Town Meeting. This possible ruling may provide valuable information to Arlington in terms of which parts of the Brookline bylaw she considers allowable versus not allowable. This information could help Arlington modify its proposed bylaw before it is voted upon to address any constitutional or legal vulnerabilities.

Mr. Hanlon concluded his remarks and Mr. Pruitt, in compliance with the opening statement, invited participants to ask questions.

Ms. Cooper asked Mr. Hanlon if Arlington would have the same building code pre-emption issue as Brookline does. Mr. Hanlon noted that upon the Effective Date of the proposed bylaw, the Building Inspector would not be able to issue a building permit for a project that was in violation of the bylaw. That could indeed raise building code pre-emption concerns. Mr. Hanlon went on to say that pre-emption concerns might be avoided if the bylaw imposed a permit delay, rather than outright denial. There is precedent for this kind of bylaw in the form of the demolition delay bylaw. Mr. Hanlon thought a delay in permit issuance could help convince builders to apply for a permit without fossil fuel infrastructure.

Mr. Pruitt then opened the conversation to members of the public. No questions were asked.

## **Agenda Item 2: Review of Mobility Related Greenhouse Gas Mitigation Measures**

Mr. Pruitt introduced this discussion by noting that Arlington is partnering with the City of Melrose, Town of Natick and the Metropolitan Area Planning Council (MAPC) to help produce Net Zero Plans for all three communities. MAPC has created lists of

greenhouse gas (GHG) mitigation measures for review and adoption by the three communities for their Net Zero Plans. The mobility related measures under discussion today were recommended by MAPC. Mr. Pruitt noted that the majority of the mobility measures from MAPC were already discussed by this committee in a previous meeting. The goal at this meeting was to complete review of these measures.

Regarding a measure to electrify the Town vehicle fleet, Ms. Cooper asked (with Mr. DiTullio expanding) if all municipal vehicles purchased need to be electric starting in 2030, or if purchases need to start earlier such that all municipal vehicles are electric by 2030. Mr. Pruitt said that this committee would need to make that decision. He also noted that the language of this measure clarified that only makes and models that were viable for the vehicle need would be required, and that there may be some kinds of vehicles, especially large trucks, for which a viable all-electric version will still not exist in 2030. Ms. Cooper stated that the Committee should revisit the question of when the purchase of all-electric vehicles should occur.

Mr. Katofsky also questioned the word “viable” to be included in the language because there were many different interpretations of this word.

Regarding Item 13 in MAPC’s proposed list of mobility measures, Develop a procurement and financing plan for electric school bus fleets: Mr. Pruitt noted recent progress has occurred in other school districts on this topic. Mr. Katofsky questioned whether school buses are part of the municipal fleet, and Mr. Pruitt stated they are. Mr. Amstutz stated that he thought this measure should be included in a similar measure targeting the full municipal vehicle fleet – why single out school buses for their own recommendation?

Mr. Pruitt noted the list of measures “A1” through “A8” are mostly additions to the MAPC list suggested by members of the CEFC. Items A1-A3 were brought over from an older MAPC list of recommended mobility measures. Items A4-A8 were recommended by CEFC members.

Regarding Item A1, Adopt EV readiness or installation requirements in new buildings, the Committee endorsed it.

Regarding item A2, Encourage private businesses to offer incentives to employees for transit, biking and walking, Mr. Katofsky recommended adding the word “public” in front of the word “Transit.”

Mr. Katofsky asked whether item A3, Upgrade parking policy to have EV charging station parking areas as a required parking space, should be for public or private parking or both. Mr. Pruitt suggested it should be for both. Mr. DiTullio supported the concept in principle, but noted there will be details to be work out regarding how long a space should can be occupied. Mr. Miettinen said there is no evidence that public infrastructure for charging encourages greater adoption of EV vehicles. Given this, there is a question of whether this will help greater transition to an EV landscape. Ms. Cooper wondered if further study should be adopted. Mr. Katofsky asked what percentage of the public would need EV charging stations in parking lots. Mr. Pruitt suggested it may

be as much as 30 percent of the Town's population given how many people rent versus own their homes. Mr. Amstutz noted there is data available for such a discussion. Ms. Dein asked if this discussion was about parking for single family homes or for apartment complexes and other parking lots. Mr. Pruitt said his sense of the measure was that it was not aimed at single family homes. Mr. Katofsky noted that smaller apartment units should be included in this measure.

Regarding Item A4, Build protected bicycle infrastructure, Mr. Amstutz provided background on this item and all remaining A items, since he had recommended them. Mr. Amstutz wanted to expand the concept of mobility to include more than driving cars and include other forms of transportation. This larger view would allow for further measures to help minimize high carbon modes of transportation.

Mr. Pruitt asked if there was any objection to discussing items A4-A8 as a group and asked for comments on those items. Mr. Levy noted that while these plans are terrific, we need action by Town government to actually implement them. Mr. Katofsky noted that on item A6, Implement a neighborhood traffic management program to slow or divert traffic to make walking and bicycling more comfortable and easy, that if traffic were moved from some parts of town to other parts of town, it should be done in a thoughtful way. Mr. Amstutz noted that part of the goal of the Transportation Plan, which itself is under development, is to identify some higher level policies for how the Town should examine its transportation system, and that a goal was to ask what the purpose of the transportation system is. By drilling down into specific recommendations, this should help answer that question. Ms. Dein asked if the word "divert" should be substituted for "reduce." Mr. Katofsky noted that he has confidence the Town can attack this in a smart way.

Mr. Pruitt asked if there was a motion to adjourn. Mr. Katofsky moved and Mr. Miettinen seconded. The Committee, by roll call vote, unanimously voted to adjourn the meeting.

The meeting adjourned at 9:30 a.m.

The next meeting will occur on April 24, 2020.

Submitted by Dave Levy.



## Clean Energy Supply Playbook section background research and resources

GENERAL		FEASIBILITY						MEASUREMENT	
Action Number	Action	Example	Source Link	Timeframe	Lead Implementer	Key Partner(s)	Funding and Financing	Calculating Benefits, and Impact	Performance Indicators
1	Increase renewable energy in Arlington Community Choice Aggregation (CCA) program so default level is 100% carbon-free by 2030, and then maintain that outcome permanently. Until that goal is reached, conduct an annual outreach campaign to encourage residents and businesses to opt up to the 100% renewable electricity level in the CCA.	MAPC Aggregation Toolkit; MCAN; Massachusetts; Gloucester; Boston; Arlington, Somerville, Brookline	<a href="https://masspowerchoice.com/">https://masspowerchoice.com/</a> <a href="https://www.massclimateaction.org/community_aggregation">https://www.massclimateaction.org/community_aggregation</a> <a href="https://communitychoiceboston.org/">https://communitychoiceboston.org/</a> <a href="https://arlingtoncca.com/opt-up/">https://arlingtoncca.com/opt-up/</a> <a href="https://somervillecce.com/opt-up-to-premium-100-local-green/">https://somervillecce.com/opt-up-to-premium-100-local-green/</a> <a href="https://brooklineoptup.com/">https://brooklineoptup.com/</a>	Short Term	City Staff; sustainability volunteers			<b>Equity</b> - enables all residents to access clean energy supply, but also has the potential to disproportionately benefit higher income customers with the economic flexibility to opt-up. This will depend on the prices of participation and where the default is set; <b>Environmental</b> - increased supply of local renewable energy, improved air quality. Reduced carbon emissions from electricity consumption by residents and businesses; <b>Economic</b> - Electricity prices that are more stable and vary less season by season; Electricity that has a higher percentage of renewable electricity than is required by state law; Protection from the predatory practices of some retail electricity suppliers	Number of customers in the Green Municipal Aggregation, number of customers that opt-up, additional renewable energy purchased
2	Investigate the feasibility of developing a low-income community shared solar program.	Resonant Energy Pilot Projects in Boston; Newton Low-Income Community Shared Solar Project	<a href="http://www.resonant.energy/">http://www.resonant.energy/</a>	Intermediate Term	City Staff; Low Income Residents; community groups and organizers; solar developer; Electric Utility; community shared solar vendors		SMART program; Net Metering Credits	<b>Economic</b> - reduced monthly electric bill costs for low-income customers; <b>Equity</b> - programmatic focus on serving low-income residents	Number of low-income customers served and average monthly bill savings, number of community shared solar projects/programs implemented, kWh of solar for low-income customers
3	Support state legislation and policies that decarbonize the region's electricity supply. Where possible, promote decarbonization incentives specifically for low to moderate income residents.			Intermediate Term	Town Staff; Select Board	Climate advocacy organizations			

## Clean Energy Supply Playbook section background research and resources

GENERAL		FEASIBILITY						MEASUREMENT	
Action Number	Action	Example	Source Link	Timeframe	Lead Implementer	Key Partner(s)	Funding and Financing	Calculating Benefits, and Impact	Performance Indicators
4	Partner with utilities and others to promote pilot neighborhood-scale district geothermal energy projects to help transition Arlington away from natural gas and toward all-electric buildings.	MAPC Water Based District Energy White Paper; HEET pilot project in Boston; MassCEC Community Microgrid Feasibility Study	<a href="https://heetma.org/feasibility-study-rfp/">https://heetma.org/feasibility-study-rfp/</a>	Long term	Town staff, National Grid			<b>Public Health</b> - improved air quality; <b>Environmental</b> - reduced tree death from lost gas.	Number of customers switching to clean heating and cooling systems
5	Put pressure on regulators and utilities to greatly accelerate the repair of gas leaks.	MAPC Fixing Our Pipes Study; HEET Shared Action Plan	<a href="http://fixourpipes.org/about/">http://fixourpipes.org/about/</a> ; <a href="https://heetma.org/gas-leaks/">https://heetma.org/gas-leaks/</a>	Short and Long Term	Town Staff; Select Board	Mothers Out Front			
6	Transition municipal electricity supply to 100% carbon-free by 2030 (note: Town is on fixed price supply contract until December 2023).			Intermediate Term	Town Staff				