



## Clean Energy Future Committee

Date: Friday October 22, 2021

Time: 8:15 a.m.

Location: Conducted via remote participation (Zoom)

To register for the Zoom Meeting: <https://town-arlington-ma-us.zoom.us/meeting/register/tZcpduCqjliiH9GtyAdoC60pqCakponqy2K7>

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 Daniel Amstutz at [DAmstutz@town.arlington.ma.us](mailto:DAmstutz@town.arlington.ma.us) with a copy to Coralie Cooper at [coralie.cooper4@gmail.com](mailto:coralie.cooper4@gmail.com).

### **\*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: 834 1920 9855.

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

### **Agenda**

8:15 – 8:20: Review & Approve Minutes from 9/24/2021 meeting.

8:20 – 8:30: Getting the word out on AG approval of WA 38 bylaw (announcement [here](#)).

8:30 – 8:50: Update on NZAP implementation from working group chairs.

8:50 – 9:10: NZAP Implementation Tracking (link [here](#)).

9:10 – 9:15: Rescheduling next two CEFC meetings (November 26<sup>th</sup> and December 24<sup>th</sup>).

### Attachments:

- 1) Governor Charles Baker's 3/12/2020 Executive Order Suspending Certain Provisions of the Open Meeting Law
- 2) Draft minutes from 9/24/2021 meeting



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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, reading "Charles D. Baker". The signature is written in black 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 10-22-2021 meeting*

September 24, 2021

8:15 – 9:30 a.m.

Virtually Conducted

Members present: Coralie Cooper (as Chair), Jim DiTullio, Ken Pruitt, Dave Levy, Marc Breslow (by phone), Shelly Dein, Dan Amstutz, Ryan Katofsky

Also attending: Brucie Moulton, Gene Benson, Amos Meeks

Members not present: Nellie Aikenhead, Diane Mahon, Pasi Miettinen

Ms. Cooper convened the meeting at 8:19 am. Ms. Cooper read a brief statement noting the legislation that permits virtual meetings. Ms. Cooper then took a roll call for those in person and on the phone.

### **Meeting Minutes**

The Committee reviewed the Meeting Minutes from the July 23, 2021 Meeting. Ms. Cooper asked for comments. Mr. DiTullio asked for one edit to a comment. Ms. Cooper asked for any other changes. Mr. Katofsky motioned to approve the Minutes. Mr. Pruitt seconded the Motion. The Committee unanimously approved the July 23 Meeting Minutes.

### **Agenda Item 1: Energy Manager Transition**

Mr. Pruitt reiterated to the Committee that he is leaving his position as Energy Manager for the Town of Arlington to become Sustainability Director for the Town of Winchester. Mr. Pruitt expressed his kind regards to the Committee and expressed how much he enjoyed being part of it. Mr. Pruitt noted his position will be refilled and so expressed confidence that the Committee's work will continue.

Mr. Katofsky paid many complements to Mr. Pruitt for his work both on the Committee and on the High School Building Committee. Ms. Dein also expressed her gratitude for Mr. Pruitt's work to date. Ms. Cooper also paid her complements. Mr. Chapdelaine thanked Mr. Pruitt for all his efforts in this position and his entire career with the Town of Arlington.

Mr. Pruitt offered suggestions on how to take the Committee forward. He mentioned Ms. Cooper will continue as chair. Mr. Amstutz has graciously offered to handle Committee meeting logistics such as setting up Zoom meetings and uploading agendas and minutes to the Town website until Mr. Pruitt's position has been refilled. Mr. Pruitt noted the Net Zero Plan has been completed and several working groups have been formed on various parts of the Plan. He noted those groups will continue to work and check in with the Committee. Mr. Pruitt noted that for the next two months (at least), given the transition, there will be a need for various members of the Committee to increase their involvement to continue the work of the Committee.

Ms. Cooper agreed with Mr. Pruitt's comments on the need for more involvement.

### **Agenda Item Two: Warrant Article Discussion for Town Meeting 2022**

Ms. Cooper noted she has started having conversations about what net zero-related items would be best positioned for the CEFC to submit for Town Meeting 2022. For example, a solar requirement for new commercial buildings. Ms. Cooper mentioned Mr. Benson's idea of incorporating net zero elements into special permits from the Arlington Redevelopment Board. Ms. Cooper also said the Committee could consider proposing an expansion Warrant Article 38 (passed in 2021) which allowed full foundation replacement on non-conforming lots in return for greater energy efficiency of the resulting structure. Given Mr. Pruitt's departure and the expected significant time period to hire his replacement, Ms. Cooper asked the Committee if the CEFC should scale back its efforts to bring a warrant article to Town Meeting in spring of 2022, and instead engage in research in preparation for a warrant article next year.

Mr. Katofsky recommended the Committee continue working under the assumption that we would attempt to pass at least one warrant article at the next Town Meeting. Mr. Katofsky wondered if the fossil fuel warrant article passed in November 2020 should be amended to become more mandatory and not voluntary. Mr. Katofsky also commented on the solar shading idea Ms. Cooper described and wondered if the proposal would truly resolve the problem it was intended to address (shading of solar panels on one property due to a tall building being built on an adjacent property).

Mr. Chapdelaine noted he would have to think more about Town Meeting strategy going forward. He noted there is an existing bylaw administered by the Permanent Town Building Committee which has a requirement to consider LEED for major renovation and new construction of municipal buildings. However, the language is vague and depends too much on the opinions of PTBC members. There may be a low hanging fruit opportunity to amend the existing bylaw to require a net zero requirement instead.

Mr. DiTullio expressed agreement with Mr. Katofsky and Mr. Chapdelaine about the need to move forward with a warrant article in 2022. However, Mr. DiTullio expressed concern about taking on a complicated measure during in 2022 and recommended those be tabled for subsequent Town Meetings. Mr. DiTullio expressed favorability for solar on commercial roofs and charging stations for multi-unit buildings.

Ms. Dein also expressed support for getting items passed at the next Town Meeting. Ms. Dein expressed support for more charging stations around Town including new construction. She expressed concern about higher amounts of insulation for Housing Authority buildings due to cost concerns. Ms. Dein expressed support for Mr. Chapdelaine's comments.

Mr. Amstutz asked about the status of the fossil fuel warrant article home rule petition. Mr. Chapdelaine noted he and other leaders in Towns testified on this, but no further action has yet been taken by the legislature.

Mr. Katofksy then let the Committee know that he and Mr. Pruitt met with Patrick Roach of Good Energy about how to procure additional clean energy in the Arlington Community Electricity program. Further discussions will take place and then options will be discussed with the CEFC.

Mr. Pruitt seconded Mr. Chapdelaine's suggestion to update the town municipal building policy. He added that wording which requires net zero might create barriers and he said it might be better to amend the Policy to require all buildings be fully electric, it would be a massive improvement.

Mr. Benson (a member of the ARB), discussed what the ARB process will be leading up to the 2022 Town Meeting. The ARB is meeting on Monday evening to lay out the process for the Town Meeting of 2022. He expects that the ARB will want to review proposed Warrant Articles as early as this Fall season. He said that possible warrant articles didn't need to be fully baked but drafted to a level where ARB can work with the author. Last year the CEFC brought the idea of WA38 (energy efficient foundations on non-conforming lots) to the ARB and it was helpful to have the early discussion. Mr. Benson noted he would update the Committee further after Monday's meeting.

Mr. Benson noted that for buildings that have come forward for permit and environmental design review, the ARB has gotten charging stations voluntarily added when issuing special permits for residential buildings. Mr. Benson also noted that a solar ready requirement may be a good alternative to a solar requirement – we wouldn't have to determine the square foot requirement for example, which would simplify the warrant article. Mr. Benson also offered his time to discuss the jurisdictional requirements for solar and buildings more thoroughly.

Mr. Benson seconded Mr. Chapdelaine's comments on Town Buildings. Mr. Benson also noted the ARB would be receptive to considering an expansion of net zero in the municipal building code.

Mr. Levy asked if Federal Stimulus can be used for building electrification. Mr. Chapdelaine said yes to electrification. Mr. Chapdelaine noted the Housing Authority has asked for funds for weatherization. Mr. Levy brought up carports and Mr. Chapdelaine said he would take another look at the language.

Mr. Benson mentioned he had previous conversations on solar for Housing Authority buildings. Mr. Benson thought this conversation should be taken up again. Mr. Benson

also mentioned the Arlington Housing Authority did come forward to the Community Preservation Act for solar funding. Mr. Benson believes there is an opportunity to revisit this in the future. He said that the Town could work with HCA and AHA and get renewable energy on buildings. Adam Chapdelaine suggested we look for funding to support the HA to pursue initiatives since there aren't resources in the Town to work on this right now.

### **Agenda Item Three: Working Group Update**

Mr. Meeks updated on the work on the Net Zero Stretch Code working group. Mr. Chapdelaine has made contact with various other parties to try and coordinate a sign-on letter to the Department of Energy Resources. Mr. Meeks noted the timeline for Net Zero Stretch Code draft regulations is unclear. Mr. Meeks noted various parties are waiting for the draft regulations.

Mr. Pruitt offered an updated on commercial Property Assessed Clean Energy (CPACE), which allows commercial property owners to obtain loans for energy efficiency improvements, paid back with an increase in property taxes. Mr. Pruitt discussed this with the Town's Economic Development officer. Mr. Pruitt noted residential PACE (and some small commercial PACE) projects have had problems around the country. Mr. Pruitt believes this can be fixed. Mr. Pruitt noted HBO's John Oliver did a piece on this for his show. Mr. Pruitt recommended CPACE be a lower priority for now. He suggested work on this effort should be paused and passed on to his successor.

Mr. Pruitt then discussed making Arlington's municipal vehicles all electric. He noted the challenges of cost and vehicle availability. He noted the Town of Concord passed an "electric vehicle first" policy that sets up a hierarchy for new purchases. Mr. Pruitt noted that Police Cruisers can and should now be hybrid cars. Mr. Pruitt recommended next steps for this would be adopting a Concord-type policy for purchases and then conducting an electrification study. Mr. Pruitt noted that Eversource may provide electrification studies for free as early as 2022. Ms. Dein noted passenger vehicles should be examined but expressed concerns given how limited the miles used on each car annually are. Ms. Dein also expressed concerns about medium to large vehicles given the current technology. Ms. Dein recommended that the Town study the impact and the infrastructure before taking next steps.

Ms. Cooper updated on the Electrify Arlington working group and noted a date for a retreat in October has been set. During the retreat, the working group will likely establish a summary document detailing overarching goals of Electrify Arlington, near, mid-term, and long-term electrification goals, and the components of Electrify Arlington. The working group is looking at models for establishing an Electrify Arlington website and put in place coaching for electrification. Ms. Cooper said after the retreat, she will brief the Committee on next steps.

Mr. Pruitt mentioned his conversation with Mr. Amstutz that the CEFC should provide full support for the Town Sustainable Transportation Plan, Connect Arlington and



provide individual support for the specific measures when brought to either Town Meeting or the Select Board. Mr. Amstutz said he would reach out to Ms. Cooper to discuss further.

Ms. Cooper ended the meeting thanking Mr. Pruitt for all his efforts.

The Meeting ended at 9:33am

Submitted by Dave Levy.

DRAFT