The Watertown Environment and Energy Efficiency Committee working group BERDO met remotely via Zoom at 5:00 PM on Friday, August 2nd, 2024.

The following members and staff were present: Brian Hebeisen (chair), Silas Fyler (Energy Manager), Pat Rathbone, Jocelyn Tager

Others present:

The meeting started with a quorum at 5:00 with Brian Hebeisen presiding.

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1) Announcements

2) Review of the BERDO Draft Regulations working with version 1.4 7/4/24 version

Next Steps

1. Silas to research and confirm whether planning board is required to announce meetings 10 days in advance.
2. Pat to review and potentially rewrite language around compensation for Review Board members.
3. Brian to notify Ernesta of the next meeting date and time.
4. Silas to discuss with Mr. Magoon potential building examples for the project.
5. Silas to prepare a backup example using the middle school if no other buildings are available.
6. Silas to continue discussions with Steve regarding the timeline for presenting to the city council.
7. Silas to monitor the release of State's BERDO draft regulations in August.
8. Silas to make note of potential changes to regulations regarding the minimum frequency of Review Board meetings and compensation for members.
9. Silas to update the regulations document with the agreed-upon changes from this meeting.

Summary

The team discussed the draft regulations, scheduling their next meeting, and agreed on several amendments to a document, including clarifying certain sections and deleting unnecessary requirements. They also deliberated on the compensation of board members, the language and regulations of their organization, and the utilization of funds for third-party evaluations. The team aimed to complete the project in two to three more meetings, with a presentation to the city council scheduled for September.

Discussing Draft Regulations and Document Structure

There was a disagreement between Jocelyn and Brian regarding the clarity of the regulations, with Jocelyn finding them challenging and Brian finding them well-numbered. The team agreed to aim for completing a 42-page document within three more meetings, with the understanding that later parts of the document would be quicker to go through due to being more boilerplate. The team welcomed this idea, recognizing the benefits of having a set number of meetings to track progress.

Scheduling Next Meeting and Avoiding Conflicts

The team discussed scheduling their next meeting. After considering and dismissing various days and times due to other events and conflicts, they decided to schedule the meeting on Tuesday, the 6th at 5 pm. However, they later moved the meeting to Thursday, the 8th at 6 pm due to a conflict on the 6th. The team also noted to check the town calendar for future meetings to avoid scheduling conflicts.

Amendments to Document Discussed and Agreed Upon

Brian, Pat, and Silas discussed and agreed on several amendments to a document. They decided to delete the requirement for applicants to record decisions regarding hardship or deferral compliance plans with the Registry of Deeds, as the department would maintain these records. They also agreed to keep the first sentence of a certain point and delete the second, and to adjust the recording deadlines to stay pending any appeal. Lastly, they decided to retain certain records for a period of 7 years, consistent with their own ordinance, rather than 10 years as originally written.

Clarifying BERDO Regulations and Documentation

Brian, Pat, and Silas discussed the clarification of certain sections in the BERDO regulations. They debated whether to reference specific sections or the entire BERDO in their documentation. Ultimately, they decided to remove references to sections 10 and 11, and instead reference the BERDO and its regulations. They also agreed to clarify certain sections, including 9.1, 13.1, and 13.2, and to renumber some sections for clarity.

Review Board Regulations and Frequency

Brian, Silas, Pat, and Jocelyn discussed the need to include the minimum frequency of the Review Board's meetings and compensation for members in the regulations. They decided not to make changes to the current BERDO document, instead, they agreed to make a note of the omission for future consideration. They also agreed that a majority of the Review Board should be residents of Watertown, with this preference being communicated clearly in the regulations. The team also discussed the potential need for the Review Board to meet frequently enough to provide adequate service to building owners, without setting a maximum meeting schedule.

Organization Language and Policy Revisions

Brian, Pat, Jocelyn, and Silas discussed the language and regulations of their organization, including revisions to phrases for clarity and consistency, and the removal of hard limits on consecutive terms for the Review Board. They also debated the powers of the WE3C. and the Review Board, the city manager's selection, and quorum requirements for the WE3C. The team also deliberated on the need for language access policies for non-English speakers, the attendance policy, and the issue of board member compensation. They agreed to revise certain policies and language to better align with state laws and the organization's values.

Board Member Compensation and Reimbursement Decisions

Jocelyn, Brian, Pat, and Silas discussed the compensation of board members. They decided that board members should not be paid for their regular work, but they could claim reimbursement for reasonable expenses incurred while performing their duties. Brian was tasked with drafting the necessary language to clarify this in the regulations. The team also confirmed that board members would not be compensated for their service to the board, and that reimbursements for reasonable expenses would be at the discretion of the Department.

Board Members, Rules, and Investment Fund Focus
The team discussed the payment of board members, agreeing that they should only be reimbursed for expenses. The team also deliberated on simplifying some rules, with Brian agreeing to delete a certain rule at Pat's suggestion. The focus of the investment fund was also debated, with Brian proposing the question of whether it should be limited to building projects or open to any emissions project in Watertown. Pat argued that the fund should remain focused on buildings, while Jocelyn suggested giving the city more discretion to allocate the funds to projects related to buildings or emissions.

Project Description Language and Investment Fund Application Process
Brian, Pat, and Jocelyn discussed the project description language and the department's investment fund application process. They agreed to retain the current language, which refers to projects that reduce energy use and consequently, emissions. Brian proposed the idea of eliminating the annual application process for the department's funds, arguing it could be wasteful and arbitrary. Pat and Jocelyn concurred, suggesting that the application process should be triggered when the fund's assets exceed a certain threshold. As a result, the team decided to eliminate the language requiring an annual application process.

Equitable Emissions Investment Fund Application Process
The team discussed the annual application cycle for the Equitable Emissions Investment Fund. They agreed on a 30-day submission period for interested parties, starting after the city or department announces open applications. There was a consensus on the need to clarify the application process, including the start date of the application cycle and whether to specify the fund in the application process. The team also debated the potential need to repeat definitions due to the length of the fund's name.

Third-Party Evaluations and Project Timeline
The team deliberated on the utilization of funds for third-party evaluations, with references to Boston's approach. They also reviewed the progress of a document, deciding to eliminate a section on building use classifications. The team aimed to complete the project in two to three more meetings, with a presentation to the city council scheduled for September, post the state's energy reporting regulations. They also discussed the city's progress in reducing emissions and stabilizing taxes.

3) Decided next meeting will be 5:00pm on 8/8/24

4) Move to adjourn at 6:35 pm
All approved unanimously.

Respectfully submitted by Silas Fyler