



## CAPE LIGHT COMPACT

February, 9, 2011 Revised 3/24/11

**Re: Minutes of Meeting of Cape Light Compact Governing Board**

**Date of Meeting: 2/9/11**

**Attendance:** D Anthony, P Cocolis, W Doherty, M Downey, D Fitton, , K Galligan, J Hodgkinson, K Johnson, B Kane, D Keuch, S Lempitski, R Mahoney, V Marchant, N Price, J Burns, R Schofield, J Soares, M Song, K Laura, A Voll, B Worth, R Zweig, E Horn, J Flynn, K Stoffle, L Henderson, P Moffitt

**Also in Attendance: J Bernstein, Counsel, BCK**

**Public in Attendance:** E Bibler, C Striebel, former representative, Town of Yarmouth

**Introductions:** Joyce Flynn, Newly appointed representative, Town of Yarmouth, Everett Horn, appointed representative, Town of Sandwich

***Mr. Mahoney recognized the years of effort by Ms Striebel as one of the founding members and an original officer of the Executive Committee.***

**Minutes:** Meeting of December 12, 2010- Upon motion by R Schofield, seconded by P Cocolis, the minutes were approved with B Worth noting that he has revised the minutes to correct statement noting recognition to C Striebel. Revised minutes will be forwarded for file.

**Election of Officers:** M Downey took over as temporary chair to administer election of Executive Committee Officers. Nominations had been received for all offices at our December meeting with the stipulation that nominations would be re-opened at time of elections. This election was postponed from January since that meeting was cancelled due to weather.

M Downey reported that Eastham representative F Fenlon has withdrawn from the election after being nominated for Member at Large

**Office of Chairman of Cape Light Compact: After no additional nominations were received from the floor, W Doherty was elected with all positive votes except for Abstention by J Flynn**

**Office of Vice Chairman: M Downey reported that D Anthony has withdrawn from consideration for Vice Chair. S Lempitski, representative from Mashpee was nominated by R Schofield and received all positive votes except for Abstention by J Flynn.**

**Office of Treasurer:** With no additional nominations from the floor, K Johnson was elected with all positive votes with exception of Abstention by J Flynn

**Office of Secretary-** With no additional nominations from the floor, B Worth was elected to position of Secretary with all positive votes except for abstention by J Flynn

**Member at Large:** With no additional nominations from the floor, R Schofield was elected as Member at Large with all positive votes except for Abstention by J Flynn

***On a motion by K Johnson, seconded by R Schofield, Robert Mahoney was recognized for his many years serving as Chairman of the Cape Light Compact, his tireless devotion to that position and the many efforts he undertook on behalf of the residents of Cape Cod. Mr. Mahoney received a standing ovation before yielding the Chair to W Doherty and assuming his position as Representative for the Town of Dennis***

**Meeting Schedule:** After discussion of the merits of changing the meeting schedule for Governing Board Meetings, noting that many of the operations of the Compact are currently governed by regulations from the state and especially since the Energy Efficiency activities are set by state mandate, it was determined that it is no longer necessary for monthly meetings of the board to take place.

***Upon motion by K Johnson, Seconded by P Cocolis, the Board voted to meet on a Bi-monthly schedule starting with March of 2011. This meeting will be scheduled for 2PM on the second Wednesday of the month as is presently the case.*** If it becomes necessary or appropriate for the board to meet during the off month, the meeting will be scheduled for the second Wednesday of the month at 2PM

**Conflict of Interest Law:** J Bernstein led the group in a discussion of the Conflict of Interest Law changed by the Commonwealth a year ago to insure that all member s are aware of the necessity of compliance. It was noted that on a two year cycle, each member must pass a qualification test to continue to serve. Existing members of the Board took the test about a year ago and will not be required to re-take the test until 2012. For any new members who have not taken the test as a member of other Town activities, it will be necessary for them to complete this requirement. It was emphasized that if you have any question about conflict, you should contact M Downey, the Chairman or Compact Counsel for advice. At the end of the discussion, those member present, filled out and submitted the Receipt of Notice acknowledgement that was attached to the memo distributed to all member by mail prior to our scheduled January meeting.

**For those representatives who did not attend this meeting, it will be necessary for each to complete the acknowledgement of receipt of this document and forward a signed copy to M Downey.**

**Open Meeting Law-** Considerable time was spent again by Mr Bernstein in going over the detail associated with the open meeting law to make sure all attending the meeting understood the provisions. Again, if there doubt as to administration of this law, our source of clarification is BCK, with authority to discuss the details cleared through Maggie Downey.

One issue left as follow up was response to a question on executive session. J Bernstein will get back to the compact with a response. The question asked whether the board can review and approve executive session minutes in public session. **As stated in the discussion on the Ethics Law, the attached receipt on the Open Meeting Law document must to filled out and signed and forwarded to M Downey. Those in**

attendance at the meeting did accomplish this. Those representatives who were not in attendance are expected to do so

It is necessary to appoint a liaison between the Cape Light Compact and the State Ethics Commission. *On a motion by B Worth, Seconded by J Hodgkinson, the Board appointed M Downey as this representative.*

**Intergovernmental Agreement-** Care was taken to talk about those individuals who serve as town representatives to both CVEC and CLC to prevent any conflict of interest. This issue was addressed in our recent revisions to the Intergovernmental Agreement in Article VI which states that Compact employees who also serve on CVEC may be asked to work on issues affecting both organizations and they need to recognize that their efforts must be impartial. The two members present who serve in these dual roles indicated that this has not caused them problems. **VOTE:** *On a motion by J Hodgkinson, seconded by R Mahoney, the Board voted to adopt the revised Intergovernmental Agreement.*

**Energy Efficiency Update-** K Galligan handed out copies of the 2010 Energy Efficiency activity 3<sup>rd</sup> Quarter Report without comment. He also noted that packets of outreach materials are being sent to each Town Administrator, to insure that all the latest information is available.

**Executive Session:** The Board entered Executive Session to discuss litigation strategy on the NStar/NU merger at 332PM and came back into regular session at 348PM

**CVEC Update:** M Downey noted that two projects are occupying all the time of the coop.

1. Brewster Wind- A public Hearing by the Brewster Planning Board is scheduled for this evening.
2. PV Project which hopes to install up to 18MW of solar panels at 8 cape and vineyard sites is in the contract bid evaluation stage which meeting ongoing. It is expected that these negotiations will result in contract award by March 15

**Chairman' Remarks:**

1. Mr Doherty noted that another wind sound study has been commissioned by the Cape Cod Commission
2. He noted his participation in the efforts of the CCC to regulate wind power installations on Cape Cod

**Treasurer's Report**

K Johnson noted that he finds no issues for the board to be concerned about at this point

Barry R Worth  
Secretary