

**Cape Light Compact
Governing Board and Executive Committee
Open Session Meeting Minutes
Wednesday, September 14, 2016**

The Cape Light Compact Governing Board and Executive Committee met on Wednesday, September 14, 2016 in the Innovation Room, Open Cape Building, Barnstable County Complex, 3195 Main Street, Barnstable MA 02630 at 1:00 p.m.

PRESENT WERE:

1. Joyce Flynn, Chair, Yarmouth
2. Robert Schofield, Vice-Chair
3. Peter Cocolis, Treasurer, Chatham
4. Ronald Zweig, Secretary, Falmouth
5. Richard Toole, Member at Large, Oak Bluffs – by phone
6. David Anthony, Barnstable
7. Tim Carroll, Chilmark – by phone
8. Fred Fenlon, Eastham
9. Valerie Bell, Harwich
10. Andrew Gottlieb, Mashpee – by phone until 2:54 pm
11. Thomas Donegan, Provincetown
12. Joseph Buteau, Truro
13. Richard Elkin, Wellfleet
14. Sue Hruby, West Tisbury
15. Sheila Lyons, Barnstable County – until 4:26pm
16. Paul Pimentel, Edgartown – by phone at 1:23 pm , in person 3:08 pm
17. Martin Culik, Orleans Alternate

ABSENT WERE:

18. Deane Keuch, Brewster
19. Joshua Peters, Sandwich
20. John Ally, Dukes County
21. Michael Hebert, Aquinnah
22. Brad Crowell, Dennis
23. Tisbury - vacant

Members physically present: 13
Members present by phone: 4

LEGAL COUNSEL

Audrey Eidelman, Esq., BCK Law, PC

STAFF PRESENT:

Maggie Downey, Administrator
Austin Brandt, Power Supply Planner
Phil Moffitt, Residential Manager
Meredith Miller, EM&V Manager
Margaret Song, C&I Program Manager
Debbie Shiflett-Fitton, Energy Education Coordinator
Lindsay Henderson, Analyst

PUBLIC PRESENT:

Jack Yunits, Barnstable County Administrator
Mark Palanchian, NextEra
Heidi Lange, NextEra
David Camardese, NextEra – by phone

Chr. Flynn opened the meeting at 1:04 pm and recognized Board Members that were participating remotely by phone due to geographic distance.

EXECUTIVE SESSION

At 1:08 p.m., Chr. Flynn moved that the Executive Committee enter into Executive Session Pursuant to M.G.L. Chapter 30A M.G.L. 30A, §§21(a)(3), 21(a)(9) and 21(a)(10), to discuss confidential power supply contracts including trade secrets or confidential, competitively-sensitive or other proprietary information with a determination by Chr. Flynn that disclosure would adversely affect the Compact’s ability to conduct business in relation to other entities making, selling or distributing electric power and energy, and to provide an update on pending mediation and regulatory litigation strategy (D.P.U. 15-166) regarding dispute between National Grid and the Compact regarding an Agreement for Natural Gas Heated Homes. Chr. Flynn stated that the Governing Board would return to Open Session at the conclusion of Executive Session.

Seconded by P. Cocolis and voted by roll call as follows:

- | | | | |
|---------------------------------|-----|-------------------------------|-----|
| 1. S. Lyons – Barnstable County | yes | 9. A. Gottlieb – Mashpee | yes |
| 2. D. Anthony – Barnstable | yes | 10. R. Toole – Oak Bluffs | yes |
| 3. R. Schofield - Bourne | yes | 11. M. Culik – Orleans | yes |
| 4. P. Cocolis – Chatham | yes | 12. T. Donegan – Provincetown | yes |
| 5. T. Carroll – Chilmark | yes | 13. J. Buteau –Truro | yes |
| 6. F. Fenlon – Eastham | yes | 14. R. Elkin – Wellfleet | yes |
| 7. R. Zweig – Falmouth | yes | 15. S. Hruby – West Tisbury | yes |
| 8. V. Bell – Harwich | yes | 16. J. Flynn – Yarmouth | yes |

Motion carried in the affirmative (16-0-0)

P. Pimentel called in at 1:23 pm.

The Governing Board returned to open session at 2:46 pm.

A. Gottlieb dropped off call at 2:54 pm.

P. Pimentel arrived in person at 3:08 pm.

ADMINISTRATIVE SERVICES AGREEMENT – JACK YUNITS

Jack Yunits, Barnstable County Administrator, stated that the County Commissioners want to see the relationship between Cape Light Compact and the County brought to a positive conclusion. He stated that the Commissioners aren’t interested in micro-managing Cape Light Compact, but that they have a responsibility to protect the County and the ratepayers. J. Yunits stated that a lot of the concerns that the County has had relating to liability (insurance) has been addressed by Maggie Downey and the second issue that the Commissioners are concerned about is the long term viability of Cape Light Compact employees. He stated language in the agreement needs to be cleaned up. He stated that the 3rd concern is how Cape Light Compact is reimbursing the County for services (administrative, OPEB, purchasing, etc.). J. Yunits stated that the County appreciates what the Compact is doing and wants to come to a resolution. S. Lyons stated the County needs to be conscious of people who want to see the Compact dissolve and that the County needs to protect both the Compact and the County. M. Downey stated that there are a lot of issues and nuances that need to be addressed and that the Compact and the County representatives will meet to come up with a list of recommendations. She also stated that there are a lot of documents involved with the Compact and the County that need to be followed. R. Elkin

stated that he wants the role of fiscal agent to be separated in way that another town or county could step in if needed. T. Donegan stated that the construction of the agreement needs to value structure of the Compact. He stated that most towns have the same health care and retirement system, so transition for the Compact employees would be seamless. He mentioned that Provincetown would be interested in being the Compact’s fiscal agent. T. Donegan said that he has spoken with his colleagues who believe that it would be a win-win situation for Provincetown and the Compact, as long as Provincetown doesn’t lose money. He wants what’s best for our ratepayers and is concerned about people trying to eliminate the Compact at the County. If the agreement with the County works out, it should be a long term agreement. M. Downey stated that she would look to have the agreement line up with the 3-year energy efficiency plans.

PUBLIC COMMENT

There were no members of the public present.

CONSIDERATION OF MEETING MINUTES

The Board considered the July 13, 2016 Meeting Minutes. *D. Anthony moved the Board vote to accept the amended minutes, seconded by P. Cocolis and voted by roll call as follows:*

1. S. Lyons – Barnstable County	yes	10. R. Toole – Oak Bluffs	yes
2. D. Anthony – Barnstable	yes	11. M. Culik – Orleans	yes
3. R. Schofield - Bourne	abs	12. T. Donegan – Provincetown	yes
4. P. Cocolis – Chatham	yes	13. J. Buteau – Truro	yes
5. T. Carroll – Chilmark	abs	14. R. Elkin – Wellfleet	yes
6. F. Fenlon – Eastham	yes	15. S. Hruby – West Tisbury	yes
7. P. Pimentel – Edgartown	abs	16. J. Flynn – Yarmouth	yes
8. R. Zweig – Falmouth	yes		
9. V. Bell – Harwich	abs		

Motion carried in the affirmative (12-0-4)

ENERGY EFFICIENCY – COMMERCIAL & INDUSTRIAL PROGRAM

1. BEES Presentation – Debbie Fitton

D. Fitton stated that the Be Energy Efficient Smart Program launched in January 2016 in the schools. She stated that the Compact got the idea from the Ohio Energy Project who has been doing it for 17 years. D. Fitton made a presentation to the Board regarding the success of the program. She showed Board the BEES kit with the components that are given to the children to take home and implement home energy audits. She said that students had to complete surveys as to what they installed and what was replaced to help determine energy savings for the program. D. Fitton said that the lead teachers in the participating schools are committed to the program and want to participate, but asked the Board how they would like to handle schools who do not return the surveys. S. Lyons said that it is important to keep this information in the schools to introduce these kids to energy which could lead to career choices and future economy. V. Bell suggested that Debbie inform superintendents and principals of the schools of the program and encourage the return of the surveys in order to keep the program in the schools.

2. Presentation on Term Report – Meredith Miller

M. Miller gave a presentation to the Board on the results from the 2013-2015 Energy Efficiency Plan, and the information that was filed in the Term Report August 1, 2016.

TREASURER’S REPORT

P. Cocolis reviewed the Contract Summary sheet listing Contracts and Amendments he has approved, for the period of July 14, 2016 through September 14, 2016, which have been forwarded to the County Commissioners for execution and requested the Board vote to ratify his actions.

R. Zweig moved the board vote to ratify the actions of the Compact Treasurer relative to Compact contracts from July 14, 2016 through September 14, 2016. The Compact Administrator is authorized and directed to take all actions necessary or appropriate to implement this vote and to execute and deliver all documents as may be necessary or appropriate to implement this vote, seconded by R. Schofield and voted by roll call as follows:

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|---------------------------------|-----|-------------------------------|-------------|
| 1. S. Lyons – Barnstable County | yes | 10. R. Toole – Oak Bluffs | yes |
| 2. D. Anthony – Barnstable | yes | 11. M. Culik – Orleans | yes |
| 3. R. Schofield - Bourne | yes | 12. T. Donegan – Provincetown | yes |
| 4. P. Cocolis – Chatham | yes | 13. J. Buteau – Truro | stepped out |
| 5. T. Carroll – Chilmark | yes | 14. R. Elkin – Wellfleet | yes |
| 6. F. Fenlon – Eastham | yes | 15. S. Hruby – West Tisbury | yes |
| 7. P. Pimentel – Edgartown | yes | 16. J. Flynn – Yarmouth | yes |
| 8. R. Zweig – Falmouth | yes | | |
| 9. V. Bell – Harwich | yes | | |

Motion carried in the affirmative (15-0-0)

P. Cocolis then presented the Operating and Energy Efficiency budgets. He stated that the Energy Efficiency budget was through the end of July, so it doesn't reflect everything that has been paid.

CHAIRMAN'S REPORT

1. New Board Member Packet

Chr. Flynn introduced Martin Culik from Orleans as the alternate member to the Board. M. Culik stated that he moved to the Cape in May and that he had questions about his electric bill. He called the Compact for an energy assessment and was impressed with the program. He can't believe that people are looking to dissolve the Compact.

Chr. Flynn stated that she is looking for feedback on the contents of the new board member packets, and will ask for any suggestions and thoughts on what should be included at the next Board meeting.

2. Meeting with Town Energy Committees

Chr. Flynn stated that the meeting on 8/30 with the town energy committees and planners went well, regarding grid modernization. She said that 33 people attended including a couple of Compact staff members.

S. Lyons left at 4:26 pm.

ADMINISTRATOR'S REPORT

1. M. Downey shared a list with Board as to what meetings have been scheduled with Boards of Selectmen (BOS)/Town Council for the annual update on the Compact and grid modernization. She also mentioned the Habitat for Humanity event, which the Compact is receiving an award, on Tuesday and asked if any Board Members wanted to attend.

2. Meeting with DOER – M. Downey said that she and some board members met with folks from the Department of Energy Resources about the Compact (who we are and what we do). T. Donegan said that they were very complimentary about Compact and what we do as a municipal aggregator.
3. Update on Insurance Coverage – M. Downey stated that she has gotten several quotes for insurance and the lowest price right now is through the Massachusetts Interlocal Insurance Association (MIIA).
4. NEED Board – M. Downey stated that she was voted and nominated chair of the National Energy Education Development (NEED) Board on 8/30 and that she will be the Chair for 2 years. The Compact works with NEED on energy education issues. This position is not a paid position. She said that it will result in some increased travel expenses as she will be required to attend several meetings, a few more than she does now.
5. Commercial & Industrial Incentives –M. Downey reviewed the material to be provided to Rep Hunt, as a result of the meeting in June.

BOARD MEMBER UPDATE

No updates from the Board Members.

Meeting adjourned at 4:51 pm.

Respectfully submitted,
Lindsay Henderson

LIST OF DOCUMENTS & EXHIBITS

- Meeting Notice/Agenda
- July 13, 2016 Meeting Minutes – Draft
- Administrative Services Agreement - Draft
- 2013-2015 Term Report Presentation
- BEES Presentation
- BEES Kit Survey
- Summary of Contracts – 7/14/16-9/14/16
- FY 17 Operating Budget Report dated 9/12/2016
- 2016 Energy Efficiency Budget through 7/31/16
- Habitat for Humanity Invitation
- Grid Modernization Public Meetings Invitation
- List of BOS/Town Council Meetings – Compact Update and Grid Modernization
- Commercial & Industrial Expenditures and Incentives