

**Cape Light Compact JPE  
Governing Board  
Meeting Minutes  
Wednesday, January 13, 2021**

Pursuant to Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020, the Cape Light Compact JPE Board of Directors met on Wednesday, January 13, 2021 at 2pm. The meeting was held through a Zoom videoconference for members of the Board with audio call-in available for members of the public.

**Participating Remotely Were:**

1. David Anthony, Secretary/Executive Committee, Barnstable
2. Robert Schofield, Executive Committee, Bourne
3. Colin Odell, Brewster
4. Timothy Carroll, Chilmark
5. Brad Crowell, Dennis
6. Erik Peckar, Dukes County
7. Fred Fenlon, Eastham
8. Alan Strahler, Edgartown
9. Ronald Zweig, Chair/Executive Committee, Falmouth
10. Valerie Bell, Harwich
11. Richard Toole, Executive Committee, Oak Bluffs
12. Martin Culik, Executive Committee, Orleans
13. Nathaniel Mayo, Provincetown
14. Leanne Drake, Sandwich
15. Jay Grande, Tisbury Alternate
16. Bob Higgins-Steele, Truro Alternate
17. Richard Elkin, Wellfleet
18. Sue Hruby, West Tisbury
19. Joyce Flynn, Vice Chair/Executive Committee, Yarmouth

**Absent Were:**

1. Forrest Filler, Aquinnah
2. Peter Cocolis, Executive Committee, Chatham
3. Wayne Taylor, Mashpee
4. Kirk Metell, Tisbury
5. Jarrod Cabral, Truro

**Legal Counsel Participating Remotely:**

Jeffrey Bernstein, Esq., BCK Law, P.C.

**Staff Participating Remotely:**

Austin Brandt, Senior Power Supply Planner  
Maggie Downey, Administrator  
Margaret Song, C&I Program Manager  
Melissa Allard, Senior Administrative Coordinator

**Public Participants:**

None.

Ron Zweig called the meeting to order at 2:00 PM.

**PUBLIC COMMENT:**

There were no members of the public present, and no public comments were submitted to the Board in writing under the public comment guidelines.

**APPROVAL OF MINUTES:**

The Board considered the December 16, 2020 Open Session Meeting Minutes.

*Robert Schofield moved the Board to accept the minutes as amended and to release them as amended, seconded by Colin Odell.*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Tim	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Erik	Peckar	Dukes County	Yes
Fred	Fenlon	Eastham	Yes
Ron	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Abstained
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

*Motion carried in the affirmative (16-0-1)*

**Alan Strahler joined meeting at 2:05 PM.**

**CHAIR REPORT:**

**1. Elections for 2021 Officers**

Before reopening the nominations for Officers and the Executive Committee, Ron Zweig stated that under the Joint Powers Agreement, there are five officers: Chair, Vice Chair, Secretary, Treasurer and Business Officer and a minimum of five Board members on the Executive Committee. Historically, the Chair, Vice Chair, and Secretary and four additional Board Members have made up the Compact’s Executive Committee.

Ron Zweig noted that at the December Board Meeting Martin Culik was nominated for the position of Chair, Joyce Flynn for Vice-Chair, David Anthony for Secretary, Tammy Glivinski for Treasurer, and Megan Terrio for Business Officer. He asked whether there were any other nominations for these positions. No other nominations were made for the 2021 Compact Officer positions. He asked Melissa to call the roll for a vote.

*Robert Schofield moved the entire slate of Martin Culik, Joyce Flynn, David Anthony, Tammy Glivinski, and Megan Terrio. Seconded by Richard Elkin.*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Tim	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Ron	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

*Motion carried in the affirmative (17-0-0)*

Ron Zweig thanked the Board for supporting him as Chair over the past few years and introduced Martin Culik as the 2021 Compact Chairman.

## **2. Elections for 2021 Executive Committee Member**

Maggie Downey stated that Robert Schofield, Colin Odell, and Richard Elkin were nominated for Executive Committee Members at the December 2020 Board meeting. She then asked for other nominations.

Robert Schofield nominated Tim Carroll. Seconded by Sue Hruby.  
Joyce Flynn nominated Richard Toole. Seconded by Sue Hruby.

*Robert Schofield moved the CLCJPE Board of Directors vote to increase the number of Executive Committee Members to eight. Seconded by Richard Elkin.*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes

Colin	Odell	Brewster	Yes
Tim	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Ron	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

*Motion carried in the affirmative (17-0-0)*

**Jay Grande joined meeting at 2:18 PM.**

*Robert Schofield moved the entire slate of Martin Culik, Joyce Flynn, David Anthony, Robert Schofield, Colin Odell, Richard Elkin, Tim Carroll, and Richard Toole as the 2021 Executive Committee. Seconded by Sue Hruby.*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Tim	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Ron	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Jay	Grande	Tisbury	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

*Motion carried in the affirmative (18-0-0)*

**ENERGY EFFICIENCY: DISCUSSION ON 2021 MAIN STREETS EFFORT:**

Margaret Song reviewed the 2021 Main Streets PowerPoint. She stated that in the past the Compact has worked with two Compact vendors, RISE Engineering and NRM, to put on the Main Streets event. In 2021 the Compact is looking to serve as many towns as possible. Towns should have a geographically compact business area so that the Compact's vendors can go door to door and provide energy efficiency services to each business.

Margaret Song asked Board members to reach out to their towns to see if their town is interested and get back to Lindsay Henderson. The Compact is looking to do these events from mid-April through June and then the last week of August through October. The Compact would offer up to 100% for a qualifying incentive to all Small Businesses that have measures installed through an energy assessment or during these events.

Maggie Downey stated that Lindsay Henderson will send out an email to the Board seeing what towns are interested in participating.

Martin Culik asked if there are any towns that would be interested. Valerie Bell stated that Harwich is still very interested. Joyce Flynn stated she would follow up with Yarmouth. Richard Toole stated that if Oak Bluffs can participate again, then the town would be interested. Ron Zweig stated that Falmouth would be interested. Colin Odell stated that Brewster would be interested but its main street is unique from other towns because it is spread out. Sue Hruby stated that West Tisbury is interested and could possibly combine with other towns. Jay Grande stated that Tisbury is interested. Fred Fenlon stated Eastham is interested. Richard Elkin stated that Wellfleet is interested, but like Brewster it has a very spread-out business district.

## **ADMINISTRATOR'S REPORT:**

### **1. Review 2020 Operating and Energy Efficiency Budgets**

Maggie Downey stated that Peter Cocolis will be stepping back from presenting the budget reports at the monthly Board meeting as a result of increased responsibilities as a Selectman in Chatham. She asked the Board if they are okay with her presenting them instead during her Administrator's report. Sue Hruby stated that hearing about the finances from the Administrator is appropriate. Sense of the Board is yes.

Martin Culik asked if the Board is okay with getting them quarterly. Joyce Flynn stated that she would be interested in getting them quarterly. That would leave more time for discussion on other items. Martin Culik stated that they would still be included in every Board Meeting packet. Sense of the Board is yes.

Maggie Downey stated that she will continue to put them in the packets and address them quarterly. She stated that she will work with Megan Terrio to develop a format that presents a summary and some analysis. If any of the Board has thoughts on what they would like to see, Maggie asked that they contact her.

Colin Odell stated that there should be an agenda item monthly if there is anything that needs to be discussed or commented on. Maggie Downey stated she will put it under the Administrator's report and will ask if there are any questions.

Maggie Downey reviewed the Operating Budget. This does not include all the December invoices. 84% of the budget has been spent. She believes that there is less than \$10,000 of 2020 invoices to be received and/or paid.

Maggie Downey reviewed the Energy Efficiency Budget. The Compact has spent 69% of the budget through the first week of January. She stated that there are significant outstanding 2020 invoices that will be processed throughout the month of January.

## 2. Review Documents Sent to CLC Board

Maggie Downey stated that she emailed out the Summary of Conflict-of-Interest Law for Municipal Employees; Office of the Attorney General: Open Meeting Law Guide and Educational Materials; Office of the Attorney General: 940 CMR: Open Meetings; Office of the Inspector General: How to be an Effective Board Member of a Public Board or Commission; First Amended and Restated Joint Powers Agreement of the CLCJPE; Cape Light Compact Aggregation Plan, dated April 4, 2018; and the Cape Light Compact Code of Conduct for Board Members. Board members need to sign and return the signature page for the Conflict-of-Interest Summary and Open Meeting Law materials.

**Open Session Vote on entry into Executive Session pursuant to M.G.L. c. 30A §§21(a) (10) to discuss matters below, to return to open session:**

*Martin Culik at 3:02 PM moved to enter into Executive Session pursuant to M.G.L. c. 30A §21(a)(3) and (10) to discuss litigation strategy and trade secrets and confidential, competitively sensitive, or other proprietary power supply information related to a proposed Low-Income Community Solar project, not to return to open session thereafter.*

*Martin Culik declared that an open session may have a detrimental effect on Cape Light Compact’s litigating position and its ability to conduct business in relation to other entities making, selling, or distributing electric power and energy and that the consideration of the purchase, exchange, lease, or value of electricity will have a detrimental effect on Cape Light Compact’s negotiation position as a public body. The Governing Board would return to Open Session at the conclusion of Executive Session. Seconded by Joyce Flynn.*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Tim	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Ron	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Jay	Grande	Tisbury	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

*Motion carried in the affirmative (18-0-0)*

**Tim Carroll left meeting at 3:50 PM**

**ADJOURNMENT:**

*Motion to adjourn made at 3:56 PM moved by Robert Schofield, seconded by Colin Odell.*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Ron	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Jay	Grande	Tisbury	Yes
Bob	Higgins-Steele	Truro	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

*Motion carried in the affirmative (17-0-0)*

Respectfully submitted,

Melissa Allard

**LIST OF DOCUMENTS AND EXHIBITS:**

- Meeting Notice/Agenda
- December 16, 2020 Draft Meeting Minutes
- 2020 Operating Budget
- 2020 Energy Efficiency Budget
- 2021 Main Streets PowerPoint