

**Cape Light Compact JPE
Governing Board
Meeting Minutes
Wednesday, December 14, 2022**

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, December 14, 2022, at 3:00 p.m. The meeting was held through a Zoom videoconference for members of the Board with audio call-in available for members of the public.

Participating In-Person Were:

1. Robert Schofield, Executive Committee, Bourne
2. Martin Culik, Chair/Executive Committee, Orleans
3. Valerie Bell, Harwich
4. Joyce Flynn, Vice Chair/Executive Committee, Yarmouth
5. Tom McNellis, Eastham
6. Gary Senecal, Eastham Alternate
7. Brad Crowell, Dennis

Participating Remotely Were:

8. David Anthony, Secretary/Executive Committee, Barnstable
9. Peter Doyle, Barnstable Alternate
10. Colin Odell, Executive Committee, Brewster
11. Alan Strahler, Edgartown
12. Matthew Patrick, Falmouth
13. David Jacobson, Orleans Alternate
14. Nathaniel Mayo, Provincetown
15. Leanne Drake, Sandwich
16. Richard Elkin, Executive Committee, Wellfleet

Absent Were:

1. Forrest Filler, Aquinnah
2. Peter Cocolis, Chatham
3. Timothy Carroll, Chilmark
4. Meghan Gombos, Dukes County
5. Wayne Taylor, Mashpee
6. Peter Meleney, Oak Bluffs
7. Russ Hartenstine, Tisbury
8. Jarrod Cabral, Truro
9. Erik Peckar, Executive Committee, West Tisbury

Legal Counsel Participating Remotely:

Audrey Eidelman Kiernan, Esq., KO Law, P.C.

Staff Participating Remotely:

Maggie Downey, Administrator
Mariel Marchand, Power Supply Planner

Melissa Allard, Senior Administrative Coordinator

Public Participants:

Sean Hogan, Environmental Sustainability Manager of Barnstable

Martin Culik called the meeting to order at 3:04 PM.

PUBLIC COMMENT:

No public comments were submitted to the Board in writing under the public comment guidelines and no members of the public attended the meeting in-person.

APPROVAL OF MINUTES:

The Board considered the November 9, 2022, Open Session Meeting Minutes.

Robert Schofield moved the Board to accept the minutes as amended and to release them as amended, seconded by Joyce Flynn.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Brad	Crowell	Dennis	Yes
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Valerie	Bell	Harwich	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Joyce	Flynn	Yarmouth	Yes

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

Matt Patrick joined meeting at 3:06PM.

CHAIRMAN’S REPORT:

Martin Culik asked David Anthony to introduce Sean Hogan. David Anthony stated that the town of Barnstable hired Sean Hogan as the Environmental Sustainability Manager. He stated that Sean will be reporting directly to him and that they will be working on addressing some of the environmental issues within the town. Martin Culik asked Sean to tell the Board about his background. Sean Hogan stated that his background is in environmental economics. He stated that he has a Bachelor’s in earth science and economics and a Master’s in environmental planning from Tufts.

Martin Culik stated that there are two new members for the town of Eastham, Tom McNellis and Gary Senecal. He asked them to introduce themselves. Tom McNellis stated that he is a member of the Climate Action Committee in Eastham. He stated he is an engineer and is looking forward to assisting in any way he can. Gary

Senecal stated he is a member of the Recycling Committee of the town of Eastham. He is also the liaison for the Recycling Committee with the Climate Action Committee. He stated that his career was business management, and he is also happy to help in any way he can.

Martin Culik stated that the new Orleans alternate is David Jacobson. He asked him to introduce himself. David Jacobson stated that his job is to evaluate energy efficiency programs from more of an engineering perspective. He stated that he is on the Orleans Renewable Energy and Climate Change Committee and looking to help here where he can.

POWER SUPPLY UPDATE, MARIEL MARCHAND:

Mariel Marchand reviewed the Cape Light Compact Power Supply Update PowerPoint.

Mariel Marchand reviewed the rates for the December 2022 – June 2023 power supply rates. The residential rate is 21.699 cents/kWh, which is below Eversource’s basic service and National Grid basic service.

Mariel Marchand stated that the Compact staff believes that customers will be hearing from competitive electric suppliers or trying to find lower rates from competitive electric suppliers. Some tips for customers are to never provide your Eversource electric account number before you have decided to sign a contract, always ask for written information, and never commit to a contract over the phone. She then reviewed tips for how to review electric supply contract terms and conditions. Some key things to look at are the term of the contract and if at the end it automatically renews the customer at a different rate. Also, whether the rate is fixed or variable, and if variable, how will it change. Lastly, are there any fees such as monthly service fee, termination/cancellation fee, or a return fee.

Joyce Flynn asked if the PowerPoint presentation would be helpful to distribute to Town Select Boards. Mariel Marchand stated yes that it would be a good resource for customers to have and be aware of. Maggie Downey stated that the Compact has met with several towns to discuss rates and will continue to do so if other towns want staff to present. She stated that sometimes they just prefer the information and therefore, we will put together a packet for the Board to provide to their towns. Tom McNellis stated that looking at the general power supply page on the Compact website, it would be good to add some cross links, for instance to the consumer advocacy page so that that information has a better chance of getting to customers. Mariel Marchand stated that it was a good idea, and that staff will work on that.

DISCUSSION AND POTENTIAL VOTE ON PROPOSED 2023 OPERATING BUDGET, MAGGIE DOWNEY:

Maggie Downey stated that the proposed 2023 Operating Budget was discussed at the November Board Meeting and there were no edits to that version as presented. She asked if there were any questions, and if not for the Board to move the vote.

Robert Schofield moved the CLCJPE Board of Directors vote to appropriate the Cape Light Compact Joint Powers Entity Operating Budget in the amount of \$733,669.00.

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 Valerie Bell.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes

Colin	Odell	Brewster	Yes
Brad	Crowell	Dennis	Yes
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (13-0-0)

DISCUSSION AND POTENTIAL VOTE ON A 3% COST OF LIVING ADJUSTMENT (COLA) FOR COMPACT EMPLOYEES FOR CALENDAR YEAR 2023:

Maggie Downey stated that the COLA is embedded in the budget, but the Board has always done a separate vote to keep the records straight and clear. She asked the Board to move the vote as presented.

Brad Crowell asked where 3% came from. Maggie Downey stated that it is about the average for Massachusetts municipalities. Richard Elkin stated that compared to the consumer price index, this is fairly low. He stated that the Board should revisit this again in 6 months to see if there is need for further adjustment. David Anthony stated that Barnstable has consistently been at 2% and that's in good and bad times. Therefore, 2.5% to 3% is fairly accurate from his perspective as well.

Robert Schofield moved the CLCJPE Board of Directors vote to approve a 2023 employee cost of living adjustment (COLA) in the amount of 3.0%. The effective date is January 1, 2023.

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 Joyce Flynn.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Brad	Crowell	Dennis	Yes
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (13-0-0)

ADMINISTRATOR’S REPORT:

1. Open Nominations for 2022 Cape Light Compact Executive Committee

Maggie Downey asked if there were any nominations for Chair. Robert Schofield nominated Martin Culik.

Maggie Downey asked if there were any nominations for Vice Chair. Robert Schofield nominated Joyce Flynn.

Maggie Downey asked if there were any nominations for Secretary. Martin Culik nominated David Anthony.

Maggie Downey asked if there were any nominations for the position of Treasurer. Martin Culik nominated Tammy Glivinski, Glivinski and Associates, Inc.

Maggie Downey asked if there were any nominations for the position of Business Officer. Robert Schofield nominated Phil Moffitt.

Maggie Downey asked that if there were any nominations for the other four Executive Committee member seats.

Joyce Flynn nominated Valerie Bell to serve on the Executive Committee. Martin Culik nominated Colin Odell to serve on the Executive Committee. Brad Crowell nominated Robert Schofield to serve on the Executive Committee. Alan Strahler nominated Erik Peckar to serve on the Executive Committee.

2. Update on Compact IT Policies

Maggie Downey stated that in the Compact’s 2022 audit it was recommended that IT policies were developed for staff. She stated that Dave Botelho has completed that, and it will be given out to staff in January.

OPEN SESSION VOTE ON ENTRY INTO EXECUTIVE SESSION PURSUANT TO M.G.L. C. 30A §§21(A)(3) AND (A)(10) TO DISCUSS MATTERS BELOW, TO NOT RETURN TO OPEN SESSION:

Martin Culik at 3:45 PM moved to enter into Executive Session pursuant to M.G.L. c. 30A §§21(a)(3) and (a)(10) to consider strategy and potential vote on pending or imminent regulatory litigation, Massachusetts Department of Public Utilities D.P.U. 14-69 B (Order on Appeal of Hearing Officer Ruling on Customer Enrollment), not to return to open session thereafter. Seconded by Colin Odell.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Brad	Crowell	Dennis	Yes
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes

Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (13-0-0)

Respectfully submitted,

Melissa Allard

LIST OF DOCUMENTS AND EXHIBITS:

- Meeting Notice/Agenda
- November 9, 2022, Draft Open Session Meeting Minutes
- Cape Light Compact Power Supply Update PowerPoint
- Proposed 2023 Operating Budget