

**Cape Light Compact JPE
Governing Board
Executive Session Meeting Minutes
Wednesday, July 17, 2019**

The Cape Light Compact JPE Board of Directors met on Wednesday, July 17, 2019 in the Martha's Vineyard Conference Room at the Cape Light Compact JPE Offices at 261 Whites Path, Yarmouth MA 02664 at 2:00 PM.

Present Were:

1. David Anthony, Secretary, Barnstable
2. Peter Doyle, Barnstable Alternate
3. Robert Schofield, Bourne
4. Peter Cocolis, Chatham
5. Timothy Carroll, Chilmark – **By Phone**
6. Brad Crowell, Dennis
7. Fred Fenlon, Eastham
8. Alan Strahler, Edgartown
9. Ronald Zweig, Chair, Falmouth
10. Valerie Bell, Harwich
11. Wayne Taylor, Mashpee – **By Phone**
12. Richard Toole, Oak Bluffs – **By Phone**
13. Nathaniel Mayo, Provincetown
14. Leanne Drake, Sandwich
15. Richard Elkin, Wellfleet
16. Sue Hruby, West Tisbury
17. Joyce Flynn, Yarmouth

Absent Were:

1. Michael Hebert, Aquinnah
2. Colin Odell, Brewster
3. Robert Hannemann, Dukes County
4. Martin Culik, Orleans
5. Kirk Metell, Tisbury
6. Jarrod Cabral, Truro

Members/Alternates:

Physically present: 14

Present by phone: 3

Legal Counsel:

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

Staff Present:

Austin Brandt, Senior Power Supply Planner

Dan Schell, Marketing and Communications Coordinator

Maggie Downey, Administrator

Margaret Song, C&I Program Manager

Megan Terrio, Comptroller
Melissa Allard, Senior Administrative Coordinator

Public Present:

Janice Marks, Bourne

Open Session Vote on entry into Executive Session pursuant to M.G.L. c. 30A §§21(a)(10), (3) and (10) to discuss matters below, to return to open session:

- 1. Review and approve, and potential vote to consider whether to release, executive session minutes from May 9, 2018, June 13, 2018, December 5, 2018, January 9, 2019 and February 13, 2019 that discuss trade secrets and confidential, competitively-sensitive or other proprietary power supply information and/or regulatory litigation strategy for DPU 18-116, CLC 2019-2021 Energy Efficiency Plan Filing and/or the Cape Light Compact 2019 and beyond power supply program portfolio (renewable energy and REC contracting) as well as whether it is appropriate to release any portion of confidential competitive electric supply contract provisions**

Ronald Zweig at 2:35 PM moved to enter into Executive Session pursuant to M.G.L. c. 30A §21(a)(3) and (10) to review and approve, and potential vote to consider whether to release, executive session minutes from May 9, 2018, June 13, 2018, December 5, 2018, January 9, 2019 and February 13, 2019 that discuss trade secrets and confidential, competitively-sensitive or other proprietary power supply information; regulatory litigation strategy for DPU 18-116, CLC 2019-2021 Energy Efficiency Plan Filing; the Cape Light Compact 2019 and beyond power supply program portfolio (renewable energy and REC contracting) as well as whether it is appropriate to release any portion of confidential competitive electric supply contract provisions, to return to open session thereafter.

Each member participating remotely has stated that no other individuals are present and/or able to hear the discussion at his or her location, unless the presence of such individuals has been approved by a vote of the public body.

Ronald Zweig declared that an open session may adversely affect the Cape Light Compact's litigating position. The Governing Board will return to Open Session at the conclusion of Executive Session. Seconded by Robert Schofield.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Richard	Toole	Oak Bluffs	Yes
Nathaniel	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes

Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

APPROVAL OF EXECUTIVE SESSION MINUTES:

The Board considered the May 9, 2018 Meeting Minutes.

Robert Schofield moved the Board to accept the minutes as amended, seconded by Richard Elkin.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Abstained
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Abstained
Richard	Toole	Oak Bluffs	Abstained
Nathaniel	Mayo	Provincetown	Abstained
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

Robert Schofield moved the Board to release the minutes to the public without redactions, seconded by Joyce Flynn

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Abstained
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Abstained
Richard	Toole	Oak Bluffs	Abstained
Nathaniel	Mayo	Provincetown	Abstained
Leanne	Drake	Sandwich	Yes

Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

The Board considered the June 13, 2018 Meeting Minutes.

Robert Schofield moved the Board to accept the minutes as amended and release the minutes to the public without any redactions, seconded by Sue Hruby.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Abstained
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Richard	Toole	Oak Bluffs	Yes
Nathaniel	Mayo	Provincetown	Abstained
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (14 – 0 – 2)

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Abstained
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Richard	Toole	Oak Bluffs	Yes
Nathaniel	Mayo	Provincetown	Abstained
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (14 – 0 – 2)

The Board considered the December 5, 2018 Meeting Minutes.

Jeff Bernstein stated that “JMB recommendation, 4.22.19 – keep confidential” at the top of the first page should be deleted. He also stated that the reason for keeping these minutes confidential is because there is open litigation. Sue Hruby asked if it could be noted on the first page that the Compact decided to keep it confidential. Jeff Bernstein answered no because it is not part of the minutes. The Compact can look back on the minutes from today’s meeting to see what was decided about these minutes. David Anthony stated that he will keep notes about what was decided for the executive minutes.

Robert Schofield moved the Board to accept the minutes as amended and to keep the minutes confidential, seconded by Peter Cocolis.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Abstained
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Abstained
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Abstained
Richard	Toole	Oak Bluffs	Yes
Nathaniel	Mayo	Provincetown	Abstained
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Abstained
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Abstained
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Abstained
Richard	Toole	Oak Bluffs	Yes
Nathaniel	Mayo	Provincetown	Abstained

Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

The Board considered the January 9, 2019 Meeting Minutes.

David Anthony stated that all of the first topic is redacted because there is still open litigation. Sue Hruby asked if the second topic should be redacted as well. Maggie Downey stated that Joanne Nelson is aware of what was discussed during this executive session. She stated that the third sentence will be redacted under this topic.

Joyce Flynn moved the Board to accept the minutes as amended and release to the public with the suggested redactions, seconded by Valerie Bell.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Abstained
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Abstained
Richard	Toole	Oak Bluffs	Yes
Nathaniel	Mayo	Provincetown	Abstained
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (13 – 0 – 3)

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Abstained
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Abstained
Richard	Toole	Oak Bluffs	Yes

Nathaniel	Mayo	Provincetown	Abstained
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (13 – 0 – 3)

The Board considered the February 13, 2019 Meeting Minutes.

Jeff Bernstein stated that “JMB recommendation, 4.22.19 – continue to treat as confidential” at the top of the first page should be deleted as it is not a part of the minutes.

Joyce Flynn moved the Board to accept the minutes as amended and to keep the minutes confidential, seconded by Sue Hruby.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Abstained
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Abstained
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Abstained
Richard	Toole	Oak Bluffs	Yes
Nathaniel	Mayo	Provincetown	Abstained
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Abstained
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Abstained
Richard	Toole	Oak Bluffs	Yes

Nathaniel	Mayo	Provincetown	Abstained
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (13 – 0 – 3)

Return to Open Session

At 3:02 PM, Ron Zweig asked for a motion to end executive session, moved by Peter Cocolis, seconded by Joyce Flynn.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Timothy	Carroll	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Richard	Toole	Oak Bluffs	Yes
Nathaniel	Mayo	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

Respectfully submitted,

Melissa Allard

LIST OF DOCUMENTS AND EXHIBITS:

- Meeting Notice/Agenda
- May 9, 2018 Executive Session Minutes
- June 13, 2018 Executive Session Minutes
- December 5, 2018 Executive Session Minutes
- January 9, 2019 Executive Session Minutes
- February 13, 2019 Executive Session Minutes