

**Cape Light Compact JPE
Governing Board
Meeting Minutes
Wednesday, July 10, 2024**

The Cape Light Compact JPE Board of Directors met on Wednesday, July 10, 2024, at 2:00 p.m. The meeting was held as a hybrid meeting (in-person and through remote participation) through a Zoom videoconference for members of the Board with audio call-in available for members of the public, pursuant to St. 2023, c. 2, which, among other things, extends the temporary provisions pertaining to remote meetings of public bodies under the Open Meeting Law to March 31, 2025.

Participating In-Person Were:

1. Robert Schofield, Executive Committee, Bourne
2. Tom McNellis, Eastham
3. Gary Senecal, Eastham Alternate
4. Valerie Bell, Harwich
5. Martin Culik, Chair/Executive Committee, Orleans
6. David Jacobson, Orleans Alternate
7. Bob Higgins-Steele, Truro Alternate
8. Joyce Flynn, Vice Chair/Executive Committee, Yarmouth

Participating Remotely Were:

1. David Anthony, Secretary/Executive Committee, Barnstable
2. Bill Doherty, Bourne Alternate
3. Colin Odell, Executive Committee, Brewster
4. Timothy Carroll, Chilmark
5. Alan Strahler, Edgartown
6. Matthew Patrick, Falmouth
7. Wayne Taylor, Mashpee
8. Nathaniel Mayo, Provincetown
9. Nicola Blake, Executive Committee, West Tisbury

Absent Were:

1. Forrest Filler, Aquinnah
2. Brian Miner, Chatham
3. Brad Crowell, Dennis
4. Meghan Gombos, Dukes County
5. Peter Meleney, Oak Bluffs
6. Leanne Drake, Sandwich
7. Russ Hartenstine, Tisbury
8. Jarrod Cabral, Truro
9. Suzanne Ryan-Ishkanian, Wellfleet

Legal Counsel Participating Remotely:

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

Staff Participation In-Person:

Maggie Downey, Chief Administrative Officer

Staff Participating Remotely:

Briana Kane, Residential and Commercial & Industrial Program Manager
Dan Schell, Senior Analyst - Retail and Demand Response
David Botelho, Senior IT Services & Data Management Analyst
Laure Selmer, Energy Efficiency Analyst
Mariel Marchand, Power Supply Planner
Margaret Song, Energy Efficiency Strategy and Policy Manager
Miranda Skinner, Strategy and Regulatory Analyst
Melissa Allard, Senior Administrative Coordinator
Phil Moffitt, Chief Financial Officer
Tatsiana Nickinello, Energy Efficiency Analyst

Public Participants:

None.

Martin Culik called the meeting to order at 2:04 PM.

Public Comment:

No written comments were received in advance of the meeting and no members of the public were present for public comment.

APPROVAL OF MINUTES:

The Board considered the June 5, 2024 Open Session Meeting Minutes.

David Anthony stated that the date in the footer needs to be corrected and to add “Senior RUS staff” after “Bob Coates” on page four.

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

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Tim	Carroll	Chilmark	Yes
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Wayne	Taylor	Mashpee	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Bob	Higgins-Steele	Truro	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

CHAIRMAN’S REPORT, MARTIN CULIK

Martin Culik stated that the Compact Administrator, Maggie Downey’s annual performance review is coming up next month, and consistent with Massachusetts Open Meeting protocols, he will be reaching out to select Board Members to see if they have anything to contribute to the review. He noted that participating Board members input would be anonymous. He stated that as required the Administrator’s annual review would be conducted by Vice Chair Joyce Flynn, Secretary David Anthony, and him.

DISCUSSION AND PROPOSED VOTE FOR A SUPPLEMENTAL BUDGET INCREASE FOR OPERATING BUDGET LEGAL EXPENSES, MAGGIE DOWNEY:

Maggie Downey stated that when the 2024 legal budget was presented in November of 2023 there were several items where the costs were unknown and/or dockets were not filed at the Department of Public Utilities (DPU). As a result, she requested an increase to the existing legal operating service budget from \$310,000 to \$485,000 for this calendar year. She stated that the amount of time it has taken to review and negotiate the US Department of Agriculture Rural Energy Saving Program (USDA RESP) loans has been a big factor and additional work remains. \$145,000 in legal expenses should be recovered from the USDA RESP solar loan program. She stated that there are also two dockets that went beyond our planned expenditures for legal services: the Eversource Electric Modernization Plan docket and the Municipal Guidelines docket.

Robert Schofield moved the CLCJPE Board of Directors to approve the proposed supplemental budget request of \$175,00.00 for legal services in the Operating Budget.

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
Tim	Carroll	Chilmark	Yes
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Wayne	Taylor	Mashpee	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Bob	Higgins-Steele	Truro	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

Valerie Bell joined the meeting at 2:16PM.

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 2:18 PM moved to enter into Executive Session pursuant to M.G.L. c. 30A §21(a)10, to discuss trade secrets and confidential, competitively sensitive or other proprietary power supply information related to the Compact's procurement of municipal aggregation power supply, to return to open session thereafter. Seconded by Valerie Bell.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Tim	Carroll	Chilmark	Yes
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Bob	Higgins-Steele	Truro	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (14-0-0)

RETURN TO OPEN SESSION:

Motion to return to open session made at 3:52 PM moved by Robert Schofield, seconded by Valerie Bell.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Tim	Carroll	Chilmark	Yes
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Martin	Culik	Orleans	Yes
Nate	Mayo	Provincetown	Yes
Bob	Higgins-Steele	Truro	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (14-0-0)

ADMINISTRATOR'S REPORT:

1. Update on USDA/RUS Rural Energy Services Program (RESP)

Maggie Downey stated that we are waiting for the debt-to-income ratio and once we get that we will be ready to start the program. She stated that the interest rate should be below 3%, but that is not finalized yet.

2. Scheduling Meetings with Select Boards/Town Council and Energy/Climate Committees

Maggie Downey stated that we are working on scheduling presentations to the town Select Boards or Council and their Energy Committees in the upcoming months to give an update and get feedback.

3. Conferences

Maggie Downey reminded the Board that the Net Zero Conference was postponed until October 24th. She stated that One Cape conference is coming up in September and if any Board Members would like the Compact to register them, email her and let her know. Otherwise, they can get reimbursed if they register themselves.

4. Executive Session Minutes Update

Maggie Downey stated that every six months she and counsel review the executive session minutes to determine if any of the executive session minutes can be released as a whole or partially redacted. She stated that the following sets of executive session minutes will continue to be withheld with partial redaction as continued non-disclosure of the redacted material is warranted under the open meeting law: March 10, 2021, June 9, 2021, September 29, 2021, January 9, 2019, October 8, 2014, and August 14, 2023. She stated that December 11, 2023 executive session minutes will continue to be withheld in their entirety as continued non-disclosure is warranted.

Maggie Downey stated that while reviewing the executive session minutes, an error in the January 2024 executive session minutes, stating that the Board voted to accept the December 2023 executive session minutes and release them, was discovered. The release language was an error and will be corrected as they were not released. She stated that counsel does not believe any additional Board action is needed.

5. Next Board Meeting: September 11, 2024

Maggie Downey stated that there is no August Board Meeting, and the next one will be on September 11th.

ADJOURNMENT:

Motion to adjourn made at 4:08 PM moved by Robert Schofield, seconded by Joyce Flynn.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Tim	Carroll	Chilmark	Yes
Tom	McNellis	Eastham	Yes
Alan	Strahler	Edgartown	Yes
Matt	Patrick	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Wayne	Taylor	Mashpee	Yes
Martin	Culik	Orleans	Yes

Nate	Mayo	Provincetown	Yes
Bob	Higgins-Steele	Truro	Yes
Nicola	Blake	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (14-0-0)

Respectfully submitted,

Melissa Allard

LIST OF DOCUMENTS AND EXHIBITS:

- Meeting Notice/Agenda
- June 5, 2024, Draft Open Session Meeting Minutes
- 2024 Operating Budget