

**Cape Light Compact JPE
Governing Board
Open Session Meeting Minutes
Wednesday, November 14, 2018**

The Cape Light Compact JPE Board of Directors met on Wednesday, November 14, 2018 in the Martha's Vineyard Conference Room at the Cape Light Compact JPE Offices at 261 Whites Path, Yarmouth, MA 02664 at 2:00PM.

Present Were:

1. David Anthony, Secretary, Barnstable
2. Peter Doyle, Barnstable Alternate
3. Robert Schofield, Executive Committee, Bourne
4. Colin Odell, Brewster
5. Peter Cocolis, Executive Committee, Chatham
6. Robert Hannemann, Chilmark Alternate – **By phone**
7. Brad Crowell, Dennis
8. Fred Fenlon, Eastham
9. Paul Pimentel, Edgartown – **By phone**
10. Valerie Bell, Harwich
11. Richard Toole, Executive Committee, Oak Bluffs – **By phone**
12. Martin Culik, Orleans
13. Thomas Donegan, Executive Committee, Provincetown
14. Leanne Drake, Sandwich
15. Richard Elkin, Wellfleet
16. David Mead-Fox, Wellfleet Alternate
17. Joyce Flynn, Chair, Yarmouth

Absent Were:

1. Michael Hebert, Aquinnah
2. Timothy Carroll, Chilmark
3. Ronald Zweig, Vice-Chair, Falmouth
4. Wayne Taylor, Mashpee
5. Jarrod Cabral, Truro
6. Sue Hruby, West Tisbury

Members/Alternates:

Physically present: 14

Present by phone: 3

Legal Counsel:

Jeffrey Bernstein, Esq., BCK Law, P.C. (present by videoconference)

Staff Present:

Austin Brandt, Senior Power Supply Planner

Briana Kane, Planning and Evaluation Manager

Dan Schell, Marketing and Communications Coordinator

Joanne Nelson, Comptroller

Maggie Downey, Administrator
Margaret Song, C&I Program Manager
Melissa Allard, Senior Administrative Coordinator
Phil Moffit, Residential Program Manager

Cape Cod Commission:

Heather McElroy
Michelle White

Public Present:

None Present.

Joyce Flynn called the meeting to order at 2:04 PM. Joyce Flynn recognized Robert Hannemann of Chilmark, Paul Pimentel of Edgartown and Richard Toole of Oak Bluffs who were remotely participating because physical attendance at the meeting would be unreasonably difficult.

PUBLIC COMMENT:

There were no members of the public present.

PRESENTATION BY CAPE COD COMMISSION ON REGIONAL POLICY PLAN:

Heather McElroy reviewed the proposed draft of the updated Cape Cod Commission Regional Policy Plan (“RPP”) PowerPoint with members present. Heather White reviewed performance measures and recommended actions’ slides. Maggie Downey asked whether the Cape Cod Commission measures the success of the plan. Heather White answered yes. Richard Elkin stated that Wellfleet is trying to get the entire town to reduce energy usage and that individual oil and propane companies don’t gather the data on a town by town basis so that compiling that information is difficult. Heather White stated that the Commission is looking to develop an emissions reduction budget tool. It may not be a performance measure, but that is something the Commission will continue to try and work on. Peter Cocolis stated that everyone jumps to housing, jobs, etc. but that there are cultural factors to add too. Heather White asked if Peter Cocolis had any ideas. Peter Cocolis stated that Chatham is just starting to get more involved with locals, working on the demographic problem, keeping the character of the Cape, etc. Many of the kids grow up leave for college, come back and find that they can’t afford to live here. Valerie Bell asked what size project makes the Cape Cod Commission want to get involved. Heather White answered that there is a 10,000 square foot threshold for commercial projects. When discussing solar PV, Margaret Song stated that most projects are ground mounted. Michell White stated that there is a 40,000 square foot threshold for outdoor use as well. Valerie Bell stated that many towns are becoming green communities. Therefore, they have this (solar PV) “As Of Right” siting. Michelle White stated that by right siting limits the timeframe for town review and there are certain projects the Commission does not review depending on who owns the project. In other instances, the Commission looks into environmental issues. Heather McElroy stated that the Commission is working to better align these goals and policies so that towns are better at getting state funding for being a Green Community. The Commission is working to be more involved in the community and get closer to protecting what makes Cape Cod unique.

Fred Fenlon asked if there is anything in the RPP that conflicts with the Compact’s Energy Efficiency Plan (“Plan”). Heather White stated that the Cape Cod Commission has talked to Maggie Downey before about the RPP. The Commission tries to be in alignment with the Compact’s Plan and that they are here to see if anyone has any conflicts.

Tom Donegan asked that in terms of preparing a technical bulletin how the Compact can help the Commission incorporate energy efficiency and other environmental values into the RPP. Heather White stated that by providing comments the Compact is helping with the RPP. Heather White stated that the technical bulletin is designed to be more flexible whereas the current RPP has minimum standards. The Commission’s philosophy is moving toward a policy of greater energy independence, using less energy and using more renewables. Richard Toole asked if the Cape Cod Commission has reached out to the Martha’s Vineyard Commission. Heather White stated that she has looked at their plan and will make the effort to reach out to them. Maggie Downey stated that she sent the proposed corrections to Heather White on those parts of the RPP that reference the Cape Light Compact. Maggie Downey asked if we want to add to the RPP that an energy audit is required for new construction. Colin Odell stated that with the new energy codes being updated regularly it may be required for everyone to get an energy audit by 2030. Maggie Downey stated that then it might not be appropriate to include that in the RPP.

APPROVAL OF MINUTES:

The Board considered the October 10, 2018 Meeting Minutes.

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

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Abstained
Robert	Hannemann	Chilmark	Abstained
Brad	Crowell	Dennis	Abstained
Fred	Fenlon	Eastham	Yes
Paul	Pimentel	Edgartown	Yes
Valerie	Bell	Harwich	Abstained
Richard	Toole	Oak Bluffs	Abstained
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Joyce	Flynn	Yarmouth	Yes

Motion carried in the affirmative (10– 0 – 5)

CHAIRMAN’S REPORT:

1. Welcoming New Residents

Joyce Flynn stated it would be great if the Compact could get involved in groups that include newcomers on the Cape and Vineyard. Richard Elkin stated that it’s a great idea, but they do plan out their agendas for their events a year in advance. There is the option to have a table at the events. Peter Cocolis stated that the Chatham and Harwich newcomers’ group is similar. The Compact would have to get on the agenda early. Colin Odell stated that the Nauset Newcomers group seems to have members who have been on the Cape for a while. Martin Culik stated that it is still important to get out the information about the Compact. Valerie Bell stated that she also thought it was a great idea to get involved in newcomer groups. She asked what happens when someone moves

to the Cape or Vineyard and starts up a new electric account. Are the customers put onto the Compact's power supply automatically and do the new customers get any information on the Compact? Austin Brandt stated that the new power supply customers get a letter in the mail welcoming them and giving them information on what the Compact does. Martin Culik stated that he believes it's important to keep giving information to those who have already participated in some of the Compact's programs as well. Fred Fenlon mentioned reaching out to the part time home owners too. Valerie Bell asked if the Board Members could help with giving out informational brochures to supplement Compact staff activities. Maggie Downey stated that staff could make sure that Board Members get brochures to hand out at events.

FISCAL REPORT: OVERVIEW OF ENERGY EFFICIENCY AND OPERATING BUDGETS:

Peter Cocolis stated there is no Energy Efficiency Budget to go over this meeting. Peter Cocolis stated that there is 21% of the 2018 Operating Budget remaining. The expenses that still have a 100% remaining are expenses that are paid at the end of the year. The percent remaining in the budget should be enough to get the Compact through the end of the year. As that was a concern at a previous meeting. Peter Cocolis also stated it would be nice to have some of the budget remaining for the beginning of 2019. Richard Elkin asked if that in the new coming year the budget would be presented by month. Tom Donegan stated that it might be useful for the Energy Efficiency Budget because of the "Hockey Stick" pattern but doesn't see why that would be necessary for the Operating Budget. Richard Elkin stated for it would be helpful as a large chunk of the budget isn't paid out until December. Peter Cocolis stated that maybe expenses that aren't used until later in the year could be highlighted. Joyce Flynn stated to Richard Elkin that if he felt strongly about having this, to ask and put a motion on the next agenda.

UPDATE ON 2019-2021 ENERGY EFFICIENCY PLAN, DPU 18-116, MAGGIE DOWNEY:

Maggie Downey stated that there is a public hearing on Monday, December 3rd at 2pm in Boston. Comments are being accepted until 5pm. Maggie Downey stated that National Grid missed the filing deadline for intervening in the Compact's 2019-2021 Energy Efficiency Plan (Plan), but the Department of Public Utilities allowed NGRID to intervene despite the missed deadline. Dan Schell will send template letter by the end of the week to the Board.

Jeff Bernstein stated that DPU 16-169 has been pending for almost a year and a half. Maggie Downey stated that it's resurfacing because of the filing. Fred Fenlon asked if the outstanding issue is really getting resolved as part of the Compact's Plan. Maggie Downey stated that it must. Jeff Bernstein stated that the Compact should schedule an executive session at December Board Meeting to discuss potential regulatory litigation issues and strategy.

DISCUSSION AND POTENTIAL VOTES ON SOLAR GRANT FOR LOW-INCOME HOUSING, AUSTIN BRANDT:

Austin Brandt stated that the SREC program is done and that legal counsel has recommended that the Compact refresh the vote. The only real change is that the Compact is now using the SMART program instead of SREC. In the past year the Compact has helped low-income and non-profits by providing \$146,505 on new PV systems.

Martin Culik moved the Cape Light Compact JPE ("Compact") Board of Directors vote to approve the use of: (i) the remaining Compact matching funds from the Low-Income Solar Revolving Grant Program; and (ii) a portion of the remaining premium collected from customers in the Cape Light Compact Green SM program

account, for a grant program to support the installation of solar photovoltaic (“PV”) systems on low income homes and non-profit buildings on Cape Cod and Martha's Vineyard as part of the new SMART program. The Compact will use the SMART incentive payments to provide additional grants for PV system installation on low income homes and non-profit buildings.

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 Peter Cocolis.

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Colin	Odell	Brewster	Yes
Peter	Cocolis	Chatham	Yes
Robert	Hannemann	Chilmark	Yes
Brad	Crowell	Dennis	Yes
Fred	Fenlon	Eastham	Yes
Paul	Pimentel	Edgartown	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Thomas	Donegan	Provincetown	Yes
Leanne	Drake	Sandwich	Yes

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

PRESENTATION ON PROPOSED COMPACT MARKETING PLAN, DAN SCHELL:

Dan Schell reviewed the qualitative and quantifiable goals on the 2019 Marketing Plan PowerPoint. David Mead-Fox asked if there was a goal the Compact was looking to reach in its social media engagement. Dan Schell stated that there isn’t an exact number. Currently the Compact’s LinkedIn only has 4 members, so it can only go up from there. With a paid ad on Facebook, the Compact’s page received an extra 100 likes in the past week. Valerie Bell stated she sees nothing mentioned for print media. Dan Schell stated that is because print media can’t really be measured. Valerie Bell stated with the older population on Cape Cod, many don’t use social media, but get their information in print media or on TV. Dan Schell stated that the Compact is still doing print and TV media. The Compact just did an ad with Xfinity. Peter Cocolis stated that Dan Schell has a strategy plan and a set of goals to get more people signing up for the Compact’s power supply and using the energy efficiency programs. Fred Fenlon mentioned that dealing with businesses from Memorial Day to Columbus Day is difficult. Dan Schell stated he is planning out when certain groups get information and working with the call center to see where customers are getting their information.

Dan Schell reviewed the guiding principles slide. Richard Elkin asked whether when it comes to reciprocity, do we check to see if the customers using the Compact’s energy efficiency programs are on the Compact’s electric supply? Austin Brandt stated that these are two separate programs, you don’t have to be on the Compact’s power supply to receive energy efficiency services. He noted that the Compact must be careful with how to go about doing that and to avoid the misuse of energy efficiency funds.

A discussion on contracting for outside assistance for marketing commenced. David Anthony stated that there are several ways to go about creating a contract with a marketing vendor. The Compact could either tell the

vendor what it wants done or tell the vendor the situation and ask what it would do. Dan Schell stated that the Compact plans on doing a bit of both. Margaret Song stated that from a procurement prospective you can say the Compact has always done a bit of both. The Request for Proposals (“RFP”) is not complete yet so if the Board has suggestions to send them along. Dan Schell stated that the deadline to send along any suggestions for the RFP is sometime before Thanksgiving. Richard Elkin asked if the Compact has ever done any marketing to regain customers that have left the power supply. Margaret Song stated that the Compact has reached out to try and recapture those that had left. Austin Brandt stated that the amount of funds spent marketing does not result in a significant number of customers returning to the Compact to make this effort financially viable.

DISCUSSION ON PROPOSED 2019 OPERATING BUDGET, MAGGIE DOWNEY:

Margaret Song reviewed the proposed operating marketing budget. Richard Elkin asked if it was too late to add events to the list. Margaret Song stated there was still time. Maggie Downey reviewed the draft operating budget. The biggest expense is the Compact’s salary budget. Peter Cocolis stated that there is no RFP expense on the Operating Budget. Maggie Downey stated there is no RFP for power supply in the 2019. Richard Elkin stated that expenses such as the health insurance are proportional to the salaries expense.

Maggie Downey noted that once approved, funds can be moved as needed between the line items, but you cannot exceed the total annual budget amount. Peter Cocolis stated that the one exception is that fringes can’t be moved. Richard Elkin asked why there is 25% of premium for the insurance expense and Maggie Downey stated that there is more insurance for the Board. Valerie Bell asked if the OPEB was to be moved into a trust fund. Maggie Downey answered yes and stated that the Board will have to establish the trust fund. Brad Crowell stated it be nice to see how the marketing expenses are broken out. Maggie Downey stated that she would do that for the next meeting. Richard Elkin asked why the percentage premium has increased for rent. Colin Odell stated he agrees with the bigger percentage. The split more accurately reflects the usage of the building as a public meeting space.

The Cost-of-Living Adjustment (“COLA”) vote will be done separately. Peter Cocolis stated that the Compact should look at government COLAs in Massachusetts. Maggie Downey stated that the proposed COLA is in-line with the Cape Cod towns. Richard Elkin asked whether at the next meeting the Operating Budget could be organized in descending or alphabetical order. Maggie Downey stated that she will do so.

ADMINISTRATOR’S REPORT:

1. Board Member Email Addresses

Maggie Downey asked the Board if they would be migrating over to all using a Cape Light Compact email address. Austin Brandt stated that if the Board decides to use these accounts then the info will be sent to the members before the end of the year, but the accounts will not be active until January 1st. Colin Odell stated that if Board Members get asked to produce emails that it would be easier this way. That it is a legal responsibility. Jeff Bernstein advised the Board that it must be careful sending anything on a personal email account about the Compact and to try and avoid it. Maggie Downey stated that it seemed none of the Board had any objections; therefore, staff will go through with this.

2. December Board Meeting Dates and Agenda Topics

Maggie Downey restated that the December Board Meeting is on December 5th as all the Managers will be in Boston the second week of December for DPU hearings on the Compact’s 2019-2021 Energy Efficiency Plan.

3. Cape & Vineyard Electric Cooperative (CVEC) Solar PV Projects Update

Over the past four years CVEC solar PV projects have saved the participating member towns \$10.4 million dollars.

Robert Hannemann, Paul Pimentel and Richard Toole stopped participation by phone at 4:58pm.

ADJOURNMENT:

Motion to adjourn made at 5:00 PM moved by Martin Culik, seconded by Bob Schofield.

Respectfully submitted,

Melissa Allard

LIST OF DOCUMENTS AND EXHIBITS:

- Meeting Notice / Agenda
- Cape Cod Commission Update PowerPoint
- October 10, 2018 Meeting Minutes
- 2018 Operating Budget
- D.P.U. 18-116
- Agenda Action Request: Solar Grant Program for Low-Income Housing
- 2019 Marketing Plan
- 2019 Marketing Operating Budget
- 2019 Operating Budget
- CVEC Projects in Review Flyer