

**Cape Light Compact JPE  
Governing Board  
Open Session Meeting Minutes  
Wednesday, February 13, 2019**

The Cape Light Compact JPE Board of Directors met on Wednesday, February 13, 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, Executive Committee, Bourne
4. Peter Cocolis, Executive Committee, Chatham
5. Brad Crowell, Dennis
6. Ronald Zweig, Chair, Falmouth
7. Valerie Bell, Harwich
8. Richard Toole, Executive Committee, Oak Bluffs – **By Phone**
9. Martin Culik, Executive Committee, Orleans
10. Leanne Drake, Sandwich
11. Richard Elkin, Wellfleet
12. David Mead-Fox, Wellfleet Alternate
13. Sue Hruby, West Tisbury
14. Joyce Flynn, Vice-Chair, Yarmouth

**Absent Were:**

1. Michael Hebert, Aquinnah
2. Colin Odell, Brewster
3. Timothy Carroll, Chilmark
4. Robert Hannemann, Dukes County
5. Fred Fenlon, Eastham
6. Wayne Taylor, Mashpee
7. Dave Panagore, Provincetown Alternate
8. Kirk Metell, Tisbury
9. Jarrod Cabral, Truro

**Members/Alternates:**

Physically present: 13

Present by phone: 1

**Legal Counsel:**

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

**Staff Present:**

Austin Brandt, Senior Power Supply Planner  
Phil Moffit, Planning and Evaluation Manager  
Dan Schell, Marketing and Communications Coordinator  
Maggie Downey, Administrator

Margaret Song, C&I Program Manager  
Melissa Allard, Senior Administrative Coordinator

**Public Present:**

1. James Hagerty, Edgartown

Ronald Zweig called the meeting to order at 2:04 PM. Ronald Zweig recognized Richard Toole of Oak Bluffs who was remotely participating because physical attendance at the meeting would be unreasonably difficult.

**PUBLIC COMMENT:**

There were no members of the public present.

**APPROVAL OF MINUTES:**

The Board considered the January 9, 2018 Meeting Minutes.

*Joyce Flynn 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
Brad	Crowell	Dennis	Abstained
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

*Motion carried in the affirmative (11 – 0 – 1)*

**CHAIRMAN’S REPORT:**

Ron Zweig talked about the passing of Paul Pimentel. Paul Pimentel was hardworking and a great contributor to the Cape Light Compact, and he will remain in our memories. A card was passed around for the Board to sign.

Ron Zweig thanked the Board for the trust they have put in him to be the Chair. He thanked Joyce Flynn for showing the way and for being a magnificent example.

**FINANCIAL REPORTS, PETER COCOLIS:**

Peter Cocolis noted that there was no energy efficiency budget update this month. Maggie Downey distributed copies of the year-end 2018 Operating budget, which has been fully expended. There were several things the Compact had not paid until the end of December such as OPEB, retirement, salaries, etc. Sue Hruby asked if the Compact would know its exact OPEB liability next year. Maggie Downey stated that the Compact won’t know

until the actuarial completes an assessment of the Compact's liability. The actuarial will most likely not be completed until 2020. Martin Culik asked if monies were transferred between line items, and Maggie Downey stated that the Compact did move money between line items. Ron Zweig asked that even after transfers did the budget come out to be zero. Maggie Downey answered yes, because of the balance of the appropriated funds were moved into the OPEB and retirement liability funds. Ron Zweig asked if the Compact had received any information about the 2018 audit. Maggie Downey stated that the auditors should be present at the March meeting.

### **POWER SUPPLY UPDATE, AUSTIN BRANDT:**

Austin Brandt reviewed the CLC Local Green PowerPoint slide. The program will go above and beyond the existing 100% renewable product offer by supporting renewables in New England. Austin Brandt stated that customers can start signing up in March and that they do have to be participants in the Compact's opt-out aggregated power supply to be able to participate in Local Green. There will still be no fees or contracts. Martin Culik asked what the Compact is projecting for the number of sign ups. Austin Brandt stated that marketing will start out slow and ramp-up in June. Peter Cocolis asked how the Compact is going to explain the difference between Class 1 and Class 2 RECs. Austin Brandt stated that currently a lot of the renewables the Compact uses comes from wind sources that are not local (Class 2 RECs). The Class 1 RECs will have to be in New England. The Compact's goal is to have them be Massachusetts based projects/RECs.

Valerie Bell stated that the Compact should advertise the local projects that the Compact will be supporting during this project. Austin Brandt stated that a webpage is being created for the program and will highlight the local aspects. He also stated that Dave Botelho has created a calculator to put on the webpage so people can see how much it will add to their bills.

Austin Brandt stated there will be a rate reduction for residential and small commercial power supply customers starting next month (March meter reads). The rates for these customers will be lower than Eversource rates.

### **ADMINISTRATOR'S REPORT:**

#### 1. Update on Filling Comptroller Position

Maggie Downey stated that the Compact has handed off some of the Comptroller work to the Treasurer and the consultants that were brought in are still helping out the work. She thanked Peter Cocolis for the work he is doing as the interim Business Officer. Maggie Downey stated that she is still figuring out if the new financial software will result in the Comptroller position being reduced from a full-time to a part-time position.

#### 2. Overview of 2018 Board Member Attendance

Consistent with the Joint Powers Agreement, Maggie Downey stated that at least 50% of the Board Meetings need to be attended or the Town Director has to file a letter requesting to be exempted from this requirement. Maggie noted that three Vineyard Board members (Aquinnah, Chilmark and Tisbury), have not attended 50% of the Board meetings. In all instances, it is due to work obligations. Maggie Downey stated that the Town of Truro's representative also did not meet the attendance requirements. David Mead-Fox stated he will talk to Mark Farber to see if he is interested.

Maggie Downey stated that it would be nice to have an alternate for each town as they can always split the time. Jeff Bernstein stated that it looks like the director, not the alternate, must attend 50% of the Board Meetings. He

stated he will talk to Erin O’Toole to advise the Board on whether it may be construed to mean the combined attendance of the member and alternate must be at least 50% each calendar year.

Sue Hruby asked if the lack of participation from those four towns (Aquinnah, Chilmark, Truro and Tisbury) is hurting the Compact. Maggie Downey stated that the percentage of the population in the four towns is small when compared to the entire Cape and Vineyard population, and therefore she doesn’t believe their lack of attendance is adversely impacting the Compact. Maggie also noted that in 2018 the Board did not have an issue meeting its quorum requirements. Joyce Flynn asked if the Compact is trying to get towns to find alternates. Maggie Downey answered yes, but it has been difficult.

3. Bureau of Ocean Energy Management (“BOEM”) Hyannis Public Meeting

Maggie Downey stated that Vineyard Wind has asked if she would speak on behalf of renewable energy at tonight’s meeting. She stated she wasn’t comfortable speaking in support of the project unless the Board approved. Brad Crowell asked if Vineyard Wind is a vendor for electric supply to the Compact. Maggie Downey answered no, they have a contract with the distribution companies. Valerie Bell stated that it goes along well with the whole new local projects that the Compact is doing with the Power Supply. Sue Hruby believes that it is important for Maggie Downey to show up to support renewable energy and environmental justice. Valerie Bell stated that Maggie Downey could deliver the message of CLCs support for renewable energy without supporting any specific projects on behalf of the board and state that it was discussed during today’s Board Meeting. Brad Crowell asked Maggie Downey if someone were to ask her why she had attended when her time is paid for by ratepayers, would she be able to answer. Maggie Downey answered yes.

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

1. Regulatory litigation strategy for the following matters: DPU 18-116, CLC 2019-2021 Energy Efficiency Plan Filing; DPU 16-169, National Grid; DPU 18-128, 2019 Energy Efficiency Surcharge, Potential Votes

*Ronald Zweig at 3:00 PM moved to enter into Executive Session pursuant to MGL Chapter 30A §21(a)(3) to discuss pending litigation strategy regarding the Compact’s 2019-2021 Energy Efficiency Plan (DPU 18-116 and DPU 18-128) and pending regulatory proceeding with NGRID (DPU 16-169).*

*Ronald Zweig declared that an open session may have 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 Joyce Flynn.*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Brad	Crowell	Dennis	Yes
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes

Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

**Return to Open Session**

*At 3:48 PM, Ron Zweig asked for a motion to end executive session, moved by Robert Schofield, seconded by Colin Odell.*

David	Anthony	Barnstable	Yes
Robert	Schofield	Bourne	Yes
Peter	Cocolis	Chatham	Yes
Brad	Crowell	Dennis	Yes
Ronald	Zweig	Falmouth	Yes
Valerie	Bell	Harwich	Yes
Richard	Toole	Oak Bluffs	Yes
Martin	Culik	Orleans	Yes
Leanne	Drake	Sandwich	Yes
Richard	Elkin	Wellfleet	Yes
Sue	Hruby	West Tisbury	Yes
Joyce	Flynn	Yarmouth	Yes

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

**ADMINISTRATOR’S REPORT CONTINUED:**

Maggie Downey distributed an updated Operating Budget from earlier in the meeting. Ron Zweig asked if the column “As of 1.9.19” is what the budget looked like at the end of 2018. Maggie Downey answered yes. The new sheet shows how the line items in the Operating Budget were either increased or decreased in order to not exceed the total budget. Richard Elkin asked if there was an increase in the marketing budget. Maggie Downey stated not for 2018, but the budget will be increasing for 2019. Dan Schell stated that Cadmus was chosen as the Compact’s marketing vendor. The plan is to push out more digital advertising and use geofencing around the Cape and Vineyard. Sue Hruby asked how many customers are participating in the Compact’s power supply from each town. Maggie Downey stated that she will have that information sent out once it is put together. Austin Brandt stated that approximately 140,000 people are being served under the Compact’s power supply as of now. Valerie Bell stated that it seems less people are switching because the Compact is familiar, and they are wary of these new companies. Martin Culik agreed that people seem to be sticking with what they know. Richard Elkin asked what is being done to help those new to the area, who are trying to figure out if they want to use the Compact’s services. Austin Brandt stated that when people open up a new electric account, they receive a welcome letter from the Compact about its power supply and other programs. Maggie Downey stated that the Compact is happy to go out and talk to people if the Board has any ideas to pass them along. Brad Crowell stated that he believes it is important to continue to discuss what marketing pieces are working and the trend the Compact is seeing in customers. Maggie Downey stated that at the May or June meeting the Compact will discuss what it is doing in marketing and what has already been done. She will work with Dan Schell to put that information together.

**ADJOURNMENT:**

*Motion to adjourn made at 3:55 PM moved by Robert Schofield, seconded by Peter Cocolis.*

Respectfully submitted,

Melissa Allard

**LIST OF DOCUMENTS AND EXHIBITS:**

- Meeting Notice/Agenda
- January 9, 2019 Draft Meeting Minutes
- 2018 Operating Budget
- 2018 Board Member Attendance Sheet
- 2019 Board Member Contact List
- CLC Local Green PowerPoint Slide