

**Cape Light Compact Governing Board**  
**Wednesday, November 12, 2014**  
**Open Session Meeting Minutes**

The Governing Board of the Cape Light Compact met on Wednesday, November 12, 2014 in Rooms 11 & 12, Superior Court House, 3195 Main Street, Barnstable, MA 02630.

**PRESENT WERE:**

1. Dr. Joyce Flynn, Chairwoman, Yarmouth
2. Peter Cocolis, Treasurer, Chatham
3. Barry Worth, Secretary, Harwich
4. William Doherty, Barnstable County
5. David Anthony, Barnstable @ 2:55 p.m.
6. Deane Keuch, Brewster
7. Timothy Carroll, Chilmark – remote participation by phone
8. Brad Crowell, Dennis – remote participation by phone
9. Fred Fenlon, Eastham
10. Paul Pimentel, Edgartown
11. Ronald Zweig, Falmouth
12. Thomas Mayo, Mashpee
13. Richard Toole, Oak Bluffs
14. Thomas Donegan, Provincetown - remote participation by phone
15. Everett Horn, Sandwich
16. Peter Fontecchio, Truro
17. Sue Hruby, W. Tisbury – remote participation by phone

**ABSENT WERE:**

18. Michael Hebert, Aquinnah
19. Robert Schofield, Vice-Chair, Bourne
20. Peter Cabana, Member at Large, Dukes County
21. Orleans, Vacant
22. Tisbury, Vacant
23. Richard Elkin, Wellfleet

**LEGAL COUNSEL:**

Jeffrey Bernstein, Esq., BCK Law, PC

**STAFF PRESENT:**

Maggie Downey, Compact Administrator  
Kevin Galligan, Program Manager  
Stephan Wollenburg, Sr. Power Supply Planner  
Briana Kane, Sr. Residential Program Coordinator  
Matthew Dudley, Residential Program Coordinator  
Lindsay Henderson, Marketing & Data Analyst  
Meredith Miller, C&I Program Manager  
Philip Moffitt, EM&V Manager  
Gail Azulay, EM&V Analyst  
Debbie Fitton, Energy Education Coordinator  
Karen Loura, Administrative Assistant

**OTHERS**

**CALL TO ORDER**

With a quorum of the Board present, Chr. Flynn called the meeting to order noting that the agenda had been duly posted pursuant to the Open Meeting Law on the Cape Light Compact Website and the exterior meeting notice board at the Superior Court House.

**PUBLIC COMMENT**

W. Doherty spoke about his pleasure being a part of the Cape Light Compact Governing Board and thanked his fellow members. He expects lasting fond memories of the Cape Light Compact Board. His last meeting will be in December.

### CONSIDERATION OF MEETING MINUTES

B. Worth submitted the October 8, 2014 Open Session Minutes for consideration. Peter Cocolis moved to accept the minutes as presented, seconded by Deane Keuch and voted unanimously by roll call as follows:

- |                                  |     |                              |     |
|----------------------------------|-----|------------------------------|-----|
| 1. W. Doherty, Barnstable County | Yes | 9. B. Worth, Harwich         | Yes |
| 2. D. Keuch, Brewster            | Yes | 10. T. Mayo, Mashpee         | Yes |
| 3. P. Cocolis, Chatham           | Yes | 11. R. Toole, Oak Bluffs     | Yes |
| 4. T. Carroll, Chilmark          | Yes | 12. T. Donegan, Provincetown | Yes |
| 5. B. Crowell, Dennis            | Yes | 13. E. Horn, Sandwich        | Yes |
| 6. F. Fenlon, Eastham            | Yes | 14. P. Fontecchio, Truro     | Yes |
| 7. P. Pimentel, Edgartown        | Abs | 15. S. Hruby, W. Tisbury     | Yes |
| 8. R. Zweig, Falmouth            | Yes | 16. J. Flynn, Yarmouth       | Yes |

*Motion carried in the affirmative (15-0-1)*

### ENERGY EFFICIENCY PROGRAM

- LED Streetlight Presentation

K. Galligan, Program Manager provided a Power Point Presentation to update the Board on the LED Streetlight Retrofit Program (Attachment A).

- Municipal Incentive Cap

S. Wollenburg provided a Power Point Presentation providing the background on the Municipal Incentive Cap (Attachment C). T. Mayo moved the Board vote to continue with the \$150,000 Municipal Incentive Cap, seconded by P. Fontecchio. T. Mayo requested the motion be amended to include the following reasons:

1. Savings that accrue from these projects benefit all tax payers
2. Projects are cost effective and Compact is required by MGL to pursue all cost effective projects
3. Municipal entities face unique barriers as defined in 2003 Energy Efficiency Plan (EEP)
4. Maintaining the cap at \$150,000 keeps the Compact Board informed of projects

*Motion amended by agreement. The Board then voted by roll call as follows:*

- |                                  |     |                              |     |
|----------------------------------|-----|------------------------------|-----|
| 1. W. Doherty, Barnstable County | Yes | 10. B. Worth, Harwich        | Yes |
| 2. D. Anthony, Barnstable        | Yes | 11. T. Mayo, Mashpee         | Yes |
| 3. D. Keuch, Brewster            | Yes | 12. R. Toole, Oak Bluffs     | Yes |
| 4. P. Cocolis, Chatham           | Yes | 13. T. Donegan, Provincetown | Yes |
| 5. T. Carroll, Chilmark          | Yes | 14. E. Horne, Sandwich       | Yes |
| 6. B. Crowell, Dennis            | Yes | 15. P. Fontecchio, Truro     | Yes |
| 7. F. Fenlon, Eastham            | Yes | 16. S. Hruby, W. Tisbury     | Yes |
| 8. P. Pimentel, Edgartown        | Yes | 17. J. Flynn, Yarmouth       | Yes |
| 9. R. Zweig, Falmouth            | Yes |                              |     |

*Motion Carried in the affirmative (17-0-0).*

### CHILL YOUR BILL UPDATE

L. Henderson distributed Chill Your Bill Posters to members for posting within their communities.

### CAPE LIGHT COMPACT WEBSITE

L. Henderson provided an overview of the newly designed Cape Light Compact Website expected to be activated within the next couple of weeks.

### TREASURER'S REPORT

P. Cocolis provided the October year-to-date budget. He said spending is where it ought to be. T. Mayo asked to add a column showing the percentages spent. Operating Budget is in good shape. It is a Fiscal Year budget.

## CHAIRMAN'S REPORT

### ADMINISTRATOR'S REPORT

#### DPU 14-69

DPU decision by hearing officer is to deny the request of the Attorney General (AG). The AG has appealed to the full Commission. CLC will file objection to it. The Hearing Officer has issued the schedule.

#### CVEC Update

M. Downey informed the Board that Round 1 & Round II PV Development is on track.

#### Other Post-employee Benefits (OPEB)

M. Downey informed the Board that misinformation about OPEB obligation was discussed at the Assembly of Delegates by a member of the public. The Compact's OPEB obligation included in budget was based on best known information at that time because the OPEB obligation included in the Compact's audit was not known at the time of budget preparation, this will likely always be the case.

#### Barnstable County Assembly of Delegates

M. Downey reported the Sandwich Assembly of Delegates representative was on the Sandwich Selectmen's Agenda last Thursday to provide a CVEC update. His update focused mainly on the Cape Light Compact, and he noted, among other things, that the Compact should become a County Department and that the Assembly of Delegates should have authority over the Cape Light Compact Budget.

S. Hruby said she does not believe Dukes County towns would be in agreement with Assembly of Delegates asserting authority over Cape Light Compact.

M. Downey noted that the Compact may need to budget for expenses that have historically been provided by Barnstable County in the upcoming budget. Historically the County Commissioners saw Cape Light Compact as part of a regional service and that those funds would be better used in the delivery of the energy efficiency program. W. Doherty said the subsidy was provided to help the organization get started.

### OPEN SESSION VOTE ON ENTRY INTO EXECUTIVE SESSION

J. Flynn proposed an Executive Session as follows:

1) M.G.L. c. 30A, Section 21 (a)(10): Power Supply Procurement Strategy Discussion (confidential and competitively sensitive information);

2) M.G.L. c. 30A, Section 21 (a)(3) and Section 21(a)(10): DPU 14-69 (discussion of litigation strategy and related power supply issues); and

3) M.G.L. c 30A, Section 21 (a)(3 and (10) for the purpose of approving past Compact Executive Session Minutes and Compact Executive Committee Executive Session Minutes. She stated that an open session may have a detrimental effect on the bargaining or litigating and negotiating positions of the Cape Light Compact. She announced that the Board would not reconvene in Open Session at the conclusion of the Executive Session this day. The next meeting is scheduled for December 10, 2014. *R. Zweig moved the Board vote to enter into Executive, seconded by P. Pimentel by roll call vote as follows:*

1. W. Doherty, Barnstable County	Yes	9. R. Zweig, Falmouth	Yes
2. D. Anthony, Barnstable	Yes	10. B. Worth, Harwich	Yes
3. D. Keuch, Brewster	Yes	11. T. Mayo, Mashpee	Yes
4. P. Cocolis, Chatham	Yes	12. R. Toole, Oak Bluffs	Yes
5. T. Carroll, Chilmark	Yes	13. T. Donegan, Provincetown	Yes

6. B. Crowell, Dennis	Yes	14. E. Horn, Sandwich	Yes
7. F. Fenlon, Eastham	Yes	15. P. Fontecchio, Truro	Yes
8. P. Pimentel, Edgartown	Yes	16. S. Hruby, W. Tisbury	Yes
		17. J. Flynn, Yarmouth	Yes

*Motion carried in the affirmative (17-0-0). Staff and counsel were permitted to remain.*

Respectfully submitted,

Karen E. Loura  
Administrative Assistant

**LIST OF DOCUMENTS & EXHIBITS:**

- Meeting Notice/Agenda
- Draft 10/8/14 Open Session Meeting Minutes
- Municipal LED Streetlight Project Wrap-up & Transition to O&M Power Point Presentation by Kevin Galligan, dated 11/12/14.
- Siemen’s Industry Inc. Cape Light Compact LED Streetlight Project Article dated 7/14.
- LED Streetlight tables 1, 2 & 3 Savings, Billing Revision Status and Credits for Billing Revision Delay.
- Municipal Energy Efficiency Incentive Cap Review Power Point Presentation by S. Wollenburg dated 11/5/14.
- 2014 Budget (Based on Three-year Plan) / 2014 Actuals (January through October) Comparison
- Cape Light Compact Operating Fund - 11/12/14 Year-to-Date Budget Report.
- Copy of 11/5/14 BCK Law letter to DPU re: DPU 14-117

Reviewed by B. Worth, Secretary on 12/8/14.