

**Cape Light Compact
Governing Board and Executive Committee
Open Session Meeting Minutes
Wednesday, May 11, 2016**

The Cape Light Compact Governing Board and Executive Committee met on Wednesday, May 11, 2016 in the Innovation Room, Open Cape Building, Barnstable County Complex, 3195 Main Street, Barnstable MA 02630 at 2:00 p.m.

PRESENT WERE:

1. Joyce Flynn, Chair, Yarmouth
2. Robert Schofield, Vice-Chair, Bourne
3. Peter Cocolis, Treasurer, Chatham
4. Ronald Zweig, Secretary, Falmouth
5. Sheila Lyons, Barnstable County @ 2:40
6. Richard Toole, Member at Large, Oak Bluffs – by phone
7. David Anthony, Barnstable
8. Deane Keuch, Brewster
9. Fred Fenlon, Eastham
10. Valerie Bell, Harwich
11. Joseph Buteau, Truro
12. Thomas Donegan, Provincetown
13. Joshua Peters, Sandwich
14. Richard Elkin, Wellfleet
15. Paul Pimentel, Edgartown – by phone

ABSENT WERE:

16. Michael Hebert, Aquinnah
17. Tim Carroll, Chilmark
18. John Ally, Dukes County
19. Tisbury – vacant
20. Mashpee - vacant
21. Chris Galazzi - Orleans
22. Brad Crowell, Dennis
23. Sue Hruby, W. Tisbury

Members physically present: 13
Members participating by phone: 2

LEGAL COUNSEL

Jeff Bernstein, Esq., BCK Law, PC

STAFF PRESENT:

Maggie Downey, Administrator
Austin Brandt, Power Supply Planner
Meredith Miller, Evaluation Manager
Phil Moffitt, Residential Manager
Lindsay Henderson, Analyst

Chr. Flynn called the meeting to order at 2:02 p.m. stating the Meeting Notice/Agenda had been duly posted on the Cape Light Compact website in accordance with the Open Meeting Law. The Chair acknowledged remote participation of R. Toole and P. Pimental who were unable to attend in person due to other obligations. She also inquired if anyone was recording the meeting, which there wasn't

PUBLIC COMMENT

There were no members of the public present.

CONSIDERATION OF MEETING MINUTES

The Board considered the April 13, 2016 Meeting Minutes. *R. Schofield moved the Board vote to accept the minutes, seconded by P. Cocolis and voted by roll call as follows:*

- | | | | |
|----------------------------|-----|-------------------------------|-----|
| 1. D. Anthony – Barnstable | Yes | 9. R. Toole – Oak Bluffs | Yes |
| 2. R. Schofield - Bourne | Yes | 10. T. Donegan - Provincetown | Yes |
| 3. D. Keuch – Brewster | Yes | 11. J. Peters - Sandwich | Yes |
| 4. P. Cocolis – Chatham | Yes | 12. J. Buteau – Truro | Yes |
| 5. F. Fenlon – Eastham | Yes | 13. R. Elkin - Wellfleet | Abs |
| 6. P. Pimentel – Edgartown | Yes | 14. J. Flynn – Yarmouth | Yes |
| 7. R. Zweig – Falmouth | Yes | | |
| 8. V. Bell – Harwich | Yes | | |

Motion carried in the affirmative (13-0-1)

TREASURER’S REPORT

P. Cocolis reviewed the Contract Summary sheet listing Contracts and Amendments he has approved, since the last Board meeting, which have been forwarded to the County Commissioners for execution and requested the Board vote to ratify his actions. He stated that the Compact is required by the state to use certain vendors for the low income programs, and Housing Assistance Corporation is the authorized statewide agency for the Compact’s Territory. Navigant Consulting does evaluation work for the Compact.

P. Cocolis moved the board vote to ratify the actions of the Compact Treasurer relative to Compact contracts from April 13, 2016 through May 11, 2016. 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 R. Schofield and voted by roll call as follows:

- | | | | |
|----------------------------|-----|-------------------------------|-----|
| 1. D. Anthony – Barnstable | Yes | 9. R. Toole – Oak Bluffs | Yes |
| 2. R. Schofield - Bourne | Yes | 10. T. Donegan - Provincetown | Yes |
| 3. D. Keuch – Brewster | Yes | 11. J. Peters - Sandwich | Yes |
| 4. P. Cocolis – Chatham | Yes | 12. J. Buteau – Truro | Yes |
| 5. F. Fenlon – Eastham | Yes | 13. R. Elkin - Wellfleet | Yes |
| 6. P. Pimentel – Edgartown | Yes | 14. J. Flynn – Yarmouth | Yes |
| 7. R. Zweig – Falmouth | Yes | | |
| 8. V. Bell – Harwich | Yes | | |

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

P. Cocolis reviewed the Energy Efficiency budget for 2016 through April 30. He stated that some of the contracts had been delayed in being executed, which has created delays in processing invoices, but that has been resolved.

P. Cocolis then reviewed the Operating Fund budget and mentioned that the supplemental budget, approved at last month’s Board meeting, has not been included yet in the budget that the Board was seeing today.

CHAIRMAN’S REPORT

Chr. Flynn thanked Joe Buteau from Truro for organizing and maintaining the acronym list and defining them so that the Board understands what they are.

Looking forward to when new members join the Board, Chr. Flynn asked the newer board members if it would help to have had a folder when they started with information such as the Inter-Governmental Agreement, Aggregation Plan, etc. to help them understand the Compact and also get assigned a “buddy” system. As a

result of a positive response, M. Downey was requested to work with Chr. Flynn to create a packet for new board members.

Chr. Flynn asked if the Board wished to host a meeting or gathering for the newly elected state and county candidates this fall, to educate them about the Compact and what the Compact does.

She asked that Board Members wear blue at the June Board meeting to show their appreciation for Compact staff.

ADMINISTRATOR'S REPORT

- 2nd Draft of FY17 Operating Budget

M. Downey stated that she has now received a proposed budget from the County for which she was waiting. She mentioned that there are still two line item amounts that will change from now to June as we are waiting for additional information. One amount is the charge for public officials' insurance (from Massachusetts Interlocal Insurance Agency (MIIA) and the other is the marketing consultant amount. All of other numbers in the draft Compact budget are the same as what they had been in April, except the items relating to the County. M. Downey stated that the County rent went from \$12.99/sq. ft. to \$17.99/sq. ft. DCAMM (Division of Capital Asset Management and Maintenance) performs a review of the rent amounts in the area to see what the state agencies should pay. She said that the Courts and District Attorney will be paying \$17.99/sq. ft. and those amounts are good for 3 years. J. Buteau asked if it was worth pursuing other properties, given that large of an increase. M. Downey stated that she has done some research and the price is comparable to other places she has looked at. D. Anthony said that without an executed lease there could be some leverage for a lower price if the County wants to have the luxury of being able to give notice for the tenants to vacate on a short term. M. Downey will revisit the lease issue with the County to try and get a finalized document. M. Downey stated that once the MIIA information is finalized, she will invite the County Administrator and Director of Finance to attend a Board meeting to explain the policy to board members. This policy covers board members and staff, and board members may also be covered under the town policies.

M. Downey stated that she will need a quorum at the June meeting in order to approve the FY17 budget.

- Update on Administrative Services Agreement

M. Downey stated that she has no update from County. The County has been focusing on finalizing the budget. Now that the FY17 County budget process is completed, the Commissioners will need to make this a priority in order to finalize the Agreement, and M. Downey stated she will speak with Commissioner Lyons to have this addressed.

S. Lyons arrived at 2:40 p.m.

- Legislative Update

M. Downey stated that she was notified that Representative Hunt, and Representative Whelan, cosponsored legislation to "promote transparency in municipal aggregator reporting" as a proposed amendment to the state budget which is highly unusual, as this doesn't go through the regular legislative process and the proposed amendment is not about the state budget. M. Downey stated that the Compact already provides annual reports and audits to the towns annually, and energy efficiency reports are sent on a monthly basis. D. Anthony suggested that the Board invite Rep Hunt and Rep. Whelan to our meeting to discuss this, as we want to understand more about the intent of this amendment. R. Elkin

inquired as to whether the Reps feel that the Compact is doing something wrong. If they don't come to the meeting, then we will have at least tried to reach out and discuss their concerns with them. R. Zweig suggested notifying the towns and having them send a letter stating that the Compact is already providing this information to them. J. Peters stated that it was important to look into this, but not act defensively. Chr. Flynn suggested that we include a copy of our latest annual report with the letter that is sent to them.

- Other

M. Downey stated that the fiscal year end is coming up and that if board members wish to expense mileage for attending Compact meetings for the period of July 1, 2015 – June 8, 2016, then they need to be submitted to her by June 15th. She will send out the expense report to board members, and can also reimburse the Vineyard members for the cost of the ferry as long as receipts are provided. She reminded the Board that they need to provide either MapQuest directions (only one for all dates) or provide odometer readings to verify the mileage.

M. Downey stated that the Compact applied for a \$250,000 grant through the Massachusetts Clean Energy Center to leverage PV on low income housing. She said that we will know in June if we are awarded the grant and will need to have all projects installed by June 30, 2017.

She stated that Margaret Song will be sending out a letter with flyers for the commercial new construction program to all the town building departments for them to put on their counters.

M. Downey stated that the Compact has shirts for when board members represent the Compact in the field and to see Lindsay Henderson after the meeting.

M. Downey has spoken with a Mashpee selectman regarding the current Mashpee vacancy on the Compact Board.

UPDATE ON BEHAVIOR INITIATIVE AND DEMAND RESPONSE OFFERING

M. Downey stated that the evaluation has been completed on the current energy efficiency behavior program, and that it is not favorable for us to continue the program because it is not cost-effective. She said that we are ceasing enrollments and terminating the program. She states that she thinks that some of these customers may be good candidates for the Compact's Demand Response program, when that is rolled out.

BOARD MEMBER UPDATE

D. Anthony stated that the Town of Barnstable will be having a new Town Manager as of July 1. He doesn't anticipate any changes, and Mark Ells has been a big supporter of CLC.

R. Elkin stated that when Wellfleet did Solarize Wellfleet, they got a program where they could find out how much solar energy you can produce.

S. Lyons stated that the Town of Wellfleet's Assembly of Delegate member moved leaving a vacancy on the Board. The Board of Selectmen appointed Lilli Green as the Interim member until the November election even though her application was submitted after the deadline.

EXECUTIVE SESSION

At 3:15 p.m. Chr. Flynn moved that the Board enter into Executive Session pursuant to MGL Chapter 30A §21(a) 3 to discuss strategy with respect to pending regulatory litigation relative to the Electric Distribution Companies and Interstate Natural Gas Pipeline Capacity Contracts, DPU 15-181, DPU 16-05 and DPU 16-07 and Grid Modernization Plans filed by MA Distribution Companies, DPU 15-120 and 15-122. Chr. Flynn declared that an open session may have a detrimental effect on the Cape Light Compact's litigating position and noted that the Governing Board would not return to Open Session at the conclusion of Executive Session.

Seconded by R. Schofield and voted by roll call as follows:

1. D. Anthony – Barnstable	Yes	9. R. Toole – Oak Bluffs	Yes
2. R. Schofield - Bourne	Yes	10. T. Donegan - Provincetown	Yes
3. D. Keuch – Brewster	Yes	11. J. Peters - Sandwich	Yes
4. P. Cocolis – Chatham	Yes	12. J. Buteau – Truro	Yes
5. F. Fenlon – Eastham	Yes	13. R. Elkin - Wellfleet	Yes
6. P. Pimentel – Edgartown	Yes	14. J. Flynn – Yarmouth	Yes
7. R. Zweig – Falmouth	Yes	15. S. Lyons – Barnstable County	Yes
8. V. Bell – Harwich	Yes		

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

Meeting adjourned at 4:29 p.m.

Respectfully submitted,
Lindsay Henderson

LIST OF DOCUMENTS & EXHIBITS

- Meeting Notice/Agenda
- April 13, 2016 Meeting Minutes – draft
- Summary of Contracts – April 13, 2016 – May 11, 2016
- FY16 Operating Budget Report dated 5/11/16
- 2016 EE Budget Report
- 2nd Draft FY17 Budget
- BCK Memo – Legal Services Budget for FY2017
- Amendment #1025 to H.4200