

**Cape Light Compact
Governing Board and Executive Committee
Open Session Meeting Minutes
Friday, March 3, 2017**

The Cape Light Compact Governing Board and Executive Committee met on Friday, March 3, 2017, in the Innovation Room, Open Cape Building, Barnstable County Complex, 3195 Main Street, Barnstable, MA 02630 at 9:00 a.m.

PRESENT WERE:

1. Joyce Flynn, Chair, Yarmouth
2. Robert Schofield, Vice-Chair, Bourne
3. Peter Cocolis, Treasurer, Chatham
4. Richard Toole, Member at Large, Oak Bluffs - Phone
5. Fred Fenlon, Eastham
6. Valerie Bell, Harwich
7. Thomas Donegan, Provincetown – by phone.
8. Richard Elkin, Wellfleet
9. Sue Hruby, West Tisbury - by phone.
10. Martin Culik, Orleans
11. David Anthony, Barnstable
12. Andrew Gottlieb, Mashpee
13. Colin Odell, Brewster
14. Joshua Peters, Sandwich
15. Brad Crowell, Dennis
16. Joseph Buteau, Truro

ABSENT WERE:

17. Michael Hebert, Aquinnah
18. Tisbury - Vacant
19. Ronald Zweig, Secretary, Falmouth
20. Tim Carroll, Chilmark
21. Leo Cakounes, Barnstable County
22. Rob Hannemann, Duke's County

Members physically present: 13

Members present by phone: 3

LEGAL COUNSEL

Jeff Bernstein, Esq., BCK Law, PC

STAFF PRESENT

Maggie Downey, Administrator
Austin Brandt, Power Supply Planner
Matt Dudley, Large Commercial and Industrial Analyst
Briana Kane, Planning and Evaluation Manager
Lindsay Henderson, Analyst
Jacob Wright, Special Projects Coordinator

PUBLIC PRESENT

Ron Beatty, Barnstable County Commissioner

Chr. Flynn opened the meeting at 9:09 AM as a meeting of the Executive Committee only, due to the lack of a physical quorum.

2016-2018 ENERGY EFFICIENCY PLAN, REQUEST FOR A MID TERM MODIFICATION: BEHAVIOR INITIATIVE AND DEMAND RESPONSE OFFERING

Austin Brandt provided a presentation on the planned offering overview for the the 2016-2018 Plan; he noted that he gave a similar presentation to the Executive Committee of the Energy Efficiency Advisory Council on March 1st.

Andy Gottlieb arrived at 9:12 AM.

Cape Light Compact is proposing to expand its Demand Response offering to include thermal storage for small and medium commercial and industrial customers. The goal is to shift funds from the Behavior Initiative Program, due to greater cost effectiveness of the Demand Response Demo Offering. Austin also discussed the concept of Ice Bears, explaining the technology will allow a shift in load to off peak hours without impairing customer comfort.

Brad Crowell arrived at 9:21 AM.

Austin Brandt explained that there may be grid-facing benefits, but it's an issue of quantifying the benefits in a way where it's accounted for. Matt Dudley, Cape Light Compact's Large Commercial & Industrial staffperson, is going to work with Austin to identify potential sites that may benefit from the technology. Austin Brandt explained that the change in budget would require a Midterm Modification as ordered by the Department of Public Utilities, with a net change in the budget of \$605,000. By contrast, Eversource has filed a Midterm Modification valued at over 21 million dollars related to demand response.

Joyce Flynn acknowledged now that there was a physical quorum of the full board and convened the Governing Board. Chr. Flynn acknowledged Richard Toole, Sue Hruby, Tom Donegan were participating remotely due to geographic distance. Full Governing Board – 9:55AM.

Martin Culik moved that the board vote to support the submission of a Mid-Term Modification request, and a revised Energy Efficiency Surcharge filing to the Massachusetts Department of Public Utilities.

The Compact Administrator is authorized and directed to take all actions necessary and appropriate to implement this vote, and to execute and deliver all documents as may be necessary or appropriate to implement this vote. Robert Schofield seconded, and voted by roll call as follows:

1. David Anthony – Barnstable	yes	11. Thomas Donegan – Provincetown	yes
2. R. Schofield - Bourne	yes	12. Joshua Peters – Sandwich	yes
3. Colin Odell – Brewster	yes	13. Joseph Buteau – Truro	yes
4. Peter Cocolis – Chatham	yes	14. Richard Elkin – Wellfleet	yes
5. Brad Crowell – Dennis	yes	15. Sue Hruby – West Tisbury	yes
6. Fred Fenlon – Eastham	yes	16. Joyce Flynn – Yarmouth	yes
7. Andrew Gottlieb – Mashpee	yes		

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| 8. Valerie Bell – Harwich | yes |
| 9. Richard Toole – Oak Bluffs | yes |
| 10. Martin Culik – Orleans | yes |

Motion carried in the affirmative (16-0-0)

UPDATE ON JOINT POWERS ENTITY AND JOINT POWERS AGREEMENT

Maggie Downey explained that the Joint Powers Entity was formed by Board of Selectmen votes in the towns of Provincetown and Brewster, pending receipt of executed documents. A meeting will be necessary to organize as a Joint Powers Entity, and to authorize several administrative actions (appoint an administrator, apply for a tax ID etc...),. She requested a subcommittee of the Compact Board be appointed at the next Governing Board meeting to work in conjunction with the Joint Powers Entity board of directors (composed of representatives of those towns that have already joined) during this transition process.

Ron Beatty inquired about the prospect of Barnstable County joining, and Maggie Downey noted that because the Compact engages in regional energy policy, it may be wise to have a representative from Barnstable and Dukes County as members to participate in regional energy discussions.

Maggie Downey explained that the auditor suggested that we have all Compact towns on board by June 30.

Maggie Downey stated that the Request For Proposals for office space was published on March 1st. She also stated that the general feeling is that a CPA Firm may be best for the Treasurer function. Staff and Governing Board members Board discussed developing a transition plan between the Cape Light Compact Governing Board and the Joint Powers Entity to identify tasks, roles and responsibilities.

Valerie Bell left at 10:31 AM.

Richard Elkin, Martin Culik, Peter Cocolis, and Joyce Flynn all volunteered to be on the subcommittee when it is more formally constituted.

A sense of the board was that the Compact Board should meet before the first meeting of the Joint Powers Entity Board of Directors.

CONSIDERATION OF MEETING MINUTES – SKIPPED.

The Board considered the February 11, 2017 Meeting Minutes. *Robert Schofield moved the board to accept the amended minutes, seconded by M. Culik and voted by roll call as follows:*

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| 1. David Anthony – Barnstable | yes | 10. Thomas Donegan – Provincetown | yes |
| 2. R. Schofield - Bourne | yes | 11. Joshua Peters – Sandwich | yes |
| 3. Colin Odell – Brewster | yes | 12. Joseph Buteau – Truro | yes |
| 4. Peter Cocolis – Chatham | abs | 13. Richard Elkin – Wellfleet | yes |
| 5. Brad Crowell – Dennis | yes | 14. Sue Hruby – West Tisbury | abs |
| 6. Fred Fenlon – Eastham | yes | 15. Joyce Flynn – Yarmouth | yes |
| 7. Andrew Gottlieb – Mashpee | abs | | |

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| 8. Richard Toole – Oak Bluffs | abs |
| 9. Martin Culik – Orleans | yes |

Motion carried in the affirmative (11-0-4)

CHAIRMAN’S REPORT

Joyce explained that it’s very important for the board to be present regularly at their Selectmen/Council meetings to answer even casual questions, and to look into alternates for all the towns to ensure proper coverage as we transition to the Joint Powers Entity, and extended congratulations to everyone who’s been working on getting the Joint Powers Entity started.

TREASURER’S REPORT

Peter Cocolis explained the contract process briefly and how certain items do not have a specified budget due to savings. Colin Odell recused himself from the discussion due to his affiliation with ICF, which is a vendor contractor.

Peter Cocolis moved the board to vote to ratify the actions of the Compact Treasurer relative to Compact Contracts from January 11, 2017 through February 28, 2017.

The Compact Administrator is authorized and directed to take all actions necessary and appropriate to implement this vote, and to execute and deliver all documents as may be necessary or appropriate to implement this vote. Robert Schofield seconded, and voted by roll call as follows:

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|-------------------------------|-----|-----------------------------------|-----|
| 1. David Anthony – Barnstable | yes | 10. Thomas Donegan – Provincetown | yes |
| 2. R. Schofield - Bourne | yes | 11. Joshua Peters – Sandwich | yes |
| 3. Colin Odell – Brewster | abs | 12. Joseph Buteau – Truro | yes |
| 4. Peter Cocolis – Chatham | yes | 13. Richard Elkin – Wellfleet | yes |
| 5. Brad Crowell – Dennis | yes | 14. Sue Hruby – West Tisbury | yes |
| 6. Fred Fenlon – Eastham | yes | 15. Joyce Flynn – Yarmouth | yes |
| 7. Andrew Gottlieb – Mashpee | yes | | |
| 8. Richard Toole – Oak Bluffs | yes | | |
| 9. Martin Culik – Orleans | yes | | |

Motion carried in the affirmative (14-0-1)

ADMINISTRATOR’S REPORT

SUPPLEMENTAL BUDGET REQUEST – OPERATING FUND

Maggie Downey proposed a supplemental budget for office space, potential renovation, creation of a new staff position (Comptroller), and purchase of financial software. The proposed budgeted amount would total \$68,775.00.

Colin Odell proposed an amendment to increase the supplemental budget request from \$68,775.00 to \$75,000.00, the \$6,225.00 difference going into the IT account.

Robert Schofield moved to appropriate an additional \$75,000.00 for the Cape Light Compact FY17 Operating Budget. The revised total FY17 operating budget is \$956,272.23.

The Compact Administrator is authorized and directed to take all actions necessary and appropriate to implement this vote, and to execute and deliver all documents as may be necessary or appropriate to implement this vote. Martin Culik seconded, and voted by roll call as follows:

- | | | | |
|-------------------------------|-----|-----------------------------------|-----|
| 1. David Anthony – Barnstable | yes | 10. Thomas Donegan – Provincetown | yes |
| 2. R. Schofield - Bourne | yes | 11. Joshua Peters – Sandwich | yes |
| 3. Colin Odell – Brewster | yes | 12. Joseph Buteau – Truro | yes |
| 4. Peter Cocolis – Chatham | yes | 13. Richard Elkin – Wellfleet | yes |
| 5. Brad Crowell – Dennis | yes | 14. Sue Hruby – West Tisbury | yes |
| 6. Fred Fenlon – Eastham | yes | 15. Joyce Flynn – Yarmouth | yes |
| 7. Andrew Gottlieb – Mashpee | yes | | |
| 8. Richard Toole – Oak Bluffs | yes | | |
| 9. Martin Culik – Orleans | yes | | |

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

BOARD MEMBER UPDATE

Colin Odell suggested that we stop using the term ratepayers, and instead refer to our customers as such.

David Anthony stated that trying to explain the statute regarding the Joint Powers Entity is very complicated. He stated that the FAQ we already have may need to be frequently updated and to reflect continuing conversations we’ve had about the transition and plans for implementation of the Joint Powers Entity.

EXECUTIVE SESSION

Robert Schofield moved we enter into Executive Session, pursuant to MGL Chapter 30A §21(a) 3 to discuss strategy with respect to pending regulatory litigation relative to National Grid and the Cape Light Compact and

the National Grid Agreement for Natural Gas Heated Homes (DPU 16-169), and pending regulatory litigation strategy regarding the 2017 Eversource rate case (DPU 17-05).

Joyce Flynn as Compact Chair declared that than open session may have a detrimental effect on the Cape Light Compact’s litigating position. The board would not return to Open Session at the conclusion of Executive Session.

Martin Culik moved to a vote, Robert Schofield seconded, and voted by roll call as follows:

1. David Anthony – Barnstable	yes	10. Thomas Donegan – Provincetown	yes
2. R. Schofield - Bourne	yes	11. Joshua Peters – Sandwich	yes
3. Colin Odell – Brewster	yes	12. Joseph Buteau – Truro	yes
4. Peter Cocolis – Chatham	yes	13. Richard Elkin – Wellfleet	yes
5. Brad Crowell – Dennis	yes	14. Sue Hruby – West Tisbury	yes
6. Fred Fenlon – Eastham	yes	15. Joyce Flynn – Yarmouth	yes
7. Andrew Gottlieb – Mashpee	yes		
8. Richard Toole – Oak Bluffs	yes		
9. Martin Culik – Orleans	yes		

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

Respectfully submitted,
Jacob Wright

LIST OF DOCUMENTS & EXHIBITS

- Meeting Notice/Agenda
- February 11, 2017 Meeting Minutes – Draft
- Cape Light Compact Mid-Term Modification Presentation
- Vendor Contract Tracker
- 8074 CLC Operating Fund Budget dated 3/2/2017
- Assembly of Delegates Proposed Ordinance 17-04