

**Cape & Vineyard Electric Cooperative, Inc.**  
**Executive Committee**  
**Open Session Meeting Minutes**  
**Thursday, January 31, 2013**

The Cape & Vineyard Electric Cooperative Executive Committee met in Open Session on Thursday, January 31, 2013 at 9:50 a.m. in Rooms 11/12, Superior Court House, 3195 Main Street, Barnstable, Mass.

**PRESENT WERE:**

John Checklick, President/Director, Falmouth  
Charles McLaughlin, V. President/Director, Barnstable  
Margaret Downey, Clerk/Director, Cape Light Compact  
Peter Cabana, Executive Member/Director, Dukes County – via Remote Participation  
John Scott, Director, Chatham  
Joseph Bayne, Eastham  
Larry Cole, Director, Harwich  
William Straw, Director, Tisbury – via Remote Participation

**NOT PRESENT WERE:**

E. Mark Zielinski, Treasurer/Director, Barnstable County  
Paul O'Keefe, Director, Bourne  
Charles Hanson, Director, Brewster  
Richard White, Director, Dennis  
Vacant, Edgartown  
Martin McDonald, Director, Eastham  
Michael Richardson, Director, Mashpee  
Richard Toole, Director, Oak Bluffs  
John Jannell, Director, Orleans  
David Gardner, Director, Provincetown  
James Killion, Director, Sandwich  
Timothy Twombly, Director, W. Tisbury  
Steve Gavin, Director, Yarmouth

**COUNSEL & STAFF PRESENT:**

Jeffrey Bernstein, Esq., BCK Law, LLC  
Audrey Eidelman, Esq., BCK Law, LLC – via Remote Participation  
Ronald Collins, Project Manger  
Liz Argo, Consultant  
Karen Loura, Administrative Assistant

**OTHERS PRESENT:**

Richard Elrick, Bourne/Barnstable Energy Coordinator  
Deane Keuch, Cape Light Compact Governing Board - Brewster Representative

**CALL TO ORDER**

With a quorum of the Executive Committee, Pres. Checklick called a meeting to order at 9:50 a.m. stating the meeting agenda has been posted pursuant to the Open Meeting Law at the CVEC Website:

<http://www.cvecinc.org/about/1668-2/> and on Public Meeting Notice Boards at Superior Court House, 3195 Main Street, Barnstable, Mass. It was noted that there will be a quorum until 10:40 a.m. After 10:40 a.m. the Committee can hear information without deliberation. M. Downey stated that M. Zielinski is planning to be at this meeting as soon as possible.

**1. NO PUBLIC COMMENT**

**2. CONSIDERATION OF MEETING MINUTES**

The Executive Committee then considered the 11/15/12 Executive Committee Regular Session Meeting Minutes. M. Downey moved the Committee vote to accept the meeting minutes as presented, seconded by P. Cabana and voted by roll call as follows: 3-0-1 in favor.

Checklick	yes
Downey	yes
McLaughlin	abstain
Cabana	yes

Pres. Checklick suggested a review of Director attendance with regard to quorum requirements and discuss at a future meeting.

**3. OPEN SESSION VOTE TO ENTER EXECUTIVE SESSION**

Pres. Checklick stated the need for an Executive Session to discuss Phase II - PV procurement strategy having declared that an open meeting may have a detrimental effect on CVEC's ability to conduct business in relation to other entities making, selling or distributing electric power and energy; and that the consideration of the purchase, exchange, lease or value of real property will have a detrimental effect on CVEC's negotiating position as a public body. He also stated the Executive Committee would not reconvene in open session this day at the conclusion of the Executive Session. *C. McLaughlin moved the Committee vote to enter into Executive Session pursuant to MGL Ch. 30A § 21 (a) (10) to conduct a Round II PV Procurement Strategy discussion containing confidential and competitively sensitive information, seconded by M. Downey and voted by roll call of the Executive Committee unanimously in favor.* Atty. Eidelman emailed documents for Executive Session discussion to P. Cabana and B. Straw.

Respectfully submitted,

Karen E. Loura  
Administrative Assistant