

**Cape & Vineyard Electric Cooperative, Inc.**  
**Executive Committee**  
**Open Session Meeting Minutes**  
**Friday, April 5, 2013**

The Cape & Vineyard Electric Cooperative met in Open Session on Friday, April 5, 2013 at 10:10 a.m. in Room 11/12 at the Barnstable Superior Courthouse, 3195 Main Street, Barnstable, Mass.

**PRESENT WERE:**

John Checklick, President/Director, Falmouth  
Charles McLaughlin, V. President/Director, Barnstable  
E. Mark Zielinski, Treasurer/Director, Barnstable County  
Margaret Downey, Clerk/Director, Cape Light Compact  
Peter Cabana, Executive Member/Director, Dukes County

**COUNSEL & STAFF PRESENT:**

Jeffrey Bernstein, Esq., BCK Law, LLC (By Phone)  
Karen Loura, Administrative Assistant

**CALL TO ORDER**

With a quorum present, Pres. Checklick called the Executive Committee meeting to order at 10:19 a.m. stating the meeting agenda had been posted pursuant to the Open Meeting Law at <http://www.cvecinc.org/about/1668-2/> and on Public Meeting Notice Boards at Barnstable Superior Courthouse.

**1. PUBLIC COMMENT**

There were no members of the public present.

**2. APPROVAL OF MEETING MINTUES:**

The Committee then considered the following Meeting Minutes:

**December 20, 2013** Executive Committee Open Session Meeting Minutes. *P. Cabana moved the Committee vote to accept the minutes as presented, seconded by M. Zielinski and voted 5-0-0 in favor.*

**January 3, 2013** Executive Committee Open Session Meeting Minutes. *C. McLaughlin moved the Committee vote to accept the minutes as presented, seconded by M. Zielinski and voted 5-0-0 in favor.*

**January 9, 2013** Executive Committee Open Session Meeting Minutes. *C. McLaughlin moved the Committee vote to accept the minutes as presented, seconded by M. Zielinski and voted 5-0-0 in favor.*

**January 11, 2013** Executive Committee Open Session Meeting Minutes. *M. Downey moved the Committee vote to accept the minutes as presented, seconded by C. McLaughlin and voted 4-0-1 in favor with M. Zielinski abstaining.*

**January 28, 2013** Executive Committee Open Session Meeting Minutes. *M. Zielinski moved the Committee vote to accept the minutes as presented, seconded by C. McLaughlin and voted 5-0-0 in favor.*

**January 31, 2013** Executive Committee Open Session Meeting Minutes. *M. Downey moved the Committee vote to accept the minutes as presented, seconded by P. Cabana. Discussion followed. M. Downey moved to amend the January 31, 2013 Minutes by striking Item2, ¶2 and insert the words: "Pres. Checklick suggested CVEC look at Directors attendance with regard to quorum requirements and discuss at a future meeting, seconded by C. McLaughlin and voted 4-0-1 in favor with M. Zielinski abstaining.*

### **3. FY14 BUDGET DISCUSSION**

The Committee then reviewed and discussed the Proposed FY 14 Operating Budget (Attachment A) which showed:

\$25,680 increase in Legal Expense projected due to increased number of alleged Open Meeting Law Violations and Public Records Requests – estimated to be costing \$5,000/month.

\$4,000 decrease in Consulting Expense

\$3,860 increase in Administrator Salaries. The Committee discussed anticipated Administration/Management needs and whether to seek full-time or part-time position and the level of skill and industry knowledge desired. It was acknowledged Ron Collins resignation effective 7/1/13 to a full-time position with the Town of Orleans. Discussion followed. Pres. Checklick suggested leaving the budget level funded targeting \$50,000 in reserve if needed.

Recess 11:05 a.m. – 11:10 a.m.

*P. Cabana moved the Committee vote to approve the budget as proposed except the increase in Legal Expense for a total request of \$402,745.00, seconded by M. Zielinski and voted 5-0-0 in favor.*

By agreement, Pres. Checklick will present the request to the Cape Light Compact Governing Board at their meeting of April 17, 2013.

### **4. OPEN SESSION VOTE ON ENTRY INTO EXECUTIVE SESSION AND REQUIRED DECLARATIONS OF THE CHAIR**

At 11:14 a.m., Pres. Checklick announced topics for the executive session as listed on the agenda. He declared an open meeting may have a detrimental effect on CVEC's ability to conduct business in relation to the 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 be returning to open session at the conclusion of Executive Session this day. *P. Cabana then moved the Committee vote to enter into Executive Session pursuant to MGL Chapter 30A § 21(a)(10) to consider the approval of Executive Session Meeting Minutes and discussion of Round I & Round II PV Procurement Strategy, seconded by C. McLaughlin and voted 5-0-0 in favor.*

Respectfully submitted,

Karen E. Loura  
Administrative Assistant

## CVEC Proposed FY14 Operating Budget

<u>EXPENSES</u>	<u>FY13</u>	<u>FY14</u>
Legal	\$ 183,600.00	\$ <del>209,286.00</del> <sup>183,600.-</sup> (-26,000)
Filing Fees	\$ 150.00	\$ 150.00
Consulting	\$ 25,000.00	\$ 21,000.00
Insurance	\$ 14,250.00	\$ 14,250.00
Travel	\$ 10,000.00	\$ 10,000.00
Dues	\$ 1,200.00	\$ 1,200.00
Salaries - Engineer	\$ 58,080.00	\$ 58,080.00
Salaries Administrator	\$ 60,046.00	\$ 63,906.00
Estimated Fringes	\$ 24,018.00	\$ 24,018.00
Taxes	\$ 1,296.00	\$ 1,296.00
Supplies/Office Expenses	\$ 2,200.00	\$ 2,200.00
Professional Development	\$ 500.00	\$ 500.00
Engineering for PV	\$ 4,000.00	\$ 4,000.00
Computer	\$ 3,500.00	\$ 3,500.00
Advertising	\$ 225.00	\$ 225.00
Audit Fees	\$ 10,500.00	\$ 10,500.00
Miscellaneous Charges	\$ <u>4,320.00</u>	\$ <u>4,320.00</u>
<u>TOTAL EXPENSES</u>	\$ 402,885.00	\$ <del>428,425.00</del> <sup>402,745.-</sup>