

The following Meeting was video recorded for cable broadcast.

BOARD OF SELECTMEN

Wednesday, May 27, 2015, 7:30 o'clock p.m.

Regular Meeting

Town Hall –Selectmen's Meeting Room

Meeting was called to order by Chairman Cronin at 7:35pm
The Pledge of Allegiance was recited.

Minutes

Minutes from May 21, 2015, meeting with James Foley motioned for approval by Selectman Tanis.
Seconded by Selectman Menges. Unanimously carries.

Selectman Menges motions that the minutes from May 18, 2015 8:30 am meeting with the Free Masons of Rehoboth and Mr. Mike Dellagala of DG Partners stand approved as prepared by the Intern to the Board of Selectmen. Seconded by Selectman Tanis. Unanimously carries.

Warrants

Warrant #48A-15 in the amount of \$80,229.06. Selectman Tanis motions for approval. Selectman Menges seconds. Unanimously carries.

Warrant #48B-15 in the amount of \$17,729.04. Selectman Tanis motions for approval. Selectman Menges seconds. Unanimously carries.

Warrant #48C-15 in the amount of \$48,060.98 is motioned for approval by Selectman Tanis. Selectman Menges seconds. Unanimously carries.

Selectman Tanis motions to approve warrant #48D in the amount of \$1,074,555.00 Selectman Menges seconds. Unanimously carries.

The **announcements** are read in their entirety by Selectman Tanis

Old Business

Power Management is present to give a presentation on a proposed Solar Project. Present is Dr. Kevin Kelly, owner of Power Management and he gives a little background on the company. He says the company is owned by three people with their home office in New York and they also have a location in Sagamore Beach. Currently the largest energy service company in the US at the time. They build and institute Energy purchasing programs with cities and towns for electricity. Currently they have about 20,000 commercial clients in service. This evening they are here specifically to talk about the landfill and an opportunity for a solar site there. This is another primary aspect of our business. At any given time, we will have 40 solar projects going on commercial. One example in the package that you received tonight is Stonehill College. We have just completed an 18 acre solar project. It is the twelfth largest for an independent college in the US. We are adding solar parking canopies that will cover about one thousand parking spots on campus. That will make Stonehill one of the top five

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independent schools by way of solar size in the US. He adds that they are currently working with 6-7 other towns right now on their energy procurement. The benefit to the Town with regard to taking advantage of the landfill is that, we invest all the time and the resources into determining if you can build on the site. We run the RFP and every viable solar company with interest will bid on the job. We sit down with you and determine who the best entity in the market is. If you have been approached by any companies, we can certainly add them to the mix. The opportunity to the town for a lease agreement is twenty five years. If the town hasn't maxed out it's allocation of solar credits, we can take advantage of those as well.

He goes on to say that the town will never pay for our services. Basically, we are compensated by the optimal entity. He further adds that if we go eight months into the project, and we determine that it is not feasible, then we are not compensated. He states that his background is a doctorate in energy policy and he has been in the business for a number of years. Have worked on the supplier side as well as director of conservation for many years.

Sabin adds that they have identified the landfill as a prospect.

Selectman Menges asks how big is the land fill?

It is three separate parcels, about twenty acres total.

Mr. Kelly says originally, we were talking two and a half to three megawatts. The benefit and the attraction to the landfill is the fact that under second integration of the Solar Renewable Energy Certificate Process of Mass, they have identified landfills as a prime opportunity.

The solar renewable energy certificate allows you to do things on landfills with incentives to the owners. That will exceed the ground mounting. So if we do something between 3 - 4 megawatts which is the maximum, the benefit would be \$75,000.00 - \$100,000.00 per year for 25 years and it's an ongoing lease.

He says there are no costs associated with it other than having your attorneys look at the contracts, and any time and manpower to help us do walkthroughs and such. We work with your people on the ground to explain the ins and outs.

Mr. Rossi says eventually we will possibly look to expand to rooftops at schools etc., as well, but this is the first step.

Selectman Menges asks how many firms are engaged in the work that you do, in the point of contact work that you do. In other words how many would the town have access to or likely be approached by.

Mr. Kelly responds that it depends, the primary approach with solar is that most engineering procurement companies are looking for bid, build and engineer. On the consulting side there is really no entity that I know of that do it all. There are a number in solar, a number in performance contracts and a number in commodities as well.

Selectman Menges says what concerns me is your proposed letter of operation says that your letter states that the legal entity, being the Town of Dighton, will authorize and appoint Power Management Company as an exclusive solar consultant. Exclusive solar consultant. Now, that means that if we were to engage another solar company, we would be actionable.

Mr. Kelly says that under 30B energy procurement, if any energy consultant walked in today you could sign a contract without much effort. That is the law in Massachusetts.

Selectman Menges asks Mr. Kelly if you think it would be prudent to name you as an exclusive contractor.

Mr. Kelly says yes, and I can tell you why. The idea of identifying an optimal entity. We have no connection to solar or any other technology. We're agnostic with regard to technology. We have no warehouse with solar panels. If the incentives make sense for solar then it may make sense to go with solar. In this case the Federal Government is throwing so much money at solar projects, it makes sense for cities and towns.

So regardless, you are not affiliated with any energy procurement company. What we are is your consultant. What you will see is – there will be a number of companies that will want to build your array. You will need to go out to bid and they will all speak solar and you will need a translator. We are your translator for all of these companies in helping the town choose the right company. We have no incentive in any way to choose any company other than that it is the best choice.

Selectman Menges asks Mr. Kelly if you have competitors. Mr. Kelly says absolutely. Selectman Menges then asks wouldn't you think we should interview others.

Mr. Kelly adds that the Town has missed the boat on solar, so to speak - We are at the end of solar with the Government. In 2016 the tax incentives are going to roll back from 30% to 10%. Also, SREP2 is eventually going to close. The caps have already been met in National Grid and we're hoping they raise again. SREP1 was much more attractive. If we were sitting here three years ago, the benefits for the town would have been great. SREP2 is still a great opportunity, but if you wait too long, you may end up in SREP3 which will be less attractive. So, one, it's a matter of time and two, it's a matter of identifying a partner.

Selectman Menges says he thinks that the board would be willing to sign a proposal for a consultant at Tremont Street Landfill. If it were that you would be serving in the capacity of accepting bids, but this is an exclusive contract for the entire town. We are behind in solar, there is no question about it. The Regional School District and the Water Department would have to be brought on board. As far as attempts to move forward in this field. The regional school district has been doing their own thing, which is fine. As far as attempts to move forward with the Department of Energy Resources, we have had no activity.

As far as giving exclusive privilege to your firm, I would not rule it out, but I would like to hear from at least one other firm.

Mr. Kelly says he understands and would be honored to participate in the process.

Chairman Cronin asks if they have had contracts with other towns that was just project related.

Mr. Kelly says we identify the opportunities in each town and turn them into RFP's. For example City of Quincy had thirteen companies and thru the RFP they narrowed it down. There is now solar on the roofs of 18 schools in Quincy right now.

Mr. Kelly goes on to say that they do very well with cities and towns. We will be glad to participate and he guarantees that they will be in the top of that group. He states this is what we do - commodity management.

Sabin asks if they could tailor the letter more toward to landfill, and possibly work from there. He adds that the word exclusive does not mean a whole lot to us, and I am confident that you will not find anyone to does this better than we do.

Selectman Menges reads the letter and Chairman Cronin says he would like to see a project specific proposal.

Mr. Kelly says they can certainly take out the wording of exclusivity, but, once you write an RFP you are exclusive. We go thru the process up to a point where you choose to be exclusive or not.

Selectman Menges says if the work "exclusive" were changed to "non-exclusive," the letter, it would work.

Mr. Kelly says we are also open to putting language in there stipulating that it can be cancelled at any time, and never pay us anything at any time.

Chairman Cronin asks in the course of the project who will we pay.

Mr. Kelly says what will happen it that the company will build on landfill and pay a lease fee to do that. Let's say it is 75,000.00 to 100,000.00 per year for twenty five years, you do not pay anything for it. All of insurance and taxes are paid for by the owner of the array. The only cost is any legal consulting on your side.

Selectman Menges says that we will do this formally, and he reads the letter with some changes that he has made to it.

Mr. Kelly asks if it would be ok to identify two or three projects and put them up for approval.

Selectman Menges says in his opinion, if you are the non-exclusive consultant, we would listen to anything that you propose.

Selectman Menges says we will have this typed and have the Chief Procurement Officer look at it also, and get it back to you for your approval.

Mr. Kelly says we want to get you the best deal for the town. He goes on to say that they will get the short list of proposed projects. Selectman Menges moves that the draft letter of authorization read "non-exclusive" and the text of the sentence that I just read, and the verbal agreement of the Power Management upon review of the changes typed. Selectman Tanis seconds.

Robert Woods of 158 Chase Street says he has a few questions. He asks who would be OK'ing the sites. He says he thinks that the landfill is a great location. He adds that he thinks some of these are eyesores. Selectman Menges answers the Planning board would be responsible. We have bylaws and the Planning Board is responsible Robert woods says the ones in Berkley are eyesores. That is his concern. He adds also, that he would want the selectman to negotiate the best deal.

Mr. Kelly says when you talk about placing solar, they identify locations that are sound and obviously are acceptable to the town, such as a rooftop of a school or a land fill.

The other representative of the company adds that they can put conditions into the RFP for aesthetics.

Chairman Cronin says we will do that and see where we go. He adds that discussion is over - All in favor say I - voted - aye, aye, aye. Unanimously carries.

New Business

Request for vacation carryover by the Building Commissioner for 40 hours of vacation time to FY16. Selectman Tanis moves to approve the request to transfer the 40 hours of vacation time. Selectman Menges seconds that. Motion unanimously carries.

Request by the Building Commissioner to implement a fence rental fee schedule.

Chairman Cronin says approximately three years ago, the town rented sections of fence to place around a property that was deemed unsafe. After the rental period, the cost to rent it was as much as it would have been to purchase the fencing. It was brought to our attention, and we were asked if we could purchase fencing for our own purposes. He reads the letter of request from Jim Aguiar requesting the implementation of \$50.00/month for a 10ft section of fence for thirty days, associated with unsafe or structures to be demolished. This charge includes delivery, setup, removal and thirty day rental period. One month minimum rental will apply. In addition, for longer periods it would be an additional rental of \$30.00/section for any period after thirty days. Chairman Cronin says he will entertain a motion to set a rental fee schedule. Selectman Menges asks to see the letter and Selectman Tanis also asks to take a look at it as well. Selectman Menges makes a motion for discussion purposes before we proceed to a vote. Selectman Tanis seconds the motion for discussion purposes. Unanimously carries

Selectman Menges goes on to say the motion in its present form obligates us to drop off, install and remove. It is mandatory that these buildings that will be demolished be fenced. Is it not possible to invoice the last known owner of the property for any fees associated with the demolition. In some cases the expenses for dropping off and picking up may be more than that rental fee. Chairman Cronin says it is for a minimum of one month that is the only inclusion he puts in there, I see your point.

Robert Woods says \$30.00/10ft section is a lot.

Selectman Tanis says it is actually \$50.00/10ft section and that includes delivery, setup and removal.

Robert Woods say it seems very costly.

Selectman Tanis says that he does not have a problem with it as it is and he motions to approve.

Selectman Menges seconds the motion. Unanimously carries.

Service award for Mr. Copeland

Selectman Menges makes a motion that the board adopt a Recognition of Honorable Public Service Award for Mr. Copeland and then proceed to award it. Selectman Tanis seconds the motion. Motion

carries. The Board stands and Selectman Menges asks Mr. Copeland to join the Selectmen at the front. He reads the Recognition award in its entirety aloud. He then presents the award to Mr. Copeland.

Service recognition award for Alison Makuch

Selectman Menges makes a motion that the board approve the recognition award and undertake a reading of the honors and bestow when she is able to be present. Selectmen Menges seconds that motion. Motion carries.

Selectman Menges reads the recognition Award for Alison Makuch aloud.

Selectman Menges goes on to say how he was informed by the Lion's Club that Mr. Copeland helped out at the Memorial Day parade in getting the marchers in order And Alison Makuch has served six years on the Cultural Council. She is not eligible to serve any longer. We agree that anyone who has held a committee like that together without any disharmony, contention or complaints, deserves our credit. The person in the chair makes a great difference in the performance of the group.

Reports

None

Public Input.

None

Closing Statements.

Selectman Menges says that we would be remiss in not calling attention to the Annual Town Meeting on Monday June 1st.

He mentions some of the articles that will be on the warrant and briefly explains them.

He goes on to say, all that said, these are things that the people of Dighton must decide. Many hours have gone into the preparation of the warrant.

Robert Woods says not to forget the recall petitions.

Selectman Menges says yes there is that one, and actually there are four petition articles, two for the additional personnel in the police and fire department, one to recall the town administrator bylaw, and the recall petition. We have some late hour challenges to contend with to make sure that everything is prepared.

Selectman Menges calls on the citizens to be present

Chairman Cronin will accept a motion to adjourn Selectman Tanis motions. Selectman Menges seconds.
Unanimously carries

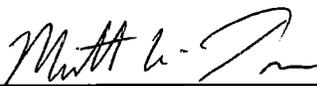
Meeting adjourned at 8:42

Respectfully submitted.

Karin L. Brady
Administrative Assistant
Board of Selectmen



Dean V. Cronin-Chairman



Matthew W. Tanis-Member



Patrick W. Menges-Clerk