

BOARD OF COMMISSIONERS' MEETING MINUTES
December 6, 2023
1:00 P.M.
CHERRY VALLEY & ROCHDALE WATER DISTRICT - Hybrid

I. CALL TO ORDER - The meeting was called to order by Chairman Levesque at 1:04 PM.

The following were in attendance:

Joseph McGinn, Commissioner	1 in person subscriber
Arthur E.J. Levesque, Chairman	
Benjamin Morris, Superintendent	0 online subscribers
Robert H. Lemieux, Sr., Commissioner - absent	
Jennifer Wood, Treasurer	
Cheryl Balkus, Clerk	
John DiModica Solect Energy Sr. Business Development Manager – virtual	
Walter Gray – Solect Energy Program Manager – virtual	

II. Administration

- A. Solar Contract** – Per Superintendent Morris to review LOI (Letter of Intent) with Solect Energy to answer any questions and to sign. The LOI is to further investigate solar installation on property. Commissioner McGinn motions to accept the proposal of the Letter of Intent to undertake the assessment of the feasibility as described and further authorize to execute the agreement as of this date. He reviewed it extensively particular to the interest of the district, that it does not commit the district to moving forward it simply is to provide assessment and further evaluate structural conditions such as the roof.

Subscriber Buteau asked by signing this LOI are they the only ones CVRWD can go to for a solar? If yes, why were they selected as opposed to others.

Per Walter Gray we work with Power Options, a nonprofit energy company that operates under an enabling statute per public Mass law. Their way is easy and free as opposed to sending out to bid an RFP that can be costly and trying to clarify the economics and the incentive, we want to apply for the higher levels in 2023 that will be reserved for 2024.

Subscriber Buteau asked is CVRWD locked on by signing this agreement. Per Wayne Gray the agreement Solect is the exclusive provider with Power Options. You can still procure with someone else; we are not locked in and can explore other options that would require a bidding process, RFP's that can be costly.

Per John DiModica, to clarify Power Options went out with an RFP to other providers and Solect won the RFP. Power Options has developed a standardized pricing/methodology and based on the pricing model we use a very structured pricing tool that has transparency for Power Options to review. We do dozens of projects with Massachusetts municipalities and other states. Going out for another RFP is not an advantage. Pricing is completely vetted, and we cannot charge more with Power Options tools allowed. The track record is approximately 70 municipalities and speaks for itself for what they are doing. Long term capabilities, hold and maintain the systems and proved themselves in the market.

Commissioner McGinn asked what the downside would be losing the smart incentives through calendar year 23.

Per Walter the incentive would go down by 2 cents per kwh. Example \$40,000 would be \$8,000. Because we have had such an increase in the last year, the value of energy being produced has grown tremendously. Due to the increases the value of the energy tariff goes up and the smart incentive goes down. The rush for this year is to save more money to last for the next 20 years. There is the option to wait but will suffer in the next year. Solect does not object to us reaching out to their customers for a review of their work and welcomes it. Per Chairman Levesque seconds the motion. All in favor.
Approved.

Solect made a comment in the markup we provided that their attorney had issue concern with the word shall and that it refers to as a contract and it is not a non-binding agreement. Would like to ask that the sentence that was added not to accept in the LOI under Project Development Activities section we are only doing site of electrical and conditions of the roof, that is all we do. Per Commissioner McGinn as a former attorney whether it is a LOI or not, this is an agreement this is a contract, and you never know what could happen and severely impact us. Respectfully the only communication received was that it was accepted. Per Walter misinformed us that our proposal was accepted per the email. We will change the LOI from shall not impede to does not impede and send it back signed. They will have it reviewed immediately by the attorney if any issues will let us know.

- III.** Adjournment: Commissioner McGinn motioned to adjourn. Seconded by Chairman Lavesque. All in favor. Approved. The meeting ended at 1:52 P.M.