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East Bay Energy Consortium Joint Committee Workshop at Bristol Town Hall, Burnside Building, Meeting Notes, March 15, 2010

East Bay Energy Consortium

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East Bay Energy Consortium
Joint Committee Workshop at Bristol Town Hall, Burnside Building
March 15, 2010
Meeting Notes

Technical Committee members present: Wayne Barnes, Jeanne Boyle, Dennis Culberson, Joseph DePasquale, Christine Weglowski Forster, Joseph Fraioli, Mayor Jean-Marie Napolitano, Garry Plunkett, Andy Shapiro (Committee Chair), Diane Williamson

Budget Committee members present: Joseph DePasquale, Mayor Napolitano, Diane Williamson

Legal Committee members present: Joseph DePasquale (Committee Chair), Joseph Fraioli, Mayor Napolitano, Caroline Wells, Diane Williamson

Also Present: Alan Klepper, Don Wineberg (Chace, Ruttenberg & Freedman, LLP) Dan Mendelsohn (ASA), Lee Arnold and Robert Palumbo (The Arnold Group, LLC)

Opening Comments

Andy Shapiro opened the meeting at 9:00 AM, welcomed those in attendance and then gave a brief summary of the meeting which took place on Friday, March 12th between Julian Dash (RIEDC) and EBEC representatives (Andy, Joe DePasquale, Lee Arnold and Robert Palumbo). The meeting agenda centered on a request by EBEC for supplemental funding for the current grant. Lee brought budget documents which delineated EBEC costs and the need for an additional \$15,000 for ASA Phase II completion and approximately \$21,000 for public relations activities and administrative expenses. While Julian was receptive to the \$15,000 cost item for ASA, he was not comfortable with funding public relations and administrative costs. He felt costs for those activities should be borne by consortium members.

The discussion then focused on funds needed to support EBEC activities through the end of this year and/or through the pre-construction stage. Julian was aware of this need and was supportive. He asked the group to present to him a very detailed description of what those costs might be with particular attention to legal and administrative needs. EBEC representatives agreed to provide this analysis.

Discussion also touched on the Consortium's need for MET Towers or SODAR. Julian commented that he would research some options for this equipment including contacting ASA and Second Wind.

Lee, Bob and Joe DePasquale commented on the positive tone of the meeting and that they would contact Julian directly should there be a need for further clarification of his request.

Mayor Napolitano discussed the need to consider bonding options as well as researching federal renewable energy funds.

Andy recalled the Portsmouth presentation and the need to be very detailed regarding expenses and revenues. Dan stated that this issue would be addressed when his company completed an economic assessment and a cash flow analysis of the project in Phase II.

Legal Issues

Don Wineberg distributed to members a flow chart depicting a possible structure for net metering under current law. A discussion followed which led to a commitment by Don to prepare an updated flow chart in which EBEC would serve as the link between National Grid and the nine communities of the East Bay. It was also agreed that EBEC should provide oversight of the construction phase and serve as manager of the system upon completion.

The discussion once again turned to financing. Bob suggested that it might not be possible for private developers to utilize tax credits if the municipalities must own the turbines to take advantage of net metering. Don agreed that under current legislation, this is the case. If the RI legislature approves a public/private partnership model however, the opportunity for developers to utilize tax credits may become a reality.

Andy commented on the financial stress affecting all communities and that municipal bonds may be problematic. Both Don and Christine stated that municipal tax rates would not increase as these bonds would be revenue generating bonds. Jeanne Boyle suggested nine separate bond issues would be very problematic and it was agreed that once EBEC became a legal corporation, EBEC would issue the bonds. Don suggested that a non profit corporation may be the best legal option for EBEC. Andy also asked Don to be aware of the legal costs associated with EBEC as it moves forward so that proper legal costs would be identified in a detailed budget presentation to Julian Dash.

Don pointed out that it was imperative to discuss governance issues and that he would like to be placed on the next EBEC meeting agenda to focus on options. He agreed to forward an outline of his presentation to Andy and Mayor Napolitano beforehand.

Andy mentioned that four EBEC representatives (including him) will be meeting with Tiverton officials this evening to begin preliminary discussions regarding the availability of the Tiverton Industrial Park and surrounding areas as a host site for the EBEC wind farm.

Check Writing Procedures

Andy stated that Diane will be asking the Consortium to approve a motion to allow Bristol to pay bills up to \$1,000 without full board approval. The invoices would be paid

with approval signatures of the proper Bristol representative and two to three signatures from Consortium members including the Chair and/or Vice Chair.

Lee spoke briefly about the invoice format the Arnold Group prepared which Bristol will use to ask for payment from the RIEDC.

Other Business

Joe Depasquale asked Dan how the feasibility study would be affected if SODAR or the MET towers were not available. Dan responded by indicating that he could use available local data; purchase the data from Drew Dzykewicz; and/or, use modeling which was utilized for the Portsmouth and Jamestown projects.

Dan was asked whether the potential Tiverton site would interfere with the Dzykewicz site regarding wind availability. Dan stated this would not be the case.

Garry mentioned that he was the chair of the newly formed public relations committee and asked for additional volunteers to serve with him. The committee would be meeting soon and he was reminded that all committees must post a meeting notice forty-eight hours prior to the meeting date and time.

A motion to adjourn was made by Jeanne Boyle and seconded by Garry. The motion was unanimously approved and the meeting adjourned at approximately 11:00 AM.

Respectfully submitted,

Dr Lee H. Arnold
Mr. Robert P. Palumbo, MBA
The Arnold Group, LLC