

Hull Light Board Minutes 12/3/10

1. Call to Order: Present were Commissioners Patrick Cannon, David Irwin, Stephanie Landry and Dan Ciccariello. Also present: Town Manager, Philip Lemnios and Operations Manager, Richard Miller.
2. Public Input: No member of the public present.
3. Old Business:
 - a. How the motion to pay \$200,000 to town should be worded:
 - Pat Cannon (PC) asked for suggestions of wording. Pat Cannon said that he and Phil Lemnios (PL) will work out some language for the agreement in time for the next meeting. PC said that he will ask Attorney Jim Lampke to devise some language for next meeting.
 - b. Town Meeting Warrants: David Irwin (DI) handed out two handouts to the Board, Handout A and B.
 - i. Handout A: PC read the proposed article out loud. There was a general discussion regarding this handout. Particularly, some of the conversation went thusly:

Stephenie Landry(SL): Does the Light Board have authority to do so?

Dan Ciccariello (DC): Insert the word “shall” instead of the word “will”

PC: The Pilot payments are voluntary payments, and explained how Pilot payments are calculated: they are based on a specific formula, used every year. If this article passed then it would give the power to the Light Board and the Town Manager, after negotiations, to pick an arbitrary way of paying the Pilot, instead of a reasonable and logic way of going it, i.e. by the formula used in the past.

SL: No money should be taken from the Light Board without its permission.

Dick Miller (DM): In his opinion, this article sets up the possibility of an adversarial environment between the Light Board and the Town Manager.

PC: It isn't a question of how the Pilot payments are approved its how it is arrived at.

Language worked out by the Board:

“HMLP Board shall approve the transfer of any monies [over a certain amount to be determined]to any other Town of Hull entity, including but not limited to, leases, rents, and Pilot Payments, which shall be presented by the Light Department Manager/Town Manager or any delegate thereof, for approval by the HMLP Board. A majority vote by the HMLP Board is needed for approval and the vote is binding.”

- ii. Handout B: involving the hiring of outside counsel by the HMLP Board of Commissioners
DI: Purpose is so that Light Board could hire outside counsel. He asked PC if he ever asked Jim Lampke's opinion about the \$200,000.
PC: He talked to him about it tonight.
DM: Jim Lampke was asked about collections and he gets back to you in two months.
SL: The reason why she thinks it's a good idea is because she asked for an opinion from town counsel about the PPA and never received an answer.
DC moved that the Board approve Article 2 (Handout B) with additions: Seconded by DI, the vote was 3-1 (SL, DC, DI voted yea and PC voted nay).
PC: More important article is the attack on transfer of funds.
- iii. SL moved to table vote on Article 1 (Handout A) to January 13, 2011 and meet on January 27, 2011
- iv. Seconded by DI, Vote: 4-0.

4. Manager's report:

- i. On spacer problem: brought in an engineer and was agreed that it was not our fault and agreed to refund \$5,000.00
General discussion about the spacer problem followed.
- ii. PC & DM explained that a grant was in process for setting up a renewable energy center, a 5 year study. A general discussion of the matter followed.

5. Approval of the Minutes: Tabled until January 13, 2011.

6. New Business: DI: Christmas lights up.

DM: A general discussion of the Budget and noted that Light Department was \$71,000 in the black.

7. Next meetings:

January 13, 2011
January 27, 2011
February 24, 2011
March 24, 2011
April 28, 2011
May 26, 2011
June 23, 2011
July 28, 2011
August 25, 2011
September 22, 2011
October 27, 2011