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**AGENDA**  
**RMLD CITIZENS' ADVISORY BOARD (CAB)**  
**TUESDAY, APRIL 26, 2011**  
**7:00 P.M.**

at  
**READING MUNICIPAL LIGHT DEPARTMENT**  
**SPURR/AV ROOM**  
**230 ASH STREET**  
**READING, MA 01867**

1. Call Meeting to Order – A. Carakatsane, Chairman
2. Minutes of Meeting – January 19, 2011 – A. Carakatsane, Chairman
3. FY 12 Operating Budget – V. Cameron, R. Fournier  
**Suggested Motion:**  
MOVE that the CAB recommend to the RMLD Board of Commissioners the acceptance of the first draft of the FY12 Operating Budget based on a Net Income Amount of \$4,366,041. Any significant changes are to be submitted to the CAB for review and recommendation.
4. FY12 Capital Budget – V. Cameron, R. Fournier  
**Suggested Motion:**  
MOVE that the CAB recommend to the RMLD Board of Commissioners the first draft of the FY12 Capital Budget in the amount of \$5,910,048 dated March 31, 2011. Any significant changes are to be submitted to the CAB for review and recommendation.
5. Other Items for Discussion
6. Schedule Next Meeting.
7. Executive Session  
**Suggested Motion:**  
Move that the CAB go into Executive Session based on Chapter 164 §47D, exemption from public records and open meeting requirements in certain instances, to approve executive session minutes and return to Regular Session for the sole purpose of adjournment.  
*Note: Polling of the CAB members is required.*
8. Adjournment

*This Agenda has been prepared in advance and does not necessarily include all matters, which may be taken up at this meeting.*

Upcoming RMLD Board Meetings:

Wednesday, April 27, 2011 – Regular RMLD Board Meeting - CAB Representative: John Norton



**Reference Information - Appropriate topics for Executive Session:**

**SECTION 21. [EXECUTIVE SESSIONS]**

(a) A public body may meet in executive session only for the following purposes:

1. To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48-hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties. A public body shall hold an open session if the individual involved requests that the session be open. If an executive session is held, such individual shall have the following rights:
  - i. to be present at such executive session during deliberations which involve that individual;
  - ii. to have counsel or a representative of his own choosing present and attending for the purpose of advising the individual and not for the purpose of active participation in the executive session;
  - iii. to speak on his own behalf; and
  - iv. to cause an independent record to be created of said executive session by audio recording or transcription, at the individual's expense. The rights of an individual set forth in this paragraph are in addition to the rights that he may have from any other source, including, but not limited to, rights under any laws or collective bargaining agreements and the exercise or non-exercise of the individual rights under this section shall not be construed as a waiver of any rights of the individual.
2. To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel;
3. To discuss strategy with respect to collective bargaining or litigation if an open meeting, may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;
4. To discuss the deployment of security personnel or devices, or strategies with respect thereto;
5. To investigate charges of criminal misconduct or to consider the filing of criminal complaints;
6. To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body;
7. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements;
8. To consider or interview applicants for employment or appointment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening;
9. To meet or confer with a mediator, as defined in section 23C of chapter 233, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity, provided that:
  - i. any decision to participate in mediation shall be made in an open session and the parties, issues involved and purpose of the mediation shall be disclosed; and
  - ii. no action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session; or
10. to discuss trade secrets or confidential, competitively-sensitive or other proprietary information provided in the course of activities conducted by a governmental body as an energy supplier under a license granted by the department of public utilities pursuant to section 1F of chapter 164, in the course of activities conducted as a municipal aggregator under section 134 of said chapter 164 or in the course of activities conducted by a cooperative consisting of governmental entities organized pursuant to section 136 of said chapter 164, when such governmental body, municipal aggregator or cooperative determines that such disclosure will adversely affect its ability to conduct business in relation to other entities making, selling or distributing electric power and energy.

(b) A public body may meet in closed session for 1 or more of the purposes enumerated in subsection (a) provided that:

1. the body has first convened in an open session pursuant to section 21;
2. a majority of members of the body have voted to go into executive session and the vote of each member is recorded by roll call and entered into the minutes;
3. before the executive session, the chair shall state the purpose for the executive session, stating all subjects that may be revealed without compromising the purpose for which the executive session was called;
4. the chair shall publicly announce whether the open session will reconvene at the conclusion of the executive session; and
5. accurate records of the executive session shall be maintained pursuant to section 23.

Revised in accordance with G.L.c.30A, §§18-25 and the Open Meeting Law Guide, Office of Attorney General, July 1, 2010

**Chapter 164: Section 47D. Exemption from public records and open meeting requirements in certain instances**

Section 47D. A municipal lighting plant created pursuant to the provisions of this chapter or any special law shall be exempt from the public record requirements of section 10 of chapter 66 and the open meeting requirements of section 23B of chapter 39 in those instances when necessary for protecting trade secrets, confidential, competitively sensitive or other proprietary information provided in the course of proceedings conducted pursuant to this chapter when such municipal lighting plant board determines that such disclosure will adversely affect its ability to conduct business in relation to other entities making, selling, or distributing electric power and energy pursuant to this chapter.

**JOINT MEETING WITH THE CITIZENS' ADVISORY BOARD AND  
THE RMLD BOARD POWER AND RATE COMMITTEE  
MEETING MINUTES  
Regular Session**

TIME: 7:30 P.M.  
DATE: Wednesday, January 19, 2011  
PLACE: Reading Municipal Light Department, AV/Spurr Room  
PRESENT: CAB: A. Carakatsane, Chairman, (Lynnfield), J. Norton, Secretary, (North Reading),  
G. Hooper (Wilmington), T. Ollila (Wilmington)  
RMLD Board: M.E. O'Neill, R. Hahn, R. Soli, G. Snyder  
RMLD Staff: V. Cameron, P. O'Leary, J. Parenteau, W. Seldon  
Guest: Attorney Christopher Pollart, Rubin and Rudman  
CAB Vacancy (Reading)

**1. Call Meeting to Order – A. Carakatsane, Chairman**

Chairman Carakatsane called the meeting to order at 7:37 P.M. and announced the meeting is being recorded.

**2. Executive Session – Power Supply Contracts – V. Cameron, J. Parenteau**

Mr. Norton made the following motion seconded by Mr. Hooper:

MOVE that the CAB go into Executive Session to discuss Concord Power and Steam, LLC and Swift River Trading Company, LLC, based on Chapter 164 §47D, exemption from public records and open meeting requirements in certain instances, and return to Regular Session.

**Motion carried by a poll of the CAB: 4:0:0** - Mr. Norton – aye; Mr. Hooper – aye; Mr. Ollila – aye; and Mr. Carakatsane – aye.

**3. Return to Regular Session**

Regular session resumed at 8:15 P.M. Mr. Norton and the CAB members thanked the staff for its efforts in additional renewable energy to the RMLD's power supply portfolio.

**4. Power Supply Contracts – V. Cameron, J. Parenteau**

Mr. Norton made the following motions seconded by Mr. Hooper:

- Concord Power and Steam LLC

MOVE that the CAB recommend to the RMLD Board of Commissioners to authorize the General Manager of the Reading Municipal Light Department to finalize negotiations and execute a contract with Concord Power and Steam, LLC.

**Motion carried 4:0:0.**

- Swift River Trading Company, LLC

MOVE that the CAB recommend to the RMLD Board of Commissioners to authorize the General Manager of the Reading Municipal Light Department to finalize negotiations and execute a contract with Swift River Trading Company, LLC.

**Motion carried 4:0:0.**

**5. Addendum to FY11 Cost of Service Study – V. Cameron**

Mr. Cameron stated that both the CAB and the Board met in December to discuss the proposed addendum to the FY11 Cost of Service Study that was originally brought to the Boards in August 2010. In August Mr. Cameron had stated that he would take another look at the time-of-use rates and the streetlight rates. When he presented the proposed addendum to the Power and Rate Committee, they wanted two more items looked at: 1) the shortened hours - Mr. Cameron had proposed 12:00 P.M. to 8:00 P.M. and the Power and Rate Committee suggested 12:00 P.M. to 7:00 P.M. 2) slight decrease in rate – The Power and Rate

Committee wanted to see it revenue neutral. Mr. Cameron put together a new addendum, and the rates changed slightly. The new residential time-of-use rates is proposed to be 13.364 cents a kW hour for the on peak and 4.6 cents for the off peak at a 40%(on peak usage)/60%(off peak usage) split, because there are less on-peak hours. Mr. Cameron explained how he developed the numbers.

Discussion ensued.

Mr. Carakatsane commented that until the rates are in place and the program tested, the Department is unable measure the differences.

Discussion ensued.

Mr. Cameron explained how the proposed industrial time-of-use rate was developed. If a customer were to stay on the 40%/60% split, it made little difference whether the customer remained on the commercial rate or went to the time-of-use rate. If a customer changed to 25% on peak and 75% off peak, then a 5% savings would be realized on the total bill. When he took the proposed on-peak rate of 8.448 cents a kWh for the industrial time-of-use rate and 2.53 cents for the off-peak rate, and ran them through the revenue proof using the kWhs in the Cost-of-Service Study, he found that on a revenue requirement of \$11,411,826, the difference was \$6.00, which is revenue neutral. He added that the Department would do the requisite amount of advertising for the industrial time-of-use rate.

Discussion ensued.

Mr. Norton made the following motion seconded by Mr. Hooper:

MOVE that the CAB recommend to the RMLD Board of Commissioners to adopt the updated Addendum information for the FY2011 Cost of Service Study as presented by the General Manager.

Discussion on when the rates would go into effect took place.

**Motion carried 4:0:0.**

## **6. Adjournment**

Mr. Norton made a motion to adjourn the CAB regular session meeting seconded by Mr. Hooper.

**Motion carried 4:0:0.**

Respectfully submitted,

/pmo

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John Norton, Secretary

Minutes approved on: \_\_\_\_\_