

# *Electric Light Department*

## *Town of South Hadley*

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### **MINUTES OF THE JOINT MEETING OF THE SOUTH HADLEY SELECTBOARD AND THE MUNICIPAL LIGHT BOARD OF TUESDAY, JANUARY 6, 2015, AT 7:30 P.M.**

#### **PRESENT:**

Selectboard: Chair John R. Hine, Vice Chair Francis J. DeToma, Clerk Sarah Etelman, Ira J. Brezinsky and Marilyn G. Ishler; Town Administrator Michael J. Sullivan

South Hadley Electric Light Department (SHELD) Municipal Light Board (MLB) Members:  
Chair Jeffrey Labrecque and Clerk Christine Archambault and SHELD Manager Wayne Doerpholz

A joint meeting between the Selectboard and the Municipal Light Board was held as follows:

There was a resignation from the Municipal Light Board (MLB) in December, Chair Hine recounted. Per Mass. General Law, the Selectboard and MLB are charged with making an appointment to fill the vacancy. The appointment will be effective until the next general election - the second Tuesday in April - at which point the vacancy will be permanently filled by election.

Chair Hine thanked those who had expressed interest in serving and encouraged them all to run for election. He reviewed the appointment process as follows: each candidate will be invited to speak briefly. After these comments, members will entertain any other parties interested in appointment. Next, the chair will accept nominations and go through the nominations by roll call vote. The seat must be filled by a majority vote so it will take four votes to be appointed. If after four ballots no individual has received four votes, members will proceed to a subsequent ballot.

Mr. Brezinsky asked if the panel would be able to ask questions of the candidates, and Chair Hine said yes. They will entertain candidates in the order in which the Selectboard received their letters of interest, Chair Hine announced.

Peter Webster said he moved to town two and ½ years ago from Vermont, where he was a town manager. He has some experience in the municipal arena, having served as an elected First Selectmen in Essex, Connecticut for eight years. In Manchester, Vermont, he was in charge not only of general town management but also of two utilities: a water department and a sewer department. He has always tried to give back in every town he has lived. He retired to the area to allow his daughter with special needs to attend the Berkshire Hills Music Academy. As town

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manager in Norwich, Vermont, he proposed a \$1.2 million photovoltaic project but, unfortunately, the town finance board could not be convinced of its value. He has always been

interested in utilities; he put a 5K solar system on his house in South Hadley. He would like to learn more about the electric department and thinks he could contribute to the board's operation, he concluded.

SB Member Etelman asked if he had been to any of the SHELD meetings, and Mr. Webster said he had not. She asked if he would have interest in running for the seat in April regardless of whether he was appointed, and he said he would.

Mr. Labrecque asked if he had any other special interests with regard to SHELD.

Mr. Webster said he owed a debt of gratitude to SHELD for offering incentives in 2012, of which his family quickly took advantage. Those funds were quickly expended and he would like to see more incentives for alternative energy and for solar.

Mr. Labrecque stated for the record that he enjoyed reading Mr. Webster's resume and thought he was more than qualified.

Christine Archambault asked if Mr. Webster had any thoughts on the fact that the department had not been independently audited.

Mr. Webster said he was not aware of that. He stated that he always thinks an independent audit is in order.

SB Member Etelman asked if there were specific ways he thought he could contribute to the SHELD board.

Mr. Webster said he thought his background for the last 13 to 14 years in municipal management would be helpful. Prior to that he owned a number of MIDAS franchises; he has good experience in budgeting and served on the search committee for the Town Administrator. He knows how to hire and fire, he added. He thinks his background lends itself to being a good board member, he concluded.

Chair Hine noted that the new SHELD facility proposed for Lyman Street has been a topic of controversy. He asked if Mr. Webster would care to comment on it.

Mr. Webster said all he knows about the controversy is what he has read in the newspaper. As a 'newbie,' one of the advantages he can bring to the board is no biases and a clean slate, he suggested. He needs to learn more about the pros and cons, he acknowledged.

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**Daniel Whitford of 5 Misty Court** introduced himself as a South Hadley resident for seven years. He is not necessarily seeking appointment; he is offering to serve in the position, he clarified. As a member of the Sustainability and Energy Commission, he has watched SHEL D's operations for several years now and became more intimately involved in election-specific issues in the last election campaign, he related. The issues he thought candidates were going to bring forward in that campaign were overwhelmingly endorsed by the electorate, but he doesn't see those initiatives being played out. He is interested in seeing more transparency, progress on issues that benefit the community and having a community forum where people can come in and express their opinions. In the variety of meetings he has attended he has not seen the board work effectively to bring issues forward, he observed.

He believes there is a need for the board to address a number of issues and said he believed he could have a good working relationship with other members. He said he would defer talking specifically about the initiatives he would recommend until there is a forum in which he can speak freely. One of the first things that need to happen is that regular meetings of the MLB should be moved to 7 o'clock in the evening so that the public can attend. Meetings are not televised, he pointed out. He expressed his conviction that the meetings need public participation.

SB Member DeToma asked if he had any thoughts he would like to express about the possible move from the falls to Lyman Road.

He has watched the proceedings but has not personally investigated the sites, Mr. Whitford responded. He expressed the opinion that the process was somewhat flawed in its transparency and openness to the public. As best as he could determine, the decision was basically presented as a 'fait accompli.' He said he could not fault the decision and believed it was probably made on good justification; however, as a board member, he said he would be obligated to review it again. His experience in military construction, commercial construction and procurement leads him to believe that this was not necessarily a fair and open competition.

In response to a question from SB Member Etelman, he said he planned to run in April depending on what happened with the board in the next three months.

SB Member Ishler asked about his experience with solar.

He is familiar with the technology and has a reasonable understanding of the options. He said he believed that with some level of assistance he could install a solar system. As an engineer he has worked with power systems.

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The SHELD manager has informed the board that he is in a romantic relationship with a SHELD employee, Ms. Archambault asserted. She asked whether, if appointed, Mr. Whitford felt that this situation would require any action from the board.

Mr. Whitford said he would like to look at the underlying regulations governing SHELD as it is a unique organization. The understanding he has developed tells him that it probably would not be in compliance with the personnel manual, if one exists. If SHELD were operating as an entity of the town, it would probably defer to the rules of the town. His experience within organizations with reporting relationships is that it is inappropriate to have a romantic relationship with an employee over which an individual has some authority. He said he thought it should be independently investigated, but he did not see this happening. It needs to be disclosed publicly to the MLB as the reporting authority; if that has not been done, it should be, he contended.

Mr. Labrecque commented that he has known Mr. Whitford for about a year but did not have much contact with him prior to the April 2014 election. He asked Mr. Whitford if he felt that he had any bias or conflict of interest based on the fact that he had been Ms. Archambault's campaign treasurer and that he was obviously showing some bias right now in regard to the SHELD manager. He noted that his experience with a board of three is that it is sometime difficult to work within this structure, especially if two of the members are in agreement all of the time.

Mr. Whitford noted that he was asked to comment on a relationship involving the manager, and he did. Please don't presume any bias against the manager, he requested. When he first talked to Mr. Labrecque he was trying to decide whether to support Ms. Archambault's campaign. Mr. Labrecque commented to him that nobody ever comes to the meetings. He started coming to the meetings and developed some opinions about what needed to be done. Subsequently, he acted as Ms. Archambault's supporter, advisor and treasurer. He questioned rhetorically if that inferred a bias. It infers that they have a common approach to some of the issues, he suggested. He would be happy to work with both of them to develop an agenda that is both forward-looking and positive and addresses mutual concerns, he concluded.

Mr. Labrecque asked if Mr. Whitford saw any potential conflicts of interest in any arena with regard to solar if SHELD gets involved in solar.

"I don't have a dog in the fight. I have no vested interest in solar," Mr. Whitford responded. He said he saw solar as a way to meet energy demand in a more sustainable, albeit more expensive, way. As far as incentives, he pointed out that to incentivize solar at the expense of other rate payers might not necessarily be fair.

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Mr. Labrecque concluded by saying he had always enjoyed meeting with Mr. Whitford and talking to him and noting that his resume certainly indicated that he was more than qualified to handle the position.

**Scott Williams of 25 Wildwood Lane** informed those present that he has lived in South Hadley since 1983 and raised three children in town. He has a 12.75 kilowatt-hour commercial solar system on his home consisting of 51 panels which he purchased without a subsidy from the town, he shared. It paid for itself within four and a half years with the thirty percent (30%) federal tax credit. As far as other renewable energy features, he has an on-demand gas hot water heater and also irrigates his property with a well instead of using city water, he related.

He runs a large car business in Holyoke - spanning a city block - and takes care of all the maintenance and improvements for the business, which has grown from four to 20 employees. He does everything in-house so he has a broad knowledge of payroll, etc. He was in charge of construction for various business-related projects and also served as the contractor and did a lot of the work on the two homes he built in South Hadley. With his lifetime experience of running the business he said he thought he could bring very good experience and unity to the board.

SB Member Etelman asked if had been to any of the SHELLED meetings, and Mr. Williams said no. When asked how he could then contribute, he said he had spoken to Mr. Labrecque, Mr. Doerpholz and Ms. Archambault to get a general understanding of 'how everything works.' He doesn't have any knowledge of what is going on right now, so he would have to be there to see what is going on, he remarked.

Ms. Archambault asked if he was familiar with M.G.L. Chapter 164, Section 56.

Mr. Williams said he believed she was referring to the state law governing who runs the electric light department. He expressed his understanding that, according to that law, Municipal Light Board members run the department. He said that was his personal understanding but that he also understood that, in doing so, members are given guidelines to approve or disapprove.

When asked about his position on the move from the Falls to Old Lyman Road, he said he thought that move had already been approved.

SB Member DeToma said his understanding is that there is a possibility that it might be reconsidered.

If so, he would have to look into it and make a business decision, Mr. Williams advised. He does plan on running in April, he confirmed.

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When asked about his tenure on the Golf Commission, Mr. Williams stated that the Golf Commission was formed just after the clubhouse was approved and that the course met its operating expenses in June of 2010, at which time he left the board. It was a very successful venture, he observed.

Chair Hine asked if there was anything in particular at SHELD that he would like to address as a homeowner with residential service or as a business owner; anything in terms of policy or otherwise that could be improved or changed.

Mr. Williams said he thought there needed to be better communication; he also expressed the hope that he could bring some unity to the board.

**Kurt Schenker of 59 Pine Street** identified himself as a life-long resident of South Hadley who, together with his wife and children, are fourth-generation and fifth-generation South Hadley residents, respectively. He served on the Comprehensive Plan Advisory Committee and was part of a town-wide discussion when the ambulance service was transferred to the fire districts. He runs the South Hadley Fire District #1 ambulance service and was formerly co-director of the Town of South Hadley Ambulance Service. He has a pretty good understanding of the budgeting process although he would need to be brought up to speed on a lot of SHELD's operations. At this point in time, he supports building the new facility on Old Lyman Road but he is willing to listen to anyone. He described himself as a moderate person who always listens to both sides of an issue. He has taken out nomination papers, and he thinks he could help 'bring everything to a closure.'

SB Member DeToma commented that electric utility companies are facing a crossroads in the not so distant future. Individual homeowners are placing solar panels on their roofs, and every customer that does that is a customer lost to SHELD. Since fixed costs remain the same, remaining customers face increased costs. He asked Mr. Schenker how he sees that playing out.

There is a future in solar, Mr. Schenker opined. However, at this time, he said he doesn't think the technology has advanced far enough to make it worthwhile. Right now, the panels just don't hold up. He thinks they will see a lot more legal issues and regulations over installation as time passes. There are a lot of issues from a public safety standpoint. Once products are engineered better, he said he could see looking into it.

SB Member Etelman asked how he saw himself avoiding a conflict of interest if he is appointed to this position since he is a municipal employee.

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Mr. Schenker clarified that he works for the District, which has no interest in the town so it should not be a conflict of interest. He spoke to the board's lawyer, and he advised him that it should not be a conflict, he said.

Chair Hine pointed out that the district does purchase electricity. He asked if Mr. Schenker saw a conflict in being on the board and setting rates and purchasing electricity from SHELD.

However, "each of us as an individual here purchases electricity for our homes," and there should be no difference, Mr. Schenker pointed out.

Mr. Labrecque asked Mr. Schenker if he had any goals or objectives with regard to the day-to-day operations of SHELD.

When it comes to power outages, no town around gets power back as fast as South Hadley, Mr. Schenker observed. As far as day-to-day operations in the field, he thinks they are exceptional. As far as management, he said he would have to know more about it.

As a resident and employee of the District, Chair Hine asked if saw any opportunity for improvements.

Mr. Schenker said he would need to do more research but, as with anywhere, he is sure there is always room for improvement. He would be more than happy to work with whomever to help improve those areas, he concluded.

Chair Hine asked if anyone else present wanted to express interest in being appointed. No one responded. There being no other candidates, he said he would be willing to entertain nominations.

**SB Member Etelman nominated Peter Webster. SB Member Brezinsky nominated Scott Williams. Ms. Archambault nominated Daniel Whitford, and SB Member DeToma nominated Kurt Schenker.**

**Chair Hine called for a roll call vote on the four nominations to be taken in alphabetical order.**

- ❖ Ms. Archambault voted for Daniel Whitford
- ❖ SB Member Brezinsky voted for Scott Williams
- ❖ SB Member DeToma voted for Kurt Schenker
- ❖ SB Member Etelman voted for Peter Webster
- ❖ Chair Hine voted for Scott Williams
- ❖ SB Member Ishler voted for Peter Webster
- ❖ Mr. Labrecque voted for Kurt Schenker

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Chair Hine announced the results of the vote, noting that three candidates received two votes and one candidate received one.

SB Member Brezinsky commented that they were blessed to have four candidates who all offered substantial, terrific resumes and experiences that were very varied. We owe them a great deal of gratitude for being willing to step up and do this, he remarked. He voted for Mr. Williams for a number of reasons, he continued. He had the pleasure of serving with him on the Golf Commission. Mr. Williams came into the Golf Commission not knowing anything about the golf course or department but knowing that the town was in the process of getting the clubhouse built. He stepped in; rolled up his sleeves, learned quickly, listened intently and didn't speak a lot. He made decisions based on his business experience. It is this business experience that he brings to the board. He was impressed in working with him on an appointed municipal board, and, after coming to know him in his business capacity, he was very impressed with that. He has pretty much the same philosophy as the electric light department: save money, save money, save money and don't borrow unless you have to.

SB Member Etelman acknowledged that she has not worked closely with any of the gentlemen but said she did have the opportunity to work with Mr. Webster on the Town Administrator search committee a couple of years ago. He was very easy and comfortable and good to work with and she was really impressed with his ability to hear everything that was being presented. She is also an advocate of people new to town being invited to be included.

Chair Hine echoed Mr. Brezinsky's comment that every candidate brought something a little bit different. He commented on the strength of each candidate and said that he could be comfortable with any of the four.

SB Member Ishler commented that she was most impressed with Mr. Webster because she felt that as a new person to town, he came with no bias. The other gentlemen all have excellent backgrounds as stated, but she was leaning toward Mr. Webster because he comes almost as a 'babe in the woods' to run for election and work with this committee.

**Chair Hine called for a second ballot, indicating that this time he would poll members in reverse alphabetical order:**

- ❖ **Mr. Labrecque voted for Kurt Schenker**
- ❖ **SB Member Ishler voted for Peter Webster**
- ❖ **Chair Hine voted for Peter Webster**
- ❖ **SB Member Etelman voted for Peter Webster**
- ❖ **SB Member DeToma voted for Kurt Schenker**
- ❖ **SB Member Brezinsky voted for Scott Williams**
- ❖ **Ms. Archambault voted for Mr. Webster**



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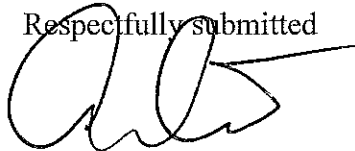
At this point, Chair Hine noted that there were four votes for Mr. Webster.

Mr. Webster commented that, after listening to the other candidates, he wondered why he was even there. However, he does think he is a quick learner and a quick study. He hopes to get up to speed right away and thinks he can make a positive contribution, he shared.

Chair Hine reiterated that the seat will be permanently filled at the election in April and that the people of South Hadley need to indicate at that time where they think this board needs to go. He encouraged the others to move forward with running and giving the people of South Hadley the opportunity to make a choice.

Following the election of Mr. Webster, the Municipal Light Board Members and Mr. Doerpholz left the meeting.

Respectfully submitted



Christine M. Archambaut, Clerk  
4/15/15