

Board of Education Special Meeting

Friday, January 26, 2018 11:00 AM

Central Office Annex Conference Room, 24 School Road, Weston, CT 06883-1623

- I. **Board of Education to Enter into Executive Session**
- II. **Discussion and Vote on Proposed Contract with Windham Solar LLC for the Provision of Virtual Net Metering Energy Supply**

Board of Finance Minutes
Special Meeting
January 24, 2018 at 3:45 pm
Town Hall Meeting Room

In attendance: Board of Finance Members; Steve Ezzes (via telephone), Rone Baldwin, Dick Bochinski and Bob Ferguson, First Selectman Chris Spaulding, Town Administrator Jonathan Luiz (via telephone) and Sustainability Committee Member, Kirby Brendsel (via telephone)

This meeting was videotaped and can be viewed on Channel 79 and on our Town of Weston website.

- 1- **Call to Order** - Board of Finance Chairman Steve Ezzes called the meeting to order at 3:50 pm

- 2- **Recommendation about Virtual Net Metering opportunity with Solomon Energy** First Selectman Chris Spaulding and Sustainability Committee Kirby Brendsel provided background information on the Virtual Net Metering contract and answered questions from Board of Finance Members. The Board of Finance discussed the pros and cons of the two different contract options: Fixed rate vs. variable rate. Mr. Spaulding stated that the Town will have until the solar farm is completed to choose between a fixed or variable rate. Mr. Luiz added that the Town is negotiating contract language to protect the Town in the event there is a change in law.

Discussions continued about benefits and risks.

Mr. Ferguson moved that the Board of Finance endorses the proposed Virtual Net Metering contract. Mr. Bochinski seconded. Mr. Baldwin stated he would like to change the wording of the motion to: The Board of Finance endorses the proposed Virtual Net Metering proposal based on the variable rate option with the caveat we are comfortable with endorsing the variable rate (20% option) and need to see additional economic analysis as well as finalization of contract terms so we can be comfortable

(which can happen after the contract is signed) endorsing the fixed rate option when that deadline needs to be reached to choose among those two. Mr. Ezzes asked for a motion to approve the revised motion, Mr. Ferguson made the motion, Mr. Bochinski seconded. Motion carried unanimously.

- 3- **Adjournment:** Mr. Ferguson moved and Mr. Bochinski seconded to adjourn. The motion passed unanimously at 4:48 pm.

Minutes taken by Randi Derene, Administrative Assistant.

Unapproved

Board of Selectmen
Special Meeting Minutes
January 25, 2018 at 6:00 pm
Town Hall Meeting Room

- 1- **Call to Order:** First Selectman Spaulding called the meeting to order at 6:00 pm with Selectman Brian Gordon and Selectman Stephan Grozinger present. Also present were Town Administrator Jonathan Luiz and members of the public.

- 2- **Discussion/decision to authorize the First Selectman to enter into a Solar Power Services Agreement with Windham Solar LLC:** First Selectman Spaulding provided details about the Solar Virtual Net Metering opportunity. Selectman Grozinger moved and Selectman Gordon seconded to authorize the First Selectman to enter into a Solar Power Services Agreement with Windham Solar LLC, subject to review by the Town Attorney. The motion was approved unanimously.

- 3- **Adjournment:** Selectman Gordon moved and Selectmen Grozinger seconded to adjourn. The motion was approved unanimously at 6:40 pm.

Minutes respectfully submitted by Jonathan Luiz.

TO: Weston Board of Education

CC: Dr. William McKersie, Superintendent of Schools
Chris Spaulding, First Selectman

FROM: Jonathan Luiz, Weston Town Administrator

DATE: January 25, 2018

SUBJECT: Solar Virtual Net Metering Opportunity



Since the conclusion of the Weston Board of Education's evening meeting of Monday, January 22, 2018, much progress has been made towards reaching a virtual net metering deal.

On January 24th, the Weston Board of Finance voted to endorse the virtual net metering proposal based on the variable rate option with the caveat that they may be comfortable endorsing the fixed rate option after a contract is signed, provided they see additional economic analysis and final contract terms. Minutes of the Board of Finance meeting are attached.

On January 25th, the Weston Board of Selectman voted to authorize the First Selectman to enter into a solar power services agreement with Windham Solar LLC. Minutes of the Board of Selectmen meeting are attached.

Furthermore, an agreement between the Town of Weston and Weston Board of Education with Windham Solar LLC has been drafted. The agreement, which is attached, is the result of a coordinated group effort made by Weston staff, Weston citizen volunteers, Weston Town Attorney Pat Sullivan, Weston outside counsel Paul Michaud, and School District's outside counsel Matt Ranelli. Based on the collective advice of our attorneys, the First Selectman and I feel that the agreement contains language that protects both the Town and District in the unlikely event that a change in law negatively impacts our ability to receive credits from Eversource.

The agreement also allows Weston to decide whether to elect the fixed rate option or the variable rate option during the period of time following the signing of the agreement and before the Commercial Operation Dates¹. The Commercial Operation Dates are projected to be February for the first Megawatt and May for the second Megawatt.

¹ Commercial Operation shall occur when the results of such testing indicate that the System is capable of generating electric energy for six (6) continuous hours, using such instruments and meters as have been installed for such purposes, and the System has been approved for interconnected operation by the Local Electric Utility, then Provider shall send a written notice and supporting documentation to Purchaser to that effect, and the date of such notice shall be the Commercial Operation Date.

Please know that the Town has received positive reviews from the following Connecticut municipalities concerning their Virtual Net Metering experiences: Avon, Newtown, Westport, Plainville, Stafford, Woodstock, Branford and Cheshire. We have not received negative reviews.

Attached you will also find detailed background information about the solar developer Allco, which has formed Windham Solar LLC for this particular solar project located in eastern Connecticut. Please disregard the “confidential” marking on the Allco documents, as the company has given the Town permission in writing to share the documents with you. The Massachusetts municipalities of Haverhill and Sutton provided positive reviews about their experience doing a solar virtual net metering agreement with Allco as developer.

Attachments:

- 1/24/18 Weston Board of Finance Meeting Minutes
- 1/25/18 Weston Board of Selectmen Meeting Minutes
- Solar Power Services Agreement between the Town of Weston, the Weston Board of Education, and Windham Solar LLC
- Background information about the solar developer, Allco Finance Limited