



## **EXECUTIVE COMMITTEE MEETING MINUTES**

**Wednesday, May 4, 2022**  
Virtual Meeting: Zoom

---

**Executive Committee Members Present:** Greg Abbe, Jo Ann Bodemer, Amy Boyd, Emmett Lyne, Maggie McCarey, Dennis Villanueva

**Executive Committee Members Absent:**

**Other Attendees:** Gretchen Calcagni, Adrian Caesar, Paul Johnson, Rachel Evans, Elliott Jacobson, Maggie Downey, Jodi Hanover, Frank Gundal, Alyssa Vargas, Audrey Eidelman Kiernan, Kate Peters, Heather Deese, Martijn Fleuren, Jerrold Oppenheim, Sarah McDaniel

---

### **1. Call to Order**

McCarey, as Chair, called the meeting to order at 10:05 AM.

### **2. Executive Committee Updates and Business**

Lyne announced that there was an indictment unsealed related to improper contractor behavior, and the PAs are investigating the matter. Lyne indicated the indictment is of extreme concern, and PAs will share public information as it becomes available.

McCarey said the indictment is concerning, so the PAs should provide an update during the May EEAC meeting. Boyd agreed that full Council should discuss the indictment. Lyne said the indictment lies with the Federal District Court of Boston.

Johnson read the news story on the indictment, and it seemed to imply Mass Save dollars were stolen. Evans stated that there could be no substantive discussion on the indictment since it was not included in the Executive Committee meeting agenda.

### **3. Weatherization Pricing Update**

Peters noted that the PAs received over one hundred RFQ bids for weatherization pricing, which they would thoroughly review prior to finalizing and releasing prices. Peters added that the PAs are developing a detailed presentation for the May EEAC meeting.

McCarey asked what level of detail could be provided in May. Peters said the presentation is not finalized, but the PAs will describe the RFQ bid review process, range of results from contractor bids, and pricing methodology. McCarey asked if the PAs could distinguish independent installation contractor (IIC) from home performance contractor (HPC) results. Peters said the PAs could speak to any differences between contractor types.

Johnson was pleased by the number of RFQ responses, but contractors have lost patience due to the time needed to implement a price increase. Johnson said the contractors will want to see individual bid results with redacted company names instead of just a range of results. Peters understood the need for transparency on the pricing, but the PAs are concerned that a full list of bid prices may undermine future bidding processes. Peters noted that the PAs are interested in providing transparency that satisfies stakeholders but does not impact future bidding.

McCarey questioned whether the range of bid results would provide sufficient transparency and suggested that a more detailed pricing distribution. Peters said PAs want to provide a helpful level of analysis. Johnson appreciated Peters' openness, but could not understand why pricing transparency would jeopardize future bidding processes. Johnson asked for an explanation, especially since the next competitive pricing procurement might not be held for three years. Peters replied that the PAs want a pricing refresh more often than every three years.

Villanueva joined the virtual meeting at 10:21 AM.

#### **4. Mass Save Program Update – Implementation Efforts During COVID-19**

Lyne announced that one contractor tested positive for COVID-19 in April, which marks the first positive case in several months. Lyne said the PAs have updated health and safety protocols, indicating that personal protective equipment (PPE) is no longer required when delivering program services, but pre-screening and COVID-19 notifications are still required. Lyne added that customers can still request PPE is worn by workers. McCarey said the Consultant Team (C-Team) can post the health and safety protocol update on the EEAC website.

McCarey asked if contractors have provided feedback on the protocol changes. Lyne said no negative feedback has come up. Gundal, Peters, and Johnson concurred. Lyne appreciated the Executive Committee's support throughout this process. Johnson said the PAs have done a great job managing health and safety protocols.

#### **5. EEAC Bylaws Update**

Given the return to in-person meetings beginning on July 15<sup>th</sup> due to Open Meeting Law, McCarey requested feedback on whether to revise the EEAC Bylaws to allow for hybrid meetings or require in-person meetings only. McCarey stated that the full Council will need to vote on the updated EEAC Bylaws in June. McCarey added that hybrid meetings would still

require a quorum of voting councilors, at least eight, in a physical meeting location starting in July. McCarey also noted that the location will need to accommodate public access. In order to ensure quorums, McCarey said the standard should require voting Councilors to attend in-person and provide advance notice if they must participate virtually. McCarey recommended that voting Councilors express their preferences on in-person attendance via email survey. McCarey was excited about returning to in-person collaboration.

Evans clarified that EEAC meetings would need to be accessible to the public both in-person and via virtual means.

Boyd suggested that remote participation by voting councilors is allowed, under the expectation that they default to in-person attendance to ensure a quorum. Boyd said that hybrid meetings are convenient, but engagement levels can be compromised. Boyd added that the Rhode Island Energy Efficiency and Resources Management Council hosts hybrid meetings.

Lyne indicated the PAs would support hybrid meetings, but many PA staff members would still want to participate in person.

Bodemer asked why a quorum of Councilors needed to be present in person. Bodemer supported hybrid meetings over fully in-person meetings since remote participation facilitates public access. Evans responded that Massachusetts Open Meeting Law requires in-person quorums for all public bodies, but it is possible that the Legislature amends the Law before July 15<sup>th</sup>.

Jacobson was in favor of hybrid meetings and suggested that Councilors be allowed more delegates to ensure quorums are met. McCarey said increasing the number of assigned delegates would require different changes to the EEAC Bylaws. Evans wanted to check whether additional delegates would be allowable under Open Meeting Law.

Villanueva also supported hybrid meetings due to the enhanced flexibility, even though in-person meetings would be great. Villanueva said the Clean Heat Commission resumed in-person meetings.

Downey indicated the Cape Light Compact Board amended its Joint Powers Agreement, which now allows a simple majority of its Executive Committee to constitute a quorum. Downey was unsure whether the EEAC could apply a similar amendment, but volunteered to share the amended Joint Powers Agreement if helpful.

Abbe commented that hybrid meetings would be better for both public participation and the environment. Abbe feared that the absence of Councilors could create quorum issues, and wondered if mandatory in-person attendance for voting Councilors would be the correct solution.

Johnson agreed with Villanueva that in-person meetings are good, but hybrid meetings are more convenient. Johnson said that McCarey and Webb have done a great job conducting virtual meetings. Johnson recommended that Councilors communicate in advance if they cannot attend meetings in-person to avoid the quorum issues that Abbe raised. Johnson also supported

Jacobson's idea for more approved Councilor delegates. McCarey concurred that the standard practice should ensure a quorum of voting Councilors is always present in-person.

Villanueva volunteered his corporate office space in Somerville to host EEAC meetings.

Evans noted that the Attorney General's guidelines only allow for remote participation under unreasonably difficult circumstances, which was previously defined as illness, military service, and other issues. McCarey added that the language on Councilor delegates is very specific, so remote participation provisions for Councilors needs to be similarly specific.

Boyd preferred an amendment to Open Meeting Law that would allow remote meeting participation to persist, as it is much better for fostering public input. Boyd was unsure how difficult it would be to push for such an amendment or how it could impact other state boards.

Johnson agreed that remote meeting participation is much higher than in-person participation and wanted the Council to consider parking and transit costs of attending in-person meetings. McCarey said the Council can consider different in-person meeting locations, but public participation would be allowed both in person and remotely.

McCarey noted that DOER would make edits to the EEAC Bylaws and solicit feedback from voting Councilors.

## **6. May EEAC Meeting –Agenda Finalization**

McCarey announced that the May Council meeting would include updates on the EEAC Bylaws, weatherization pricing RFQ results, PA presentation on Q1 2022 results, workforce development updates from MassCEC, May Compliance Filing overview, and moderate-income delivery.

McCarey thought an active demand update would also make sense to provide as summer approaches.

Boyd recommended moving the moderate-income update earlier in the agenda, while shifting the Q1 2022 presentation to June, so the PAs and C-Team could present results during the same month.

Bodemer agreed with Boyd, but wondered if moving the Q1 results presentation to June would leave enough time for the workforce development update from MassCEC. McCarey suspected that moving the PA presentation on Q1 results to June would allow enough time.

Johnson said an update on the Commercial & Industrial (C&I) Working Group would be appreciated, as well as an update on year-to-date heat pump installations and weatherization projects, disaggregated by IIC andHPC. Johnson also asked when Ralph Prah and the C-Team would present on program evaluations. McCarey anticipated that the C-Team would provide an EM&V update in July or August after the release of a few priority studies. McCarey said C&I Working Group updates can be included in Council business, and year-to-date results would be included in the 2022 Q1 Report. McCarey noted that the PAs should provide the disaggregated

weatherization project data. Hanover said the PAs can post the Q1 report and slides. Hanover said all key performance indicators will be included in the full Q1 report.

## **7. June EEAC Meeting – Draft Agenda Topics**

McCarey indicated that the June EEAC meeting would include C-Team and PA presentations on Q1 2022 results and updates on the moderate-income and renter program delivery models.

McCarey said that moving the moderate-income and renter delivery model updates to June would allow the Equity Working Group to provide feedback. Hanover stated that the moderate-income offerings would be implemented at the end of Q2, but the incentive amounts are included in the 2022-2024 Plan.

Villanueva requested that membership for the C&I Working Group be determined through a clear process. McCarey said DOER can post the list of proposed members and provide an update on membership in May.

Johnson suggested that contractors be allowed to provide their feedback on outcomes from the weatherization pricing RFQ during the May EEAC meeting.

## **8. Adjournment**

McCarey, as Chair, adjourned the meeting at 11:11 AM.