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**BOARD OF SELECTMEN  
MEETING MINUTES  
7/6/10**

The Board of Selectmen met in the Town Hall, Joseph F. Bilotta Meeting Room as scheduled with Paula Bertram, Steven M. deBettencourt, Ernie Sund, Tom Alonzo, Dave Matthews and Town Manager Kerry Speidel present. Meeting opened at 7:00 P.M. with the Pledge of Allegiance

**PUBLIC DISCUSSION**

Tom acknowledged PE Teacher, Sandy Laserte and Fred Hobbs were recognized by the Alumni Association.

Ernie recognized the work that's being done at Veteran's Park and commended the Boy Scout for his work on the brick walkway.

John Baker, 53 Chase Road came before the board regarding his past request for the board to reconsider their decision on health insurance coverage for board member; Steve deBettencourt. Talking about one person here that has served the town diligently for 19 years and would like to see the board get this done.

**ANNOUNCEMENTS**

- MEMA advising caution during the extremely hot weather, tips will be placed on the scroll. Eagle House will also be opened from 8:00 AM to 8:00 PM, Wednesday and Thursday.
  
- Notice from Unitol of a service interruption in order to complete required modifications and improvements to their electrical facilities, it will be necessary to schedule an interruption of the electrical service in the Fitchburg and Lunenburg area. The interruption will occur on Saturday, July 10, 2010 at 3:00 A.M. It is anticipated the work will be completed and power restored by approximately 5:00 AM. They have advised us that on occasion they experience unforeseen circumstances that may extend the length of time for these interruptions. In the event the restoration is delayed due to circumstances beyond their control, they will make every effort to restore service as soon as possible.  
The streets that will be affected in Lunenburg are as follows: Baker St., East St., Kingman St., Summer St., Weatherbee St., Whalom Rd., Woodbury St., and Youngs Rd.  
In the event of unfavorable weather, the work will be rescheduled for Sunday, July 11, 2010 at the same time.  
If you have any questions or concerns, please contact Unitol's Customer Service Department at 1-888-301-7700.
  
- Band Concert Schedule: July 12<sup>th</sup>, July 19<sup>th</sup>, July 26<sup>th</sup>, August 2<sup>nd</sup> and August 9<sup>th</sup>, with a rain date of August 16<sup>th</sup>.

**APPOINTMENTS**

**CURRENT BUSINESS**

1. Minutes - Board of Selectmen regular session for 6/15/10, 6/22/10, workshop session for 6/22/10 & executive session

**Warrants** - #74 10, 6/30/10 - \$208,476.98, #1 11, 7/6/10 - \$614,004.79 and #1P 11, 7/8/10 - \$494,757.49 reviewed and signed

**Action File Issues – Committee Updates**

- Paula informed the board that she and Kerry met with Todd Black and John DiNapoli from Unitol; discussion focused mainly on the vegetation management plan which has been submitted to DPU. Expressed the frustration that the board has had in the past and Mr. DiNapoli did inform her that that they will be working on communication. They anticipate the vegetation project will be completed before the end of the month. Also discussed what changes they've incorporated in their plans as far as emergency planning procedures and have asked that they come before the board; scheduled a workshop on August 10<sup>th</sup> @ 6:00 PM, also attending will be the Police and Fire Chiefs and have requested that they come again on September 7<sup>th</sup> to provide a public overview. On July 20<sup>th</sup> they will be coming before the board to discuss the vegetation management.
- Tom informed the board that the Municipal Utility Bill was voted favorably and is now before the Ways and Means Committee. Provided the board with information from the Massachusetts Municipal Association (MMA). Board would like a letter sent to the Ways and Means expressing our support and that this be expedited out of committee before the end of the month. Paula will work with Kerry to draft a letter.
- Tom District Advisory Committee met last Wednesday, discussed the Open Meeting Law changes and implementation. Posting was largest issue and requirement. Need to post meetings in a location that is visible 24 hours a day and visible to the public. Meeting Notice and Agenda must be posted together. Discussed how again, this places another burden on the towns. Other discussions centered upon ballot questions, repeal of 40B, general consensus is that this is not serving towns such as Lunenburg, if not repealed they'll be no appetite to repeal it at all. Other questions are the sales tax reduction from 6.25 to 3% and the alcohol

sales tax. Finally allowing bio-mass companies working within the Commonwealth as there are a number of issues against (may be an agreement before this is actually on the ballot).

- Per Kerry, the changes to the Open Meeting Law are now in effect; there was no stay. This is one of the reason why committee reports is not on the agenda. The Town Clerk has been looking for a place to actually place the notices, and she is in the process of reviewing. She has communicated that any and all other business to come before the board is no longer acceptable. Paula questioned if we've notified all the committee's and board's of these changes and per Kerry the Town Clerk has done this. Kerry noted that she has been trying to coordinate a seminar through town counsel for Lunenburg. Tom also noted the way in which Hubbardston has decided to comply and have put together a booklet that is available for viewing 24/7 in their public safety facility.

## 2. Manager Updates

- Application has been to the state to declare the housing at the Tri-town development as affordable housing.
- Cleaning services are now being done by contract after hours on Monday and Thursdays for Town Hall, currently each of the buildings are receiving cleaning two days a week and we plan on monitoring the situation with the town departmentns.
- The 12 ½ reimbursement for costs incurred from the December 08 Ice Storm from the State is no longer within the state budget, leaves us with the need to make up \$150,000.00. Believe that we'll have a sufficient overage in local receipts to cover this shortage without having to ask to take out of stabilization fund.
- ABCC notice, authorizing local licensing authorities to sell alcoholic beverages at 10:00 AM on Sundays. The law, MGL c13, §33B allows the town to "opt into" the new law giving the Local Licensing Commission (LLC) discretion to grant an earlier opening for licensees. Kerry is checking with counsel on this.
- Emerald Place hosting open house on Wednesday, July 14<sup>th</sup> from 4:00 to 7:00 PM, office will RSVP for those interested in attending.

**3. Municipal Electric Aggregation** – Kerry received the synopsis of Municipal Electric Aggregation. She spoke with Brian Murphy of Colonial Power Group, Inc. and he came before the board to discuss what they have done with other communities in Massachusetts. The company has worked with the Town of Marlboro, whereby the town elects to purchase electricity through competitive bids and they are offering to look at the Unitil data and present this information to suppliers to see if the town could benefit from purchasing directly through the suppliers. Currently about 97% of the ratepayers in Marlboro are participants in the program.

Paula questioned timeline and potential savings that Marlboro may see from this. According to Brian this could take anywhere from six months to a year, the slow down seemed to occur at the state level. Savings vary depending upon the use, could be a few dollars a month back in everyone's pocket and comes back to the rate payer at no additional cost to the town. The Selectmen will be the ultimate overseers, but the day to day should be under a professional consultant. Selectmen will be provided with the structure as to how the program should work. It's all about choice of competition, by pooling residents and small businesses together you create competition. Generation is about half of the rate payers bill, choice and competition are the prime drivers to municipal aggregation. Tom questioned the length of a long term contract and per Brian suppliers will enter into a three to five year contract, as a community you may want to see how far you can take this.

Ernie noted that we have a number of initiatives in town for green energy and we're looking at placing solar panels on some of the schools and questioned how this would fit in. Per Brian, municipal aggregation program should not supercede these programs as they are complimentary to one another. May be a way for the aggregation program acts as a financial aspect of that, could be part of the mix. If Colonial were to be the brokers, they would take direction from the board. If the town wants to move to the green sources there is a premium, there are ways to greening it up that we could be directed to investigate certain criteria in the selection process. Per Brian, it's also possible that the town could market different alternatives; a community program.

Steve noted that a large part of this goes into the analysis and questioned whether Unitil is already doing this and if it's even worth looking at. Per Brian a couple of issues we need to look at, Unitil is mandated by the state to go out to bid two times every year, probably not the best way to procure. He noted that for small end users the procurement strategy never materialized. At least 2% of the cost of energy supply comes from bad debt and the towm may be better off if they could break away from that debt.

Would be an "opt out" structure, where all the rate payers are notified of the change/program and they could determine to opt out of the program for whatever reason they determined not to participate.

Tom questioned the costs for a consultant and how would this work, and per Brian the way the fee is structured is through the rate structure and they receive a percentage, their costs are figured into the rate. He would have to work with Kerry to determine the best way to get the information from Unitil. Noted the consultant that is hired should be hired through an RFP process.

Paula questioned the pleasure of the board and was a consensus of the board to conduct the feasibility study, noted that the RFP right now would be premature.

Brian noted that his firm will do the feasibility study whether or not they're retained through the RFP. Board concurred to move forward with the feasibility study.

## OLD BUSINESS

1. Request to use Gazebo for benefit concert – Mike Barney – tabled.

**2. Health Insurance for Elected Officials** – Chair noted that this issue is something that she has struggled with over the past few weeks. Expressed appreciation to the service provided by elected officials however given the economic climate the laying off of employees, the potential deficit of \$150,000 for FY'11 cannot at this time justify reinstating the benefit.

Kerry provided information on the plans (attached). Dave acknowledged the amount of hard work and hours that are put in by members, noted that our burden is to determine the best allocation of town funds. We've struggled with the furloughs; there is a direct correlation where we're cutting and the alternatives as to where the money will go. Couple of comments were made about when we didn't have a professional Assessor, noted that the Board of Selectmen didn't previously have a Town manager and at that time they were more involved with the day to day operations. Bottom line for Dave is that we need to live within our needs, we're still cutting, think the taxpayers should come first and get the benefit through the paid town employees. Steve noted that the buck stops here and looks at this a bit differently, the longer a board stays together, the longer the consistency and the more that gets done. Looks at the turn over on this board and if there's a benefit that the town can give out to keep members on this board, it's to our benefit. Example made of the time when the town had two attorneys on the board and the changes that we went through during their tenure. Don't want to see the town make the same mistakes over and over, the longer a board stays together, the better the cohesiveness. Noted that we're always being told we're short, has always been hide and seek with the money. This goes to long term with this board, reviewed the cuts that members of this board has seen over the years, started with \$1500 and now reduced to \$100 a year.

Paula appreciated the dedication of not only Steve, but all the volunteers that contribute countless hours. Discussed finding the money and have had employees come forward to offer more towards their health insurance plans to assist the town and to save the positions of their peers so that we can protect their services. Doesn't believe that this is an appropriate time to bring this discussion forward and should have been done during the budget process and as such she can not support.

Kerry has to take exception with the hide and seek comments with the money; the reason that we should be able to cover the costs incurred by the storm was because Emerald Place has decided to pull all their building permits. But for that reason, she would have been coming back to the board to fund this through the stabilization fund.

Ernie is uneasy about making this decision as it sits for the board themselves. Perhaps Mr. Baker would look at presenting a petition for town meeting as he doesn't feel comfortable presenting this for himself.

Tom A., reviewed that every year on his tenure with the Board of Selectmen and the Finance Committee, the two boards understood this. Would like an explanation from the elected officials who were eligible how they can justify what they do differently than other elected officials such as members of the School Committee.

Per Steve it was set way back; with the exception of Prop 2 ½, for a term of about three years, this benefit had been afforded to the elected officials and was voted in long before his tenure.

Per Tom regardless of how this was initiated, to say because it's the way it's always been is not an answer. Paula concurred with Steve's comments that this position takes a lot of time and she cannot differentiate for herself the amount of hours that other elected officials put in.

Tom doesn't believe that it should matter how long a person should serve, what matters is to serve the people of Lunenburg. Public service is just that and should not look to garner benefits to members of this board themselves. In this current financial climate the costs for this benefit is unsustainable. We are volunteers and you always have the opportunity not to run. The employees, this is what they do for their living, we have people to run the day to day operations, cannot justify and make the distinction the amount of time that elected committees put in and if one is afforded it, everybody should be afforded it.

Paula believes the consensus stands not to offer health insurance benefits to elected officials. Reviewed the email from Brian Laffond, Chair of the Finance Committee which concurs with the majority of the Board of Selectmen.

John Baker of 53 Chase Road expressed appreciation to the board for debating this issue and noted that it's a good thing that the board had this open discussion and have to respect the process. Expressed appreciation to the board and particularly Steve for the time that he's served.

## **COMMITTEE APPOINTMENTS / REAPPOINTMENTS / RESIGNATIONS**

**1. DPW Facility Building Committee** - Kerry reviewed the attached bylaw and noted that she has spoken with the Chair of the Planning Board, contacted Parks Commission and Cemetery. None from the Parks Commission is able to serve have heard back from Janice Carrier (Cemetery Commissioner) is interested in serving on the committee. One concern that Kerry has is that the bylaw identify's how the committee is made up but doesn't address the charge of the committee. Also, working with town counsel on some procurement issues and would like to wait a couple more weeks before we appoint. Would like to table to July 20<sup>th</sup>, Paula questioned if other members of the board are interested, Steve is interested in serving. Per Kerry, may be something that we could schedule in the evening, as she doesn't believe that it's imperative that the committee meet during the day. Discussion tabled to July 20<sup>th</sup> meeting.

**2. Municipal Web Services Task Force** - Kerry circulated a letter of interest for the Web Services Task Force; this has been placed on both the cable scroll and the website. At this time she is presenting Tom Alonzo, Lynne Klaf, Lars Widstrand and Gare Thompson for appointment, they will be working with Kerry and Nancy Strom to determine which option would best benefit the towns' needs. Ernie motion to appoint the recommended applicants to the task force, Steve seconded, voted unanimously.

**3. Employee member to Personnel Committee** – Doreen Noble, Director of the COA came before the board regarding the employee designee to the Personnel Committee; she stated that she fully understands who she will be representing and as a management employee has the ability to see both sides. Noted the inconsistencies within the current Salary Administration Plan and the changes that have been occurring within the unions, there is a gross misrepresentation within the Salary Administration Plan. Tom A., move to appoint Doreen Noble as the employee representative to the Personnel Committee, voted unanimously. Kerry noted that this appointment is also with the Moderator and will forward the board's vote to him.

**Upcoming Meeting Schedule**

July 13, Work Session

July 20, Business Session

**EXECUTIVE SESSION**

1. MGL Chapter 39, §23B (3) to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigating strategy

Being no further business board voted unanimously to adjourn Regular Session at 8:42 P.M. Opened Executive Session by roll call vote at this time. Chair announced that the board will not be returning to regular session.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant  
Board of Selectmen

# TOWN OF LUNENBURG

## BOARD OF SELECTMEN

17 Main Street, PO Box 135  
Lunenburg, MA 01462-0135

Paula J. Bertram, Chair  
Steven M. deBettencourt, Vice-Chair  
Carl "Ernie" Sund, Clerk  
Thomas A. Alonzo, Member  
David J. Matthews, Member



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Tues. 8:00AM - 6:30PM  
Fri. 8:00 AM – 12:30 PM

Kerry A. Speidel  
Town Manager  
Laura B. Williams  
Chief Administrative Assistant

## Municipal Web Services Task Force

The Town of Lunenburg seeks residents interested in serving on a Task Force to evaluate existing municipal web services and make recommendations on changes to be made to make it easier to access municipal information and services 24 hours per day. The Task Force will be made up of five- (5) residents, with the IT Director to serve as an Ex-Officio (non-voting) member. The ideal composition of the Task Force will include, three- (3) residents knowledgeable in the field Information Technology, Web Design, or e-Business Commerce, and two-(2) non-technical residents who would likely use the services.

The Committee will be charged with the following:

1. Evaluate the current municipal website [hosted by School Center] to determine its inadequacies, in terms of ease of use, content and ability to provide e-Services.
2. Identify common obstacles faced by departments and residents when maintaining and/ or using the website.
3. Evaluate vendors currently providing web services to municipalities, including, but not limited to e-Gov Link, Qscend, and Virtual Town Hall, and determine which best suits Lunenburg's long-term needs. Evaluation should include, but not be limited to: cost, ease of updating information, compatibility with current web services and ability to add additional functionality as it becomes needed.
4. Develop a plan to standardize website content, including department home page, forms access, agenda and minutes access, etc.

Members of the Task Force will be appointed by the Town Manager. The Task Force will meet at times and locations as decided by the Task Force. All meetings of this Task Force will be subject to the Open Meetings Law. This Task Force should be prepared to present a written report, including recommendations, to the Town Manager and Board of Selectmen on or before August 31, 2010.

Questions should be directed to Kerry A. Speidel, Town Manager.

## **ARTICLE XVII**

### **BUILDING COMMITTEE**

**SECTION 1.** There shall be a separate Committee appointed for each Town building project. Each Committee shall consist of a minimum of seven (7) members for a term not to exceed 30 days following the completion of the project. Members of the Committee shall be comprised of (1) member from the Board of Selectmen to be appointed by the Board of Selectmen, (1) member from the Planning Board to be appointed by the Planning Board, and two (2) members from the Department or Board having jurisdiction over the building, or their designee, to be approved by such Board, and three (3) citizens at large to be appointed by the Board of Selectmen and the Moderator. If membership exceeds seven (7) proportional integrity as outlined above shall, to the extent possible, be maintained with no one group having a majority. (5/13/96)

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Kerry A. Speidel  
Town Manager  
Laura B. Williams  
Chief Administrative Assistant

## MEMORANDUM

To: Board of Selectmen  
From: Kerry A. Speidel, Town Manager <sup>KAS</sup>  
Subject: Building Committee  
Date: July 2, 2010

Article 27, Section of the Town Bylaws call for the appointment of a Building Committee for each Town Building project. The committee shall consist of a minimum of seven (7) members as follows:

- 1 member of the Board of Selectmen to be chosen by the BOS
- 1 member of the Planning Board to be chosen by the Planning Board
- 2 members of the Department of Public Works
- 3 citizens at large

I contacted the members of the DPW Facility Committee to see if any were interested in serving on the Building Committee. Both Dave MacDonald and Jay Simione expressed an interest.

I contacted both the Cemetery and Parks Commissioners to see if any were interested in serving on the Building Committee. Unfortunately, none of the Parks Commissioners were able to make the commitment due to the time of year. I am awaiting a response from the Cemetery Commissioners.

One resident, Thomas Albert, has submitted a Talent Bank application for appointment. I am awaiting a response from the Planning Board as to who will serve in this capacity. As such, I would request that you table appointments to your July 20, 2010 meeting.

Additionally, since the bylaw is silent on the purpose of the committee, one will have to be established. It is my hope that the committee will be formed and ready to go by the beginning of August.

Please let me know if you have any questions.

/kas

# TALENT BANK FORM

## ACT NOW -- SERVE YOUR COMMUNITY

Town government needs citizens who are willing to give time in the service of their community. The Talent Bank was adopted by the Selectmen and Moderator as a means of compiling names of interested citizens to serve, on a voluntary basis, on boards and committees. This file is available for use by the public as well as the Moderator and the Selectmen. Talent Bank files are being updated to include categories consistent with the changing needs of the Town. Indicate your order of preference and return the form below to:

Town Government Talent Bank c/o Board of Selectmen  
PO Box 135, Lunenburg MA 01462

Name: THOMAS ALBERT Date: \_\_\_\_\_

Address: 1354 LANCASTER AVE Precinct No: \_\_\_\_\_

Occupation: CONSTRUCTION SUPER Telephone: \_\_\_\_\_

Background: STARTED WORKING WHEN I WAS 5 YRS OLD -

BEEN OUTSIDE SUPER FOR SHAW/LUNBURG CONST. SINCE

NOV 3, 1983 - ALL STATE AND FEDERAL WORK

### AREAS OF INTEREST

(list order of preference)

\_\_\_\_\_ **Computer Advisory Committee** -- maintain strategic planning, policies & procedures encompassing the town & school departments. Responsible for reviewing Technology Department goals & objectives.

\_\_\_\_\_ **Conservation Commission** -- responsible for administering the Wetlands Protection Act (MGL.Ch.131, Section 40), Local (non-zoning) Municipal Wetlands By-Laws, plan for natural resource protection, acquire important land and water areas, and manage these properties for conservation and passive recreation.

\_\_\_\_\_ **Council on Aging** -- carry out programs designed to meet the needs of the aging in coordination with programs of Executive Office of Elder Affairs established by the Commonwealth of Massachusetts.

\_\_\_\_\_ **Finance Committee** -- consider any and all municipal questions & exam all articles calling for expenditures of money.

\_\_\_\_\_ **Historical Commission** -- responsible for protecting the history of the Town.

\_\_\_\_\_ **Housing Partnership Committee** -- address local housing needs through a collaborative effort between local government, community organizations, banks, and the private sector.

\_\_\_\_\_ **Lunenburg Cultural Council** -- to ensure that public programs in the arts, humanities and interpretive sciences are available to the community.

\_\_\_\_\_ **Montachusett Joint Transportation Commission** -- sub committee of Montachusett Regional Planning Commission/ a citizens advisory group for input on transportation (highways & road projects etc)

\_\_\_\_\_ **Personnel Committee** -- responsible for administration of the by-laws; establishes salary schedules, "fringe" benefits, "indirect pay" provision such as holidays & vacations with pay, sick leave. The committee represents both taxpayers & town employees.

\_\_\_\_\_ **Public Access Cable Committee (PACC)** -- oversee programming in areas of public affairs, education, entertainment & government.

\_\_\_\_\_ **Zoning Board of Appeals** -- hear & decide on applications for variances, special permits, comprehensive permits etc.

\_\_\_\_\_ Other DPW BUILDING COMMITTEE

RECEIVED

JUN 15 2010

SELECTMEN'S OFFICE



# TOWN OF LUNENBURG

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Kerry A. Speidel  
Town Manager  
Laura B. Williams  
Chief Administrative Assistant

## MEMORANDUM

To: Board of Selectmen  
From: Kerry A. Speidel, Town Manager <sup>KAS</sup>  
Subject: Municipal Electric Aggregation  
Date: July 2, 2010

About a year ago, Rob Bowen, a member of the Municipal Utilities Task Force [MUTF], came before you to present the concept of "Municipal Electric Aggregation." He advised the Board that the MUTF felt that aggregation was outside of their scope, but that he and fellow member, Carolyn McCarthy, would be interested in working on this issue further with me. As such, I am presenting this to you to see if you would like this issue researched further.

In 1997, the legislature passed *An Act Relative to Restructuring the Electric Utility Industry in the Commonwealth, Regulating the Provision of Electricity and Other Services, and Promoting Consumer Protection therein.* This Act allows consumers, under certain circumstances, to purchase electric power from an entity other than their distribution company.

In order to purchase electric power, the Town must become an Aggregator, or manager, for residents and businesses. Currently, the Town serves as an Aggregator for municipal buildings only. In order to become an Aggregator for the town as a whole, the following must occur:

1. Town Meeting must vote to approve aggregation.
2. The Town must file an Aggregation Plan [Community Choice Power Supply Plan] with the State, which the State must approve.
3. Town Meeting must approve the Plan.
4. The State must conduct a Public Hearing to approve the Plan.
5. If the Plan is approved, the Town must go through a Competitive Bid process via Requests for Proposals.

Recently, I have been contacted by Colonial Power Group, Inc., a consulting firm from Marlborough, MA, who is interested in providing a free Needs Assessment for the Town, to

help determine if it makes sense to move forward. If the Board is interested in having further analysis done on Aggregation, I would like to work with this firm, Unutil, and with MUTF members Carolynn McCarthy and Rob Bowen, to the extent they are available. If Aggregation makes sense, I would like to be prepared to have a warrant article ready for the Special Town Meeting later this calendar year.

Please let me know if you have any questions.

Some additional resources:

Division of Energy Resources, Guide to Municipal Electric Aggregation in Massachusetts  
[www.mass.gov/Eoca/docs/doer/agg-guid.pdf](http://www.mass.gov/Eoca/docs/doer/agg-guid.pdf) [let me know if you would like me to print this for you]

Massachusetts Electricity [www.massachusettselectricity.com](http://www.massachusettselectricity.com)

Cape & Islands Energy Information Clearinghouse [www.cirenew.info](http://www.cirenew.info)

/kas