

Executive Committee Meeting Minutes
Virtual meeting by remote participation
November 12, 2020

Chairman Harold Mitchell called the meeting to order at 2:00 pm.

The Chair announced that the meeting was being held virtually as allowed by Governor Baker's Executive Order suspending certain provisions of the Open Meeting law dated March 12, 2020, with all members participating remotely. He reviewed instructions about how the public could participate remotely. The Chair further announced that all votes and other actions would be taken by roll call and that the names of the remote participants would be announced as roll call was taken. He announced that Harold Mitchell, Elizabeth Taylor, Richard Roy, Stephen Mealy and Kevin Grunwald were participating remotely. Commission member Jack McCormack was also in attendance.

Roll was called as follows:

Harold Mitchell	Present
Elizabeth Taylor	Present
Richard Roy	Present
Kevin Grunwald	Present
Stephen Mealy	Present

Chairman's Report: Commission Chairman Harold Mitchell announced that Jack McCormack had resigned on October 19th as Vice Chairman of the Commission and as member of the Executive Committee but would be continuing to represent Yarmouth on the Commission. He thanked Jack for his many years of service and leadership. He announced that he had appointed Stephen Mealy, who expressed an interest in serving, to replace Jack as Vice Chairman of the Commission and to serve in that capacity on the Executive Committee. Stephen Mealy will serve as Vice-Chair until the current term ends in January. He also announced the appointment of the nominating committee for selection of Commission officers as follows: Ernie Virgilio, Dick Roy and Kevin Grunwald. The committee will meet soon to elect a chair of that committee and begin their work.

Review and approval of prior meeting minutes: Upon a motion by Kevin Grunwald, seconded by Elizabeth Taylor, roll was called, and members voted to approve their meeting minutes of 10/1/20 as follows:

Harold Mitchell	yes
Elizabeth Taylor	yes
Richard Roy	abstain
Kevin Grunwald	yes
Stephen Mealy	abstain

Executive Director's Report: Executive Director Kristy Senatori thanked Jack McCormack for his service and welcomed Stephen Mealy. She said she will send an update to all members after this meeting. She updated members on recent Commission activities:

- Continuing to participate on the Cape Cod Reopening Task Force and in twice weekly County Covid-19 Department Manager Meetings

- Making significant progress on the Climate Action Plan, working with the Climate Action Subcommittee and stakeholders
 - Climate Stakeholder working group meetings started in mid-October
 - CAP Focus Groups started in early November
- Specific Climate Action Plan efforts ongoing: GHG visualizations, economic and fiscal impact analysis, legal and jurisdictional analysis, development of a climate actions database; and communications including a Cape Cod Climate Action Podcast Series; five or six episodes have been released to date including one recorded last week on policy with Senator Cyr and Rep Fernandes on 11/6
- Presented with Steve Tupper and Erin Perry at the 5Cs NetZero Virtual Conference on 10/23, was well received
- Attended and presented at the 2020 Maine Municipal Association Convention virtual event on 10/7; similar challenges to Cape Cod
- CCIWPF Management Board unanimously adopted regulations that govern distribution of the Water Protection Funds on 10/7; fund balance is just under \$11million dollars to date. Will issue a press release and send executive summary to towns.

Staff Updates:

Abigail Bliss and Chelsea Bruck started work last month as Community Development Planners and GIS Analyst Madden Bremer resigned.

- Currently hiring for GIS analyst/ Geospatial Developer
- Planning a commission member retreat; 2-3 hours in early December. Staff will be in touch to schedule it.

Litigation Update: Commission Counsel Jessica Wielgus gave a procedural update on litigation in the matter of Natalie Pittinger v. Cape Cod Commission, Land Court Civil action # 20-MISC-000128 (Tractor Supply). Jessica Wielgus reported that on 9/10/20, Judge Speicher of the Land Court conducted a motion hearing on the Commission’s motion to dismiss and Plaintiff’s Cross-Motion for Leave to Amend the Complaint. Judge Speicher joined Windmill Square, LLC, represented by Michael Princi, as party to the suit. A trial is scheduled for 4/6/21 – 4/8/21, with pretrial conference scheduled for 3/2/21. Discovery is ongoing. She noted this judge has conducted several trials via the zoom platform.

Executive Session: Chairman Mitchell requested a motion for the committee to enter Executive Session for purpose seven (7) of the Open Meeting law, to comply with the general law and perform a review and determination whether to release executive session minutes which may no longer warrant non-disclosure per Mass. General Law c. 30A, section 22(g) with a return to public session. Motion was made by Kevin Grunwald, seconded by Elizabeth Taylor. Members participating were announced as they voted by roll call to enter executive session at 2:17 p.m. as follows:

Harold Mitchell	yes
Elizabeth Taylor	yes
Richard Roy	yes
Kevin Grunwald	yes
Stephen Mealy	yes

The Public Session resumed at 2:22 pm.

Chairman Mitchell announced the that the Executive Committee has determined that it may release executive session minutes of May 14, 2020 as redacted for attorney client privilege, and the minutes of November 12, 2020, once drafted and approved because the original purpose for the executive session has been achieved.

New Business: None

Adjourn: Upon a motion to adjourn at 2:24 p.m. by Kevin Grunwald seconded by Elizabeth Taylor, members voted by roll call as follows

Harold Mitchell	yes
Elizabeth Taylor	yes
Richard Roy	yes
Kevin Grunwald	yes
Stephen Mealy	yes

Documents used/received: Draft Executive Committee minutes for October 1, 2020.

Approved by Cape Cod Commission Executive Committee on 12/3/2020